



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIFTH GENERAL ASSEMBLY

140TH LEGISLATIVE DAY

TUESDAY, APRIL 1, 2008

12:40 O'CLOCK P.M.

SENATE
Daily Journal Index
140th Legislative Day

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The Senate met pursuant to adjournment.
 Senator Rickey R. Hendon, Chicago, Illinois, presiding.
 Prayer by Pastor Paul Black, Jerome United Methodist Church, Springfield, Illinois.
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Thursday, March 13, 2008, 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.

The Journal of Wednesday, March 19, 2008, 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.

The Journal of Wednesday, March 26, 2008, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Report pursuant to the Personal Information Protection Act, submitted by Southern Illinois University Carbondale.

FY 2009 Liabilities of the State Employees' Group Insurance Program, submitted by the Commission on Government Forecasting and Accountability.

Executive Summary Storm Drainage System Improvement Plan, Village of Garrett, February 2008, submitted by the Department of Agriculture.

2004 – 2007 Annual Report of the State Rehabilitation Council, submitted by the Department of Human Services.

Annual Report of the Illinois Sports Facilities Authority, submitted by the Illinois Sports Facilities Authority.

FY 2007 Bonded Indebtedness and Long Term Obligations, submitted by the Office of the Comptroller.

FY 2007 Financial Report of the State Employees' Retirement System of Illinois, submitted by the State Employees' Retirement System.

Annual Report of the Round Lake Area Schools District 116 School Finance Authority, submitted by the Round Lake Area Schools District 116 School Finance Authority.

2008 Hispanic Employment Plan, submitted by Department of Central Management Services.

Report on the Financial Condition of the State Retirement Systems, submitted by the Commission on Government Forecasting and Accountability.

FY 2009 Economic & Revenue Forecast and Updated FY 2008 Revenue Estimate, submitted by the Commission on Government Forecasting and Accountability.

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

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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. 2 to Senate Bill 1878
 Senate Floor Amendment No. 3 to Senate Bill 1893
 Senate Floor Amendment No. 1 to Senate Bill 1929
 Senate Floor Amendment No. 1 to Senate Bill 1945
 Senate Floor Amendment No. 2 to Senate Bill 2013
 Senate Floor Amendment No. 2 to Senate Bill 2085
 Senate Floor Amendment No. 2 to Senate Bill 2138
 Senate Floor Amendment No. 1 to Senate Bill 2250
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 Senate Floor Amendment No. 2 to Senate Bill 2358
 Senate Floor Amendment No. 2 to Senate Bill 2502
 Senate Floor Amendment No. 1 to Senate Bill 2514
 Senate Floor Amendment No. 2 to Senate Bill 2855

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

Senate Floor Amendment No. 3 to House Bill 1334

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 593

Offered by Senator Althoff and all Senators:
 Mourns the death of Geraldine W. "Jerry" Boehm of McHenry.

SENATE RESOLUTION NO. 594

Offered by Senator Link and all Senators:
 Mourns the death of Edward "Ed" Clark of Waukegan.

SENATE RESOLUTION NO. 595

Offered by Senator Link and all Senators:
 Mourns the death of Raymond "Pete" Krause, Sr., of North Chicago.

SENATE RESOLUTION NO. 596

Offered by Senator Link and all Senators:
 Mourns the death of George Robert Archdale of Waukegan.

SENATE RESOLUTION NO. 597

Offered by Senator Koehler and all Senators:
 Mourns the death of Dorothy Murray of Peoria.

SENATE RESOLUTION NO. 598

Offered by Senator Silverstein and all Senators:
 Mourns the death of U.S. Army Corporal Albert Bitton of Chicago.

SENATE RESOLUTION NO. 599

Offered by Senator Forby and all Senators:
 Mourns the death of Marilyn Jeanne Bigham of DuQuoin.

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SENATE RESOLUTION NO. 600

Offered by Senator Forby and all Senators:
Mourns the death of Tom "Tom Cat" Eickelman of Benton.

SENATE RESOLUTION NO. 601

Offered by Senator Harmon and all Senators:
Mourns the death of William Edward Brady IV of Galesburg.

SENATE RESOLUTION NO. 602

Offered by Senator Harmon and all Senators:
Mourns the death of Ted Fleming of Peoria.

SENATE RESOLUTION NO. 603

Offered by Senator Harmon and all Senators:
Mourns the death of Lynn Edwin Salier of Arlington Heights.

SENATE RESOLUTION NO. 604

Offered by Senator Pankau and all Senators:
Mourns the death of Steven Adam Atchison of Roselle.

SENATE RESOLUTION NO. 605

Offered by Senator Koehler and all Senators:
Mourns the death of Donald W. Chapman of Peoria.

SENATE RESOLUTION NO. 606

Offered by Senator Koehler and all Senators:
Mourns the death of Donald Lee Grubor of Lewistown.

SENATE RESOLUTION NO. 607

Offered by Senator E. Jones and all Senators:
Mourns the death of Brian L. Abrams, Sr., of Chicago.

SENATE RESOLUTION NO. 608

Offered by Senator Lightford and all Senators:
Mourns the death of Margaret Purchase.

SENATE RESOLUTION NO. 609

Offered by Senator Lauzen and all Senators:
Mourns the death of Rose Sawako Tani of Lombard.

SENATE RESOLUTION NO. 610

Offered by Senator Cullerton and all Senators:
Mourns the death of Edward Hallinan of Chicago.

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

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

SENATE RESOLUTION NO. 611

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

WHEREAS, The most recent National Child Abuse and Neglect Data System (NCANDS) figures show that almost 900,000 children were victims of abuse and neglect in the United States in 2004,

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causing unspeakable pain and suffering to our most vulnerable citizens; among the children who are victims of abuse and neglect, nearly four children die each day in this country; and

WHEREAS, Children age one and younger accounted for 45 percent of child abuse and neglect fatalities in 2004, and children age three and younger accounted for 81 percent of all child abuse and neglect fatalities in 2004; and

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

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

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

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

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

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

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

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

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

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that in honor of survivors of Shaken Baby Syndrome like Taylor Nicole (Pinkas)

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Rogers of Edwardsville and Kristina Simmons of Decatur, non-survivors like Reagan Williams of Danville, and in honor of all the other precious children that did or did not survive, we hereby designate April 21-27, 2008, as "Shaken Baby Syndrome Awareness Week" in the State of Illinois; and be it further

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

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

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

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

SENATE RESOLUTION NO. 612

WHEREAS, Modern medicine has made amazing advances in fighting pediatric cancer; pediatric cancer survivors are faced with a unique set of problems because of these advances; and

WHEREAS, Cure rates for pediatric cancers have risen dramatically during the past 20 years; it is estimated that one in every 900 adults aged 16 to 44 is a survivor of pediatric cancer; and

WHEREAS, Almost 70 percent of children diagnosed with brain cancer survive treatment today, a statistic that calls into focus the need to look at a child's quality of life in the years following treatment; and

WHEREAS, Pediatric cancer survivorship can come with a price in the form of long-term medical, financial, psychosocial, and/or neurocognitive problems due to chemotherapy, radiation, or surgery; and

WHEREAS, The major expenses of a pediatric cancer diagnosis and treatment program are associated with the direct costs of medical care, including charges for hospitalizations, clinic visits, medications, tests and procedures, home health services, services of doctors and other professionals, and treatment, which includes surgery, chemotherapy, radiation therapy, and bone marrow or peripheral stem cell transplantation; and

WHEREAS, Even well-insured, middle-class families with health insurance can find themselves in financial distress because of a single catastrophic illness; even when the family's insurance doesn't run out, health care costs can be staggering for the families of children with cancer; and

WHEREAS, The State of Illinois recognizes that amazing advances have been made in the treatment of pediatric cancer and survivor rates; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we proclaim the week of April 6-12, 2008 as the Second Annual Pediatric Cancer Survivorship Week in the State of Illinois.

Senators Demuzio - Bomke offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 613

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WHEREAS, It is a core mission of the National Guard to provide the states with units that are trained and equipped to protect life and property; and

WHEREAS, The Fire Department of the 183rd Fighter Wing of the Illinois Air National Guard is such a unit; and

WHEREAS, The Department, which is based out of the Abraham Lincoln Capital Airport in Springfield, Illinois, provides invaluable people, equipment, and resources for meeting the State's needs in responding to emergencies and natural disasters; and

WHEREAS, In 2005, the U.S. Defense Base Closure and Realignment Commission announced that the 183rd Fighter Wing would lose its F-16 aircraft; and

WHEREAS, The National Guard Bureau announced that, without a flying mission, the firefighter positions for the 183rd would be eliminated as of April 1, 2008; and

WHEREAS, The removal of the Fire Department at the 183rd would have a substantial negative impact on the safety of the flying public, on the emergency-response capabilities of Springfield and the surrounding communities, and on those communities' ability to respond to natural disasters and to homeland security; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the United States Congress and the National Guard Bureau to take all necessary steps to ensure that the Fire Department of the 183rd remains located at the Abraham Lincoln Capital Airport in Springfield, Illinois for the protection and preservation of the lives and property of citizens of Central Illinois; and be it further

RESOLVED, That a copy of this resolution be delivered to Lieutenant General H. Steven Blum, Chief, National Guard Bureau, the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, and each member of the Illinois congressional delegation.

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

SENATE JOINT RESOLUTION NO. 88

WHEREAS, The State of Illinois, through its Department of Natural Resources, has provided a captive-reared pheasant hunting program since 1946; and

WHEREAS, The captive-reared pheasants are released on public lands for hunting; and

WHEREAS, The Department of Natural Resources' Controlled Pheasant Hunting Program (CPHP) is now provided at 18 public hunting areas geographically distributed throughout Illinois; and

WHEREAS, The Controlled Pheasant Hunting Program provides an important and irreplaceable hunting experience for many hunters; and

WHEREAS, Illinois is highly urbanized, and 95% of all the land in the State is privately owned with limited hunting access; and

WHEREAS, The State's wild pheasant population has declined over the past 30 years; and

WHEREAS, The combination of limited hunting access and the decline in wild pheasant populations results in many hunters relying on public hunting areas for their sport and recreation; and

WHEREAS, With the urbanization and development of so much of Illinois, public hunting areas are

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the sole source for urban hunters; and

WHEREAS, Public hunting areas are the most accessible for the State's active senior and handicapped hunters; and

WHEREAS, In 2006, 46,850, or 97.7% of the pheasants harvested on public lands were captive-reared pheasants from the 18 public hunting areas; and

WHEREAS, In 2006, only 1,100 wild pheasants were harvested from the remaining 19 public hunting areas where captive-reared pheasant are not released; and

WHEREAS, Illinois realized in excess of 29,000 pheasant hunter trips under the Controlled Pheasant Hunting Program; and

WHEREAS, Considerable revenues are realized from the State's vast population of pheasant hunters each and every season; and

WHEREAS, Pheasant hunters pay a \$15 daily access fee for using the Department of Natural Resources' controlled pheasant hunting areas; and

WHEREAS, Pheasant hunters must also purchase an Illinois hunting license and most also purchase the \$5.50 Habitat stamp; and

WHEREAS, Illinois hunters contribute to the State's \$5.8 million Pitman-Roberson apportionment through the federal excise tax paid on sporting arms and ammunition; and

WHEREAS, Illinois pheasant hunters contribute significantly to the local economies surrounding State-controlled hunting areas; and

WHEREAS, The Department of Natural Resources operates 3 Wildlife Propagation Centers; and

WHEREAS, These unique pheasant production facilities were constructed at a cost of nearly \$8 million; and

WHEREAS, In 2007, 65,000 mature pheasants raised at the Wildlife Propagation Centers were released on the State's controlled pheasant hunting lands; and

WHEREAS, Without the Department of Natural Resources' Controlled Pheasant Hunting Program, pheasant hunting in Illinois would virtually cease to exist; and

WHEREAS, Illinois pheasant hunters would be displaced and not have adequate access to hunting areas, especially in the State's expanding urban regions; and

WHEREAS, The revenues realized by both the State and the local economies within the State would suffer considerably without the continuation of the State's Controlled Pheasant Hunting Program; 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 we recognize the financial and professional investment committed by the State in creating its progressive and advanced propagation centers; and be it further

RESOLVED, We acknowledge and understand the significance of the State's Controlled Pheasant Hunting Program operated by the Department of Natural Resources; and be it further

RESOLVED, We encourage and expect the continuation and maintenance of the Controlled Pheasant Hunting Program to insure access and availability for pheasant hunters from throughout Illinois; and be it further

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RESOLVED, That suitable copies of this resolution be presented to the Director of Natural Resources and the Governor.

MESSAGE FROM THE HOUSE

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 84

WHEREAS, The members of the Illinois General Assembly wish to honor those who have served our country with distinction and valor in the armed forces; and

WHEREAS, Sergeant John F. Baker Jr., so distinguished himself in combat during the Vietnam War in acting above and beyond the call of duty by placing himself repeatedly in harm's way for his fellow soldiers, that he received the nation's highest military award, the Congressional Medal of Honor; and

WHEREAS, Veterans organizations, including the Vietnam Veterans of the Quad Cities, have urged the commemoration of Sergeant John F. Baker Jr.'s heroism by naming a bridge crossing in the Quad City region in his honor; and

WHEREAS, Sergeant John F. Baker Jr.'s dedication to his country should be commended and praised in the highest fashion; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Interstate 280 Bridge in Rock Island County be designated the Sergeant John F. Baker Jr. Bridge; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Secretary of the U.S. Department of Transportation; the Secretary of the Illinois Department of Transportation; the county boards of Rock Island and Scott counties; the cities of Rock Island, Davenport, Bettendorf, and Silvis; and the Village of Milan.

Adopted by the House, February 27, 2008.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 84 was referred to the Committee on Rules.

EXCUSED FROM ATTENDANCE

On motion of Senator Risinger, Senator Hultgren was excused from attendance as he is out of state, and Senators Dahl and Cronin were excused from attendance due to official business.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

[April 1, 2008]

House Bill No. 4199, sponsored by Senator Schoenberg, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4450, sponsored by Senator Hultgren, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4457, sponsored by Senator Cronin, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4574, sponsored by Senator Pankau, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4702, sponsored by Senator Peterson, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4730, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 4838, sponsored by Senator Pankau, was taken up, read by title a first time and referred to the Committee on Rules.

MOTIONS IN WRITING

Senator Pankau submitted the following Motions in Writing:

Pursuant to Senate Rule 7-9, I move that the Senate Rules committee be discharged from further consideration of Senate Bill 2464 and that Senate Bill 2464 be placed on the order of 2nd Reading.

<u>3/12/08</u>	<u>s/Carole Pankau</u>
DATE	SENATOR

Pursuant to Senate Rule 7-9, I move that the Senate Rules committee be discharged from further consideration of Senate Bill 2468 and that Senate Bill 2468 be placed on the order of 2nd Reading.

<u>3/12/08</u>	<u>s/Carole Pankau</u>
DATE	SENATOR

The foregoing Motions in Writing were filed with the Secretary and placed on the Senate Calendar for April 2, 2008.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Hunter, **Senate Bill No. 2603**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2653**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2654**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2655**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2656**, having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator E. Jones, **Senate Bill No. 2716**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2717**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2718**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2719**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2720**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2721**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2722**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2723**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2724**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2725**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2726**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2727**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2728**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2729**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones, **Senate Bill No. 2730**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2786**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2799**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 2821**, having been printed, was taken up, read by title a second time.

Senate Floor Amendment No. 1 was referred to the Committee on Rules earlier today.

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

On motion of Senator Collins, **Senate Bill No. 2825** having been printed, was taken up, read by title a second time.

[April 1, 2008]

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

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

AMENDMENT NO. 2 TO SENATE BILL 2825

AMENDMENT NO. 2. Amend Senate Bill 2825 by replacing everything after the enacting clause with the following:

"Section 5. The Tobacco Accessories and Smoking Herbs Control Act is amended by changing Sections 2, 3, and 4 as follows:

(720 ILCS 685/2) (from Ch. 23, par. 2358-2)

Sec. 2. Purpose.

(a) The sale and possession of marijuana, hashish, cocaine, opium and their derivatives, is not only prohibited by Illinois Law, but the use of these substances has been deemed injurious to the health of the user.

It has further been determined by the Surgeon General of the United States that the use of tobacco is hazardous to human health.

The ready availability of smoking herbs to minors could lead to the use of tobacco and illegal drugs.

It is in the best interests of the citizens of the State of Illinois to seek to prohibit the spread of illegal drugs, tobacco or smoking materials to minors. The prohibition of the sale of tobacco and snuff accessories and smoking herbs to minors would help to curb the usage of illegal drugs and tobacco products, among our youth.

(b) The General Assembly finds and declares that there has been a proliferation of flavored cigarettes in recent years. Many of these products have flavors that are particularly attractive to minors. These cigarettes have included flavors such as various fruits, candy, chocolate, vanilla, honey, sugar or sugar substitute, nut, mint, cocoa, desserts, soft drinks, alcoholic beverages, herb and spice flavorings or other flavorings that are attractive to minors. According to survey evidence and public health experts, minors are more likely to choose flavored cigarettes and thus the existence of these products increases the incidence of cigarette use among minors. Moreover, the earlier that an individual begins using tobacco, the more likely he or she will become addicted to tobacco products and will continue to use tobacco products throughout his or her lifetime. Accordingly, flavored cigarettes result in increased tobacco use, increased addiction, a greater incidence of smoking-related illnesses, increased health care costs, and more smoking-related deaths. The General Assembly therefore finds and declares that the existence of flavored cigarettes presents a significant threat to public health and to minors, and that the sale of flavored cigarettes must be restricted.

(Source: P.A. 82-487.)

(720 ILCS 685/3) (from Ch. 23, par. 2358-3)

Sec. 3. Definitions. The following definitions shall apply to this Act:

(a) "Tobacco accessories" shall mean cigarette papers, pipes, holders of smoking materials of all types, cigarette rolling machines, and other items, designed primarily for the smoking or ingestion of tobacco products or of substances made illegal under any statute or of substances whose sale, gift, barter, or exchange is made unlawful under this Act.

(b) "Smoking herbs" shall mean all substances of plant origin and their derivatives, including but not limited to broom, calea, California poppy, damiana, hops, ginseng, lobelia, jimson weed and other members of the Datura genus, passion flower and wild lettuce, which are processed or sold primarily for use as smoking materials.

(c) "Bidi cigarette" means a product that contains tobacco that is wrapped in temburni or tendu leaf or that is wrapped in any other material identified by rules of the Department of Public Health that is similar in appearance or characteristics to the temburni or tendu leaf.

(d) "Flavored cigarette" means any cigarette product, or any component part thereof (including but not limited to the tobacco, paper, or filter, and any components for roll-your-own cigarettes), which contains a natural or artificial constituent or additive that causes such cigarette or its smoke to have a characterizing flavor other than tobacco or menthol.

(e) "Characterizing flavor" includes but is not limited to any fruit, candy, chocolate, vanilla, honey, sugar or sugar substitute, nut, mint, cocoa, dessert, soft drink, alcoholic beverage, herb or spice flavoring, but does not include tobacco or menthol. In no event shall a cigarette or any component part thereof (including but not limited to the tobacco, paper, roll or filter) be construed to have a characterizing flavor based solely on the use of additives or flavorings, or the provision of an ingredient list made available by any means.

(Source: P.A. 91-734, eff. 1-1-01.)

(720 ILCS 685/4) (from Ch. 23, par. 2358-4)

Sec. 4. Offenses.

(a) Sale to minors. No person shall knowingly sell, barter, exchange, deliver or give away or cause or permit or procure to be sold, bartered, exchanged, delivered, or given away tobacco accessories or smoking herbs to any person under 18 years of age.

(a-5) Sale of bidi cigarettes. No person shall knowingly sell, barter, exchange, deliver, or give away a bidi cigarette to another person, nor shall a person cause or permit or procure a bidi cigarette to be sold, bartered, exchanged, delivered, or given away to another person.

(a-6) No person shall knowingly sell, distribute, or offer for sale or distribution in this State or to any person in this State a flavored cigarette.

(b) Sale of cigarette paper. No person shall knowingly offer, sell, barter, exchange, deliver or give away cigarette paper or cause, permit, or procure cigarette paper to be sold, offered, bartered, exchanged, delivered, or given away except from premises or an establishment where other tobacco products are sold. For purposes of this Section, "tobacco products" means cigarettes, cigars, smokeless tobacco, or tobacco in any of its forms.

(c) Sale of cigarette paper from vending machines. No person shall knowingly offer, sell, barter, exchange, deliver or give away cigarette paper or cause, permit, or procure cigarette paper to be sold, offered, bartered, exchanged, delivered, or given away by use of a vending or coin-operated machine or device. For purposes of this Section, "cigarette paper" shall not include any paper that is incorporated into a product to which a tax stamp must be affixed under the Cigarette Tax Act or the Cigarette Use Tax Act.

(d) Use of identification cards. No person in the furtherance or facilitation of obtaining smoking accessories and smoking herbs shall display or use a false or forged identification card or transfer, alter, or deface an identification card.

(e) Warning to minors. Any person, firm, partnership, company or corporation operating a place of business where tobacco accessories and smoking herbs are sold or offered for sale shall post in a conspicuous place upon the premises a sign upon which there shall be imprinted the following statement, "SALE OF TOBACCO ACCESSORIES AND SMOKING HERBS TO PERSONS UNDER EIGHTEEN YEARS OF AGE OR THE MISREPRESENTATION OF AGE TO PROCURE SUCH A SALE IS PROHIBITED BY LAW". The sign shall be printed on a white card in red letters at least one-half inch in height.

(Source: P.A. 91-734, eff. 1-1-01.)"

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

On motion of Senator Martinez, **Senate Bill No. 2827** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2827

AMENDMENT NO. 1. Amend Senate Bill 2827 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 10-17.7 as follows:

(305 ILCS 5/10-17.7)

Sec. 10-17.7. Administrative determination of paternity. The Illinois Department may provide by rule for the administrative determination of paternity by the Child and Spouse Support Unit in cases involving applicants for or recipients of financial aid under Article IV of this Act and other persons who are given access to the child support enforcement services of this Article as provided in Section 10-1, including persons similarly situated and receiving similar services in other states. The rules shall extend to cases in which the mother and alleged father voluntarily acknowledge paternity in the form required by the Illinois Department or agree to be bound by the results of genetic testing or in which the alleged father has failed to respond to a notification of support obligation issued under Section 10-4 and to cases of contested paternity. The Illinois Department's form for voluntary acknowledgement of paternity shall be the same form prepared by the Illinois Department for use under the requirements of Section 12 of the Vital Records Act. Any presumption provided for under the Illinois Parentage Act of 1984 shall apply to

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cases in which paternity is determined under the rules of the Illinois Department. The rules shall provide for notice and an opportunity to be heard by the responsible relative and the person receiving child support enforcement services under this Article if paternity is not voluntarily acknowledged, and any final administrative decision rendered by the Illinois Department shall be reviewed only under and in accordance with the Administrative Review Law. Determinations of paternity made by the Illinois Department under the rules authorized by this Section shall have the full force and effect of a court judgment of paternity entered under the Illinois Parentage Act of 1984.

In determining paternity in contested cases, the Illinois Department shall conduct the evidentiary hearing in accordance with Section 11 of the Parentage Act of 1984, except that references in that Section to "the court" shall be deemed to mean the Illinois Department's hearing officer in cases in which paternity is determined administratively by the Illinois Department.

Notwithstanding any other provision of this Article, a default determination of paternity may be made if service of the notice under Section 10-4 was made by publication under the rules for administrative paternity determination authorized by this Section. The rules as they pertain to service by publication shall (i) be based on the provisions of Section 2-206 and 2-207 of the Code of Civil Procedure, (ii) provide for service by publication in cases in which the whereabouts of the alleged father are unknown after diligent location efforts by the Child and Spouse Support Unit, and (iii) provide for publication of a notice of default paternity determination in the same manner that the notice under Section 10-4 was published.

The Illinois Department may implement this Section through the use of emergency rules in accordance with Section 5-45 of the Illinois Administrative Procedure Act. For purposes of the Illinois Administrative Procedure Act, the adoption of rules to implement this Section shall be considered an emergency and necessary for the public interest, safety, and welfare.

(Source: P.A. 92-590, eff. 7-1-02.)

Section 10. The Vital Records Act is amended by changing Section 12 as follows:

(410 ILCS 535/12) (from Ch. 111 1/2, par. 73-12)

Sec. 12. Live births; place of registration.

(1) Each live birth which occurs in this State shall be registered with the local or subregistrar of the district in which the birth occurred as provided in this Section, within 7 days after the birth. When a birth occurs on a moving conveyance, the city, village, township, or road district in which the child is first removed from the conveyance shall be considered the place of birth and a birth certificate shall be filed in the registration district in which the place is located.

(2) When a birth occurs in an institution, the person in charge of the institution or his designated representative shall obtain and record all the personal and statistical particulars relative to the parents of the child that are required to properly complete the live birth certificate; shall secure the required personal signatures on the hospital worksheet; shall prepare the certificate from this worksheet; and shall file the certificate with the local registrar. The institution shall retain the hospital worksheet permanently or as otherwise specified by rule. The physician in attendance shall verify or provide the date of birth and medical information required by the certificate, within 24 hours after the birth occurs.

(3) When a birth occurs outside an institution, the certificate shall be prepared and filed by one of the following in the indicated order of priority:

- (a) The physician in attendance at or immediately after the birth, or in the absence of such a person,
- (b) Any other person in attendance at or immediately after the birth, or in the absence of such a person,
- (c) The father, the mother, or in the absence of the father and the inability of the mother, the person in charge of the premises where the birth occurred.

(4) Unless otherwise provided in this Act, if the mother was not married to the father of the child at either the time of conception or the time of birth, the name of the father shall be entered on the child's birth certificate only if the mother and the person to be named as the father have signed an acknowledgment of parentage in accordance with subsection (5).

Unless otherwise provided in this Act, if the mother was married at the time of conception or birth and the presumed father (that is, the mother's husband) is not the biological father of the child, the name of the biological father shall be entered on the child's birth certificate only if, in accordance with subsection (5), (i) the mother and the person to be named as the father have signed an acknowledgment of parentage and (ii) the mother and presumed father have signed a denial of paternity.

(5) Upon the birth of a child to an unmarried woman, or upon the birth of a child to a woman who was married at the time of conception or birth and whose husband is not the biological father of the child, the

institution at the time of birth and the local registrar or county clerk after the birth shall do the following:

(a) Provide (i) an opportunity for the child's mother and father to sign an acknowledgment of parentage and (ii) if the presumed father is not the biological father, an opportunity for the mother and presumed father to sign a denial of paternity. The signing and witnessing of the acknowledgment of parentage or, if the presumed father of the child is not the biological father, the acknowledgment of parentage and denial of paternity conclusively establishes a parent and child relationship in accordance with Sections 5 and 6 of the Illinois Parentage Act of 1984.

The Department of Healthcare and Family Services shall furnish the acknowledgment of parentage and denial of paternity form to institutions, county clerks, and State and local registrars' offices. The form shall include instructions to send the original signed and witnessed acknowledgment of parentage and denial of paternity to the Department of Healthcare and Family Services. The acknowledgment of paternity and denial of paternity form shall also include a statement informing the mother, the alleged father, and the presumed father, if any, that they have the right to request deoxyribonucleic acid (DNA) tests regarding the issue of the child's paternity and that by signing the form, they expressly waive such tests.

(b) Provide the following documents, furnished by the Department of Healthcare and Family Services, to the child's mother, biological father, and (if the person presumed to be the child's father is not the biological father) presumed father for their review at the time the opportunity is provided to establish a parent and child relationship:

(i) An explanation of the implications of, alternatives to, legal consequences of, and the rights and responsibilities that arise from signing an acknowledgment of parentage and, if necessary, a denial of paternity, including an explanation of the parental rights and responsibilities of child support, visitation, custody, retroactive support, health insurance coverage, and payment of birth expenses.

(ii) An explanation of the benefits of having a child's parentage established and the availability of parentage establishment and child support enforcement services.

(iii) A request for an application for child support enforcement services from the Department of Healthcare and Family Services.

(iv) Instructions concerning the opportunity to speak, either by telephone or in person, with staff of the Department of Healthcare and Family Services who are trained to clarify information and answer questions about paternity establishment.

(v) Instructions for completing and signing the acknowledgment of parentage and denial of paternity.

(c) Provide an oral explanation of the documents and instructions set forth in subdivision (5)(b), including an explanation of the implications of, alternatives to, legal consequences of, and the rights and responsibilities that arise from signing an acknowledgment of parentage and, if necessary, a denial of paternity. The oral explanation may be given in person or through the use of video or audio equipment.

(6) The institution, State or local registrar, or county clerk shall provide an opportunity for the child's father or mother to sign a rescission of parentage. The signing and witnessing of the rescission of parentage voids the acknowledgment of parentage and nullifies the presumption of paternity if executed and filed with the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) within the time frame contained in Section 5 of the Illinois Parentage Act of 1984. The Department of Healthcare and Family Services shall furnish the rescission of parentage form to institutions, county clerks, and State and local registrars' offices. The form shall include instructions to send the original signed and witnessed rescission of parentage to the Department of Healthcare and Family Services.

(7) An acknowledgment of paternity signed pursuant to Section 6 of the Illinois Parentage Act of 1984 may be challenged in court only on the basis of fraud, duress, or material mistake of fact, with the burden of proof upon the challenging party. Pending outcome of a challenge to the acknowledgment of paternity, the legal responsibilities of the signatories shall remain in full force and effect, except upon order of the court upon a showing of good cause.

(8) When the process for acknowledgment of parentage as provided for under subsection (5) establishes the paternity of a child whose certificate of birth is on file in another state, the Department of Healthcare and Family Services shall forward a copy of the acknowledgment of parentage, the denial of paternity, if applicable, and the rescission of parentage, if applicable, to the birth record agency of the state where the child's certificate of birth is on file.

(9) In the event the parent-child relationship has been established in accordance with subdivision (a)(1) of Section 6 of the Parentage Act of 1984, the names of the biological mother and biological father

so established shall be entered on the child's birth certificate, and the names of the surrogate mother and surrogate mother's husband, if any, shall not be on the birth certificate.

(Source: P.A. 95-331, eff. 8-21-07.)

Section 15. The Illinois Parentage Act of 1984 is amended by changing Section 11 as follows:
(750 ILCS 45/11) (from Ch. 40, par. 2511)

Sec. 11. Tests to determine inherited characteristics.

(a) In any action brought under Section 7 to determine the existence of the father and child relationship or to declare the non-existence of the parent and child relationship, the court or Administrative Hearing Officer in an Expedited Child Support System shall, prior to the entry of a judgment in the case, advise the respondent who appears of the right to request an order that the parties and the child submit to deoxyribonucleic acid (DNA) tests to determine inherited characteristics. The advisement shall be noted in the record. As soon as practicable, the court or Administrative Hearing Officer in an Expedited Child Support System may, and upon request of a party shall, order or direct the mother, child and alleged father to submit to deoxyribonucleic acid (DNA) tests to determine inherited characteristics. If any party refuses to submit to the tests, the court may resolve the question of paternity against that party or enforce its order if the rights of others and the interests of justice so require.

(b) The tests shall be conducted by an expert qualified as an examiner of blood or tissue types and appointed by the court. The expert shall determine the testing procedures. However, any interested party, for good cause shown, in advance of the scheduled tests, may request a hearing to object to the qualifications of the expert or the testing procedures. The expert appointed by the court shall testify at the pre-test hearing at the expense of the party requesting the hearing, except as provided in subsection (h) of this Section for an indigent party. An expert not appointed by the court shall testify at the pre-test hearing at the expense of the party retaining the expert. Inquiry into an expert's qualifications at the pre-test hearing shall not affect either parties' right to have the expert qualified at trial.

(c) The expert shall prepare a written report of the test results. If the test results show that the alleged father is not excluded, the report shall contain a combined paternity index relating to the probability of paternity. The expert may be called by the court as a witness to testify to his or her findings and, if called, shall be subject to cross-examination by the parties. If the test results show that the alleged father is not excluded, any party may demand that other experts, qualified as examiners of blood or tissue types, perform independent tests under order of court, including, but not limited to, blood types or other tests of genetic markers such as those found by Human Leucocyte Antigen (HLA) tests. The results of the tests may be offered into evidence. The number and qualifications of the experts shall be determined by the court.

(d) Documentation of the chain of custody of the blood or tissue samples, accompanied by an affidavit or certification in accordance with Section 1-109 of the Code of Civil Procedure, is competent evidence to establish the chain of custody.

(e) The report of the test results prepared by the appointed expert shall be made by affidavit or by certification as provided in Section 1-109 of the Code of Civil Procedure and shall be mailed to all parties. A proof of service shall be filed with the court. The verified report shall be admitted into evidence at trial without foundation testimony or other proof of authenticity or accuracy, unless a written motion challenging the admissibility of the report is filed by either party within 28 days of receipt of the report, in which case expert testimony shall be required. A party may not file such a motion challenging the admissibility of the report later than 28 days before commencement of trial. Before trial, the court shall determine whether the motion is sufficient to deny admission of the report by verification. Failure to make that timely motion constitutes a waiver of the right to object to admission by verification and shall not be grounds for a continuance of the hearing to determine paternity.

(f) Tests taken pursuant to this Section shall have the following effect:

(1) If the court finds that the conclusion of the expert or experts, as disclosed by the evidence based upon the tests, is that the alleged father is not the parent of the child, the question of paternity shall be resolved accordingly.

(2) If the experts disagree in their findings or conclusions, the question shall be weighed with other competent evidence of paternity.

(3) If the tests show that the alleged father is not excluded and that the combined paternity index is less than 500 to 1, this evidence shall be admitted by the court and shall be weighed with other competent evidence of paternity.

(4) If the tests show that the alleged father is not excluded and that the combined paternity index is at least 500 to 1, the alleged father is presumed to be the father, and this evidence shall be admitted. This presumption may be rebutted by clear and convincing evidence.

(g) Any presumption of parentage as set forth in Section 5 of this Act is rebutted if the court finds that the conclusion of the expert or experts excludes paternity of the presumed father.

(h) The expense of the tests shall be paid by the party who requests the tests. Where the tests are requested by the party seeking to establish paternity and that party is found to be indigent by the court, the expense shall be paid by the public agency providing representation; except that where a public agency is not providing representation, the expense shall be paid by the county in which the action is brought. Where the tests are ordered by the court on its own motion or are requested by the alleged or presumed father and that father is found to be indigent by the court, the expense shall be paid by the county in which the action is brought. Any part of the expense may be taxed as costs in the action, except that no costs may be taxed against a public agency that has not requested the tests.

(i) The compensation of each expert witness appointed by the court shall be paid as provided in subsection (h) of this Section. Any part of the payment may be taxed as costs in the action, except that no costs may be taxed against a public agency that has not requested the services of the expert witness.

(j) Nothing in this Section shall prevent any party from obtaining tests of his or her own blood or tissue independent of those ordered by the court or from presenting expert testimony interpreting those tests or any other blood tests ordered pursuant to this Section. Reports of all the independent tests, accompanied by affidavit or certification pursuant to Section 1-109 of the Code of Civil Procedure, and notice of any expert witnesses to be called to testify to the results of those tests shall be submitted to all parties at least 30 days before any hearing set to determine the issue of parentage.

(Source: P.A. 87-428; 87-435; 88-353; 88-687, eff. 1-24-95.)

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

AMENDMENT NO. 2 TO SENATE BILL 2827

AMENDMENT NO. 2. Amend Senate Bill 2827, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 14, after line 23, by inserting the following:

"Section 20. The Criminal Code of 1961 is amended by changing Section 10-5.5 as follows:
(720 ILCS 5/10-5.5)

Sec. 10-5.5. Unlawful parenting time ~~visitation~~ interference.

(a) As used in this Section, the terms "child", "detain", and "lawful custodian" shall have the meanings ascribed to them in Section 10-5 of this Code.

(b) Every person who, in violation of the visitation, parenting time, or custody time provisions of a court order relating to child custody, detains or conceals a child with the intent to deprive another person of his or her rights to visitation, parenting time, or custody time shall be guilty of unlawful parenting time ~~visitation~~ interference.

(c) A person committing unlawful parenting time ~~visitation~~ interference is guilty of a petty offense. However, any person violating this Section after 2 prior convictions of unlawful visitation interference or unlawful parenting time interference is guilty of a Class A misdemeanor.

(d) Any law enforcement officer who has probable cause to believe that a person has committed or is committing an act in violation of this Section shall issue to that person a notice to appear.

(e) The notice shall:

- (1) be in writing;
- (2) state the name of the person and his address, if known;
- (3) set forth the nature of the offense;
- (4) be signed by the officer issuing the notice; and
- (5) request the person to appear before a court at a certain time and place.

(f) Upon failure of the person to appear, a summons or warrant of arrest may be issued.

(g) It is an affirmative defense that:

(1) a person or lawful custodian committed the act to protect the child from imminent physical harm, provided that the defendant's belief that there was physical harm imminent was reasonable and that the defendant's conduct in withholding visitation rights, parenting time, or custody time was a reasonable response to the harm believed imminent;

(2) the act was committed with the mutual consent of all parties having a right to custody and visitation of the child or parenting time with the child; or

(3) the act was otherwise authorized by law.

(h) A person convicted of unlawful parenting time ~~visitation~~ interference shall not be subject to a civil contempt citation for the same conduct for violating visitation, parenting time, or custody time provisions of a court order issued under the Illinois Marriage and Dissolution of Marriage Act.

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(Source: P.A. 88-96.)".

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

On motion of Senator Martinez, **Senate Bill No. 2828**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **Senate Bill No. 2838**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, **Senate Bill No. 2875**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Clayborne, **Senate Bill No. 2892**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, **Senate Bill No. 2912**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator DeLeo, **Senate Bill No. 1900** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1900

AMENDMENT NO. 1. Amend Senate Bill 1900 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.11 as follows:

(5 ILCS 375/6.11)

Sec. 6.11. Required health benefits; Illinois Insurance Code requirements. The program of health benefits shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Sections 356g.5, 356u, 356w, 356x, 356z.2, 356z.4, 356z.6, ~~and 356z.9, 356z.10, and 356z.11~~ ~~356z.9~~ of the Illinois Insurance Code. The program of health benefits must comply with Section 155.37 of the Illinois Insurance Code.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-4-07.)

Section 10. The Counties Code is amended by changing Section 5-1069.3 as follows:

(55 ILCS 5/5-1069.3)

Sec. 5-1069.3. Required health benefits. If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g.5, 356u, 356w, 356x, 356z.6, ~~and 356z.9, 356z.10, and 356z.11~~ ~~356z.9~~ of the Illinois Insurance Code. The requirement that health benefits be covered as provided in this Section is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule county to which this Section applies must comply with every provision of this Section.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-4-07.)

Section 15. The Illinois Municipal Code is amended by changing Section 10-4-2.3 as follows:

(65 ILCS 5/10-4-2.3)

Sec. 10-4-2.3. Required health benefits. If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g.5, 356u, 356w, 356x, 356z.6, ~~and 356z.9, 356z.10, and 356z.11~~ ~~356z.9~~ of the Illinois Insurance Code. The requirement

that health benefits be covered as provided in this is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule municipality to which this Section applies must comply with every provision of this Section. (Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-4-07.)

Section 20. The School Code is amended by changing Section 10-22.3f as follows:
(105 ILCS 5/10-22.3f)

Sec. 10-22.3f. Required health benefits. Insurance protection and benefits for employees shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g.5, 356u, 356w, 356x, 356z.6, ~~and~~ 356z.9, ~~and~~ 356z.11 of the Illinois Insurance Code.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; revised 12-4-07.)

Section 25. The Illinois Insurance Code is amended by adding Section 356z.11 as follows:
(215 ILCS 5/356z.11 new)

Sec. 356z.11. Autism spectrum disorders.

(a) A group or individual policy of accident and health insurance or managed care plan amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 95th General Assembly must provide individuals under 21 years of age coverage for the diagnosis of autism spectrum disorders and for the treatment of autism spectrum disorders to the extent that the diagnosis and treatment of autism spectrum disorders are not already covered by the policy of accident and health insurance or managed care plan.

(b) Coverage provided under this Section shall be subject to a maximum benefit of \$36,000 per year, but shall not be subject to any limits on the number of visits to a service provider. After December 30, 2009, the Director of the Division of Insurance shall, on an annual basis, adjust the maximum benefit for inflation using the Medical Care Component of the United States Department of Labor Consumer Price Index for All Urban Consumers. Payments made by an insurer on behalf of a covered individual for any care, treatment, intervention, service, or item, the provision of which was for the treatment of a health condition not diagnosed as an autism spectrum disorder, shall not be applied toward any maximum benefit established under this subsection.

(c) Coverage under this Section shall be subject to co-payment, deductible, and coinsurance provisions of a policy of accident and health insurance or managed care plan to the extent that other medical services covered by the policy of accident and health insurance or managed care plan are subject to these provisions.

(d) This Section shall not be construed as limiting benefits that are otherwise available to an individual under a policy of accident and health insurance or managed care plan and benefits provided under this Section may not be subject to dollar limits, deductibles, copayments, or coinsurance provisions that are less favorable to the insured than the dollar limits, deductibles, or coinsurance provisions that apply to physical illness generally.

(e) An insurer may not deny or refuse to provide otherwise covered services, or refuse to renew, refuse to reissue, or otherwise terminate or restrict coverage under an individual contract to provide services to an individual because the individual or their dependent is diagnosed with an autism spectrum disorder or due to the individual utilizing benefits in this Section.

(f) As used in this Section:

"Autism spectrum disorders" means pervasive developmental disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, including autism, Asperger's disorder, and pervasive developmental disorder not otherwise specified.

"Diagnosis of autism spectrum disorders" means a diagnosis of an individual with an autism spectrum disorder by (A) a physician licensed to practice medicine in all its branches or (B) a certified, registered, or licensed health care professional with expertise in diagnosing autism spectrum disorders.

"Medically necessary" means any care, treatment, intervention, service or item which will or is reasonably expected to do any of the following: (i) prevent the onset of an illness, condition, injury, disease or disability. (ii) reduce or ameliorate the physical, mental or developmental effects of an illness, condition, injury, disease or disability. (iii) assist to achieve or maintain maximum functional activity in performing daily activities.

"Treatment for autism spectrum disorders" shall include the following care prescribed, provided, or ordered for an individual diagnosed with an autism spectrum disorder by (A) a physician licensed to practice medicine in all its branches or (B) a certified, registered, or licensed health care professional with expertise in treating effects of autism spectrum disorders when the care is determined to be

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medically necessary and ordered by a physician licensed to practice medicine in all its branches:

- (A) Psychiatric care, including diagnostic services.
- (B) Psychological assessments and treatments.
- (C) Rehabilitative treatments.
- (D) Therapeutic care, including behavioral speech, occupational, and physical therapies that provide treatment in the following areas: (i) self care and feeding, (ii) pragmatic, receptive, and expressive language, (iii) cognitive functioning, (iv) applied behavior analysis, intervention, and modification, (v) motor planning, and (vi) sensory integration.

Section 30. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

(215 ILCS 125/5-3) (from Ch. 111 1/2, par. 1411.2)

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 137, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 355.2, 356m, 356v, 356w, 356x, 356y, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, ~~356z.10~~ ~~356z.9~~, ~~356z.11~~, 364.01, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370c, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code.

(b) For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, Health Maintenance Organizations in the following categories are deemed to be "domestic companies":

(1) a corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act;

(2) a corporation organized under the laws of this State; or

(3) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a "domestic company" under Article VIII 1/2 of the Illinois Insurance Code.

(c) In considering the merger, consolidation, or other acquisition of control of a Health Maintenance Organization pursuant to Article VIII 1/2 of the Illinois Insurance Code,

(1) the Director shall give primary consideration to the continuation of benefits to enrollees and the financial conditions of the acquired Health Maintenance Organization after the merger, consolidation, or other acquisition of control takes effect;

(2)(i) the criteria specified in subsection (1)(b) of Section 131.8 of the Illinois Insurance Code shall not apply and (ii) the Director, in making his determination with respect to the merger, consolidation, or other acquisition of control, need not take into account the effect on competition of the merger, consolidation, or other acquisition of control;

(3) the Director shall have the power to require the following information:

(A) certification by an independent actuary of the adequacy of the reserves of the Health Maintenance Organization sought to be acquired;

(B) pro forma financial statements reflecting the combined balance sheets of the acquiring company and the Health Maintenance Organization sought to be acquired as of the end of the preceding year and as of a date 90 days prior to the acquisition, as well as pro forma financial statements reflecting projected combined operation for a period of 2 years;

(C) a pro forma business plan detailing an acquiring party's plans with respect to the operation of the Health Maintenance Organization sought to be acquired for a period of not less than 3 years; and

(D) such other information as the Director shall require.

(d) The provisions of Article VIII 1/2 of the Illinois Insurance Code and this Section 5-3 shall apply to the sale by any health maintenance organization of greater than 10% of its enrollee population (including without limitation the health maintenance organization's right, title, and interest in and to its health care certificates).

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be managed or serviced, and (ii) need not take into account the effect of the management contract or service agreement on competition.

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(f) Except for small employer groups as defined in the Small Employer Rating, Renewability and Portability Health Insurance Act and except for medicare supplement policies as defined in Section 363 of the Illinois Insurance Code, a Health Maintenance Organization may by contract agree with a group or other enrollment unit to effect refunds or charge additional premiums under the following terms and conditions:

(i) the amount of, and other terms and conditions with respect to, the refund or additional premium are set forth in the group or enrollment unit contract agreed in advance of the period for which a refund is to be paid or additional premium is to be charged (which period shall not be less than one year); and

(ii) the amount of the refund or additional premium shall not exceed 20% of the Health Maintenance Organization's profitable or unprofitable experience with respect to the group or other enrollment unit for the period (and, for purposes of a refund or additional premium, the profitable or unprofitable experience shall be calculated taking into account a pro rata share of the Health Maintenance Organization's administrative and marketing expenses, but shall not include any refund to be made or additional premium to be paid pursuant to this subsection (f)). The Health Maintenance Organization and the group or enrollment unit may agree that the profitable or unprofitable experience may be calculated taking into account the refund period and the immediately preceding 2 plan years.

The Health Maintenance Organization shall include a statement in the evidence of coverage issued to each enrollee describing the possibility of a refund or additional premium, and upon request of any group or enrollment unit, provide to the group or enrollment unit a description of the method used to calculate (1) the Health Maintenance Organization's profitable experience with respect to the group or enrollment unit and the resulting refund to the group or enrollment unit or (2) the Health Maintenance Organization's unprofitable experience with respect to the group or enrollment unit and the resulting additional premium to be paid by the group or enrollment unit.

In no event shall the Illinois Health Maintenance Organization Guaranty Association be liable to pay any contractual obligation of an insolvent organization to pay any refund authorized under this Section. (Source: P.A. 94-906, eff. 1-1-07; 94-1076, eff. 12-29-06; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-4-07.)

Section 35. The Voluntary Health Services Plans Act is amended by changing Section 10 as follows: (215 ILCS 165/10) (from Ch. 32, par. 604)

Sec. 10. Application of Insurance Code provisions. Health services plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA and XII 1/2 and Sections 3.1, 133, 140, 143, 143c, 149, 155.37, 354, 355.2, 356g.5, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, ~~356z.10~~ ~~356z.9~~, ~~356z.11~~, 364.01, 367.2, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7) and (15) of Section 367 of the Illinois Insurance Code.

(Source: P.A. 94-1076, eff. 12-29-06; 95-189, eff. 8-16-07; 95-331, eff. 8-21-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-5-07.)

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

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

On motion of Senator Clayborne **Senate Bill No. 1960**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Trotter, **Senate Bill No. 1987**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 1988** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Housing and Community Affairs, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 1988

AMENDMENT NO. 1. Amend Senate Bill 1988 by replacing everything after the enacting clause with the following:

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"Section 5. The Highway Advertising Control Act of 1971 is amended by changing Sections 3.12 and 6.01 as follows:

(225 ILCS 440/3.12) (from Ch. 121, par. 503.12)

Sec. 3.12. (a) "Business area" means any part of an area adjacent to and within 660 feet of the right-of-way which is at any time zoned for business, commercial or industrial activities under the authority of any law of this State; or not so zoned, but which constitutes an unzoned commercial or industrial area as defined in Section 3.11. However, as to signs along Interstate highways, the term "business area" includes only areas which are within incorporated limits of any city, village, or incorporated town, as such limits existed on September 21, 1959, and which are zoned for industrial or commercial use, or both, or to portions of Interstate highways which traverse other areas where the land use, as of September 21, 1959, was established by State law as industrial or commercial, or both.

With respect to signs owned or leased by the State or a political subdivision, an area zoned for business, commercial, or industrial activities that is adjacent to and within 660 feet of an Interstate highway and that is in Township 41 North, Range 10 East and Townships 40, 41, 42 North, Range 12 East of the Third Principal Meridian, shall be deemed a "business area" for purposes of this Act. This zoning must have been a part of comprehensive zoning and not have been created primarily to permit outdoor advertising structures as described in 23 CFR 750.

(b) The changes to this Section made by this amendatory Act of the 95th General Assembly are intended to comply with the federal Highway Beautification Act of 1965, 23 U.S.C. 131, and the regulations promulgated thereunder by the Secretary of the United States Department of Transportation. To the extent that the Secretary of the United States Department of Transportation or any court finds the changes to this Section made by this amendatory Act to be inconsistent with or preempted by such law or regulations, the changes shall be repealed to the extent necessary to cure such inconsistency or preemption.

(c) The provisions of this amendatory Act of the 95th General Assembly shall not be applicable if such application would impact the receipt, use, or reimbursement of federal funds by the Illinois Department of Transportation.

(Source: P.A. 95-340, eff. 1-1-08.)

(225 ILCS 440/6.01) (from Ch. 121, par. 506.01)

Sec. 6.01. Size of signs.

(a) Except as otherwise provided in this Section, no ~~no~~ sign may be erected which exceeds 1,200 square feet in area, 30 feet in height and 60 feet in length, including border and trim, but excluding ornamental base or apron, supports and other structural members. Except as otherwise provided in this Section and except with respect to the repair, rebuilding, or replacement of any sign lawfully erected before January 1, 1993, no sign may be erected after the effective date of this amendatory Act of 1992 in any county with a population under 2,000,000 that exceeds 800 square feet in area, excluding extensions and cut-outs; the extensions and cut-outs may account for no more than an additional 20% in sign surface area. The maximum size limitation shall apply to each side of a sign or sign structure. A maximum of 2 signs may be erected in a facing, in which event the facing shall be deemed to be one sign, the size of which may not exceed the dimensions listed in this Section. Signs may be double faced or be placed back to back or V-type or triangular, provided that the angle between sign faces shall not exceed 90 degrees. The area shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which will encompass the entire sign.

(b) With respect to signs owned or leased by the State or a political subdivision that are adjacent to and within 660 feet of an Interstate highway and that are in Township 40 North, Range 12 East, no sign may be erected that exceeds 42 feet in height, 90 feet in length, and 3780 square feet in display area.

(c) The changes to this Section made by this amendatory Act of the 95th General Assembly are intended to comply with the federal Highway Beautification Act of 1965, 23 U.S.C. 131, and the regulations promulgated thereunder by the Secretary of the United States Department of Transportation. To the extent that the Secretary of the United States Department of Transportation or any court finds the changes to this Section made by this amendatory Act to be inconsistent with or preempted by such law or regulations, the changes shall be repealed to the extent necessary to cure such inconsistency or preemption.

(d) The provisions of this amendatory Act of the 95th General Assembly shall not be applicable if such application would impact the receipt, use, or reimbursement of federal funds by the Illinois Department of Transportation.

(Source: P.A. 91-774, eff. 1-1-01.).

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

On motion of Senator Harmon, **Senate Bill No. 1989** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1989

AMENDMENT NO. 1. Amend Senate Bill 1989 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 1-105.2, 6-306.5, 11-208, 11-208.3, and 11-1201.1 as follows:

(625 ILCS 5/1-105.2)

Sec. 1-105.2. Automated traffic law violation. A violation described in Section 11-208.6 or 11-1201.1 of this Code.

(Source: P.A. 94-795, eff. 5-22-06.)

(625 ILCS 5/6-306.5) (from Ch. 95 1/2, par. 6-306.5)

Sec. 6-306.5. Failure to pay fine or penalty for standing, parking, compliance, or automated traffic law violations; suspension of driving privileges.

(a) Upon receipt of a certified report, as prescribed by subsection (c) of this Section, from any municipality stating that the owner of a registered vehicle has: (1) failed to pay any fine or penalty due and owing as a result of 10 or more violations of a municipality's vehicular standing, parking, or compliance regulations established by ordinance pursuant to Section 11-208.3 of this Code, or (2) failed to pay any fine or penalty due and owing as a result of 5 offenses for automated traffic violations as defined in Section 11-208.6 or 11-1201.1, the Secretary of State shall suspend the driving privileges of such person in accordance with the procedures set forth in this Section. The Secretary shall also suspend the driving privileges of an owner of a registered vehicle upon receipt of a certified report, as prescribed by subsection (f) of this Section, from any municipality stating that such person has failed to satisfy any fines or penalties imposed by final judgments for 5 or more automated traffic law violations or 10 or more violations of local standing, parking, or compliance regulations after exhaustion of judicial review procedures.

(b) Following receipt of the certified report of the municipality as specified in this Section, the Secretary of State shall notify the person whose name appears on the certified report that the person's drivers license will be suspended at the end of a specified period of time unless the Secretary of State is presented with a notice from the municipality certifying that the fine or penalty due and owing the municipality has been paid or that inclusion of that person's name on the certified report was in error. The Secretary's notice shall state in substance the information contained in the municipality's certified report to the Secretary, and shall be effective as specified by subsection (c) of Section 6-211 of this Code.

(c) The report of the appropriate municipal official notifying the Secretary of State of unpaid fines or penalties pursuant to this Section shall be certified and shall contain the following:

(1) The name, last known address as recorded with the Secretary of State, as provided

by the lessor of the cited vehicle at the time of lease, or as recorded in a United States Post Office approved database if any notice sent under Section 11-208.3 of this Code is returned as undeliverable, and drivers license number of the person who failed to pay the fine or penalty and the registration number of any vehicle known to be registered to such person in this State.

(2) The name of the municipality making the report pursuant to this Section.

(3) A statement that the municipality sent a notice of impending drivers license

suspension as prescribed by ordinance enacted pursuant to Section 11-208.3, to the person named in the report at the address recorded with the Secretary of State or at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice sent under Section 11-208.3 of this Code is returned as undeliverable, at the last known address recorded in a United States Post Office approved database; the date on which such notice was sent; and the address to which such notice was sent. In a municipality with a population of 1,000,000 or more, the report shall also include a statement that the alleged violator's State vehicle registration number and vehicle make, if specified on the automated traffic law violation notice, are correct as they appear on the citations.

(d) Any municipality making a certified report to the Secretary of State pursuant to this Section shall

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notify the Secretary of State, in a form prescribed by the Secretary, whenever a person named in the certified report has paid the previously reported fine or penalty or whenever the municipality determines that the original report was in error. A certified copy of such notification shall also be given upon request and at no additional charge to the person named therein. Upon receipt of the municipality's notification or presentation of a certified copy of such notification, the Secretary of State shall terminate the suspension.

(e) Any municipality making a certified report to the Secretary of State pursuant to this Section shall also by ordinance establish procedures for persons to challenge the accuracy of the certified report. The ordinance shall also state the grounds for such a challenge, which may be limited to (1) the person not having been the owner or lessee of the vehicle or vehicles receiving 10 or more standing, parking, or compliance violation notices or 5 or more automated traffic law violations on the date or dates such notices were issued; and (2) the person having already paid the fine or penalty for the 10 or more standing, parking, or compliance violations or 5 or more automated traffic law violations indicated on the certified report.

(f) Any municipality, other than a municipality establishing vehicular standing, parking, and compliance regulations pursuant to Section 11-208.3 or automated traffic law regulations under Section 11-208.6 or 11-1201.1, may also cause a suspension of a person's drivers license pursuant to this Section. Such municipality may invoke this sanction by making a certified report to the Secretary of State upon a person's failure to satisfy any fine or penalty imposed by final judgment for 10 or more violations of local standing, parking, or compliance regulations or 5 or more automated traffic law violations after exhaustion of judicial review procedures, but only if:

(1) the municipality complies with the provisions of this Section in all respects except in regard to enacting an ordinance pursuant to Section 11-208.3;

(2) the municipality has sent a notice of impending drivers license suspension as prescribed by an ordinance enacted pursuant to subsection (g) of this Section; and

(3) in municipalities with a population of 1,000,000 or more, the municipality has verified that the alleged violator's State vehicle registration number and vehicle make are correct as they appear on the citations.

(g) Any municipality, other than a municipality establishing standing, parking, and compliance regulations pursuant to Section 11-208.3 or automated traffic law regulations under Section 11-208.6 or 11-1201.1, may provide by ordinance for the sending of a notice of impending drivers license suspension to the person who has failed to satisfy any fine or penalty imposed by final judgment for 10 or more violations of local standing, parking, or compliance regulations or 5 or more automated traffic law violations after exhaustion of judicial review procedures. An ordinance so providing shall specify that the notice sent to the person liable for any fine or penalty shall state that failure to pay the fine or penalty owing within 45 days of the notice's date will result in the municipality notifying the Secretary of State that the person's drivers license is eligible for suspension pursuant to this Section. The notice of impending drivers license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State or at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice sent under Section 11-208.3 of this Code is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

(h) An administrative hearing to contest an impending suspension or a suspension made pursuant to this Section may be had upon filing a written request with the Secretary of State. The filing fee for this hearing shall be \$20, to be paid at the time the request is made. A municipality which files a certified report with the Secretary of State pursuant to this Section shall reimburse the Secretary for all reasonable costs incurred by the Secretary as a result of the filing of the report, including but not limited to the costs of providing the notice required pursuant to subsection (b) and the costs incurred by the Secretary in any hearing conducted with respect to the report pursuant to this subsection and any appeal from such a hearing.

(i) The provisions of this Section shall apply on and after January 1, 1988.

(j) For purposes of this Section, the term "compliance violation" is defined as in Section 11-208.3. (Source: P.A. 94-294, eff. 1-1-06; 94-795, eff. 5-22-06.)

(625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)
Sec. 11-208. Powers of local authorities.

(a) The provisions of this Code shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

1. Regulating the standing or parking of vehicles, except as limited by Section 11-1306 of this Act;
2. Regulating traffic by means of police officers or traffic control signals;

3. Regulating or prohibiting processions or assemblages on the highways;
4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;
5. Regulating the speed of vehicles in public parks subject to the limitations set forth in Section 11-604;
6. Designating any highway as a through highway, as authorized in Section 11-302, and requiring that all vehicles stop before entering or crossing the same or designating any intersection as a stop intersection or a yield right-of-way intersection and requiring all vehicles to stop or yield the right-of-way at one or more entrances to such intersections;
7. Restricting the use of highways as authorized in Chapter 15;
8. Regulating the operation of bicycles and requiring the registration and licensing of same, including the requirement of a registration fee;
9. Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;
10. Altering the speed limits as authorized in Section 11-604;
11. Prohibiting U-turns;
12. Prohibiting pedestrian crossings at other than designated and marked crosswalks or at intersections;
13. Prohibiting parking during snow removal operation;
14. Imposing fines in accordance with Section 11-1301.3 as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, or disabled veterans by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran;
15. Adopting such other traffic regulations as are specifically authorized by this Code; or
16. Enforcing the provisions of subsection (f) of Section 3-413 of this Code or a similar local ordinance.

(b) No ordinance or regulation enacted under subsections 1, 4, 5, 6, 7, 9, 10, 11 or 13 of paragraph (a) shall be effective until signs giving reasonable notice of such local traffic regulations are posted.

(c) The provisions of this Code shall not prevent any municipality having a population of 500,000 or more inhabitants from prohibiting any person from driving or operating any motor vehicle upon the roadways of such municipality with headlamps on high beam or bright.

(d) The provisions of this Code shall not be deemed to prevent local authorities within the reasonable exercise of their police power from prohibiting, on private property, the unauthorized use of parking spaces reserved for persons with disabilities.

(e) No unit of local government, including a home rule unit, may enact or enforce an ordinance that applies only to motorcycles if the principal purpose for that ordinance is to restrict the access of motorcycles to any highway or portion of a highway for which federal or State funds have been used for the planning, design, construction, or maintenance of that highway. No unit of local government, including a home rule unit, may enact an ordinance requiring motorcycle users to wear protective headgear. Nothing in this subsection (e) shall affect the authority of a unit of local government to regulate motorcycles for traffic control purposes or in accordance with Section 12-602 of this Code. No unit of local government, including a home rule unit, may regulate motorcycles in a manner inconsistent with this Code. This subsection (e) is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(f) A municipality or county designated in Section 11-208.6 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of this Code or a similar provision of a local ordinance and imposing liability on a registered owner of a vehicle used in such a violation.

(g) A municipality or county, as provided in Section 11-1201.1, may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1201 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner of a vehicle used in such a violation.

(Source: P.A. 94-795, eff. 5-22-06.)

(625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

Sec. 11-208.3. Administrative adjudication of violations of traffic regulations concerning the standing, parking, or condition of vehicles and automated traffic law violations.

(a) Any municipality may provide by ordinance for a system of administrative adjudication of

vehicular standing and parking violations and vehicle compliance violations as defined in this subsection and automated traffic law violations as defined in Section 11-208.6 or 11-1201.1. The administrative system shall have as its purpose the fair and efficient enforcement of municipal regulations through the administrative adjudication of automated traffic law violations and violations of municipal ordinances regulating the standing and parking of vehicles, the condition and use of vehicle equipment, and the display of municipal wheel tax licenses within the municipality's borders. The administrative system shall only have authority to adjudicate civil offenses carrying fines not in excess of \$250 that occur after the effective date of the ordinance adopting such a system under this Section. For purposes of this Section, "compliance violation" means a violation of a municipal regulation governing the condition or use of equipment on a vehicle or governing the display of a municipal wheel tax license.

(b) Any ordinance establishing a system of administrative adjudication under this Section shall provide for:

(1) A traffic compliance administrator authorized to adopt, distribute and process parking, compliance, and automated traffic law violation notices and other notices required by this Section, collect money paid as fines and penalties for violation of parking and compliance ordinances and automated traffic law violations, and operate an administrative adjudication system. The traffic compliance administrator also may make a certified report to the Secretary of State under Section 6-306.5.

(2) A parking, standing, compliance, or automated traffic law violation notice that shall specify the date, time, and place of violation of a parking, standing, compliance, or automated traffic law regulation; the particular regulation violated; the fine and any penalty that may be assessed for late payment, when so provided by ordinance; the vehicle make and state registration number; and the identification number of the person issuing the notice. With regard to automated traffic law violations, vehicle make shall be specified on the automated traffic law violation notice if the make is available and readily discernible. With regard to municipalities with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the state registration number or vehicle make specified is incorrect. The violation notice shall state that the payment of the indicated fine, and of any applicable penalty for late payment, shall operate as a final disposition of the violation. The notice also shall contain information as to the availability of a hearing in which the violation may be contested on its merits. The violation notice shall specify the time and manner in which a hearing may be had.

(3) Service of the parking, standing, or compliance violation notice by affixing the original or a facsimile of the notice to an unlawfully parked vehicle or by handing the notice to the operator of a vehicle if he or she is present and service of an automated traffic law violation notice by mail to the address of the registered owner of the cited vehicle as recorded with the Secretary of State within 30 days after the Secretary of State notifies the municipality or county of the identity of the owner of the vehicle, but in no event later than 90 days after the violation. A person authorized by ordinance to issue and serve parking, standing, and compliance violation notices shall certify as to the correctness of the facts entered on the violation notice by signing his or her name to the notice at the time of service or in the case of a notice produced by a computerized device, by signing a single certificate to be kept by the traffic compliance administrator attesting to the correctness of all notices produced by the device while it was under his or her control. In the case of an automated traffic law violation, the ordinance shall require a determination by a technician employed or contracted by the municipality or county that, based on inspection of recorded images, the motor vehicle was being operated in violation of Section 11-208.6 or 11-1201.1 or a local ordinance. If the technician determines that the vehicle entered the intersection as part of a funeral procession or in order to yield the right-of-way to an emergency vehicle, a citation shall not be issued. The original or a facsimile of the violation notice or, in the case of a notice produced by a computerized device, a printed record generated by the device showing the facts entered on the notice, shall be retained by the traffic compliance administrator, and shall be a record kept in the ordinary course of business. A parking, standing, compliance, or automated traffic law violation notice issued, signed and served in accordance with this Section, a copy of the notice, or the computer generated record shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice. The notice, copy, or computer generated record shall be admissible in any subsequent administrative or legal proceedings.

(4) An opportunity for a hearing for the registered owner of the vehicle cited in the parking, standing, compliance, or automated traffic law violation notice in which the owner may contest the merits of the alleged violation, and during which formal or technical rules of evidence shall not apply; provided, however, that under Section 11-1306 of this Code the lessee of a vehicle

cited in the violation notice likewise shall be provided an opportunity for a hearing of the same kind afforded the registered owner. The hearings shall be recorded, and the person conducting the hearing on behalf of the traffic compliance administrator shall be empowered to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and papers. Persons appearing at a hearing under this Section may be represented by counsel at their expense. The ordinance may also provide for internal administrative review following the decision of the hearing officer.

(5) Service of additional notices, sent by first class United States mail, postage prepaid, to the address of the registered owner of the cited vehicle as recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database, or, under Section 11-1306 of this Code, to the lessee of the cited vehicle at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database. The service shall be deemed complete as of the date of deposit in the United States mail. The notices shall be in the following sequence and shall include but not be limited to the information specified herein:

(i) A second notice of parking, standing, or compliance violation. This notice shall specify the date and location of the violation cited in the parking, standing, or compliance violation notice, the particular regulation violated, the vehicle make and state registration number, the fine and any penalty that may be assessed for late payment when so provided by ordinance, the availability of a hearing in which the violation may be contested on its merits, and the time and manner in which the hearing may be had. The notice of violation shall also state that failure either to pay the indicated fine and any applicable penalty, or to appear at a hearing on the merits in the time and manner specified, will result in a final determination of violation liability for the cited violation in the amount of the fine or penalty indicated, and that, upon the occurrence of a final determination of violation liability for the failure, and the exhaustion of, or failure to exhaust, available administrative or judicial procedures for review, any unpaid fine or penalty will constitute a debt due and owing the municipality.

(ii) A notice of final determination of parking, standing, compliance, or automated traffic law violation liability. This notice shall be sent following a final determination of parking, standing, compliance, or automated traffic law violation liability and the conclusion of judicial review procedures taken under this Section. The notice shall state that the unpaid fine or penalty is a debt due and owing the municipality. The notice shall contain warnings that failure to pay any fine or penalty due and owing the municipality within the time specified may result in the municipality's filing of a petition in the Circuit Court to have the unpaid fine or penalty rendered a judgment as provided by this Section, or may result in suspension of the person's drivers license for failure to pay fines or penalties for 10 or more parking violations under Section 6-306.5 or 5 or more automated traffic law violations under Section 11-208.6.

(6) A Notice of impending drivers license suspension. This notice shall be sent to the person liable for any fine or penalty that remains due and owing on 10 or more parking violations or 5 or more unpaid automated traffic law violations. The notice shall state that failure to pay the fine or penalty owing within 45 days of the notice's date will result in the municipality notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under Section 6-306.5 of this Code. The notice shall also state that the person may obtain a photostatic copy of an original ticket imposing a fine or penalty by sending a self addressed, stamped envelope to the municipality along with a request for the photostatic copy. The notice of impending drivers license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

(7) Final determinations of violation liability. A final determination of violation liability shall occur following failure to pay the fine or penalty after a hearing officer's determination of violation liability and the exhaustion of or failure to exhaust any administrative review procedures provided by ordinance. Where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice, the hearing officer's determination of violation liability shall become final: (A) upon denial of a timely petition to set aside that determination, or (B) upon expiration of the period for filing the petition without a filing having been made.

(8) A petition to set aside a determination of parking, standing, compliance, or automated traffic law violation liability that may be filed by a person owing an unpaid fine or penalty. The petition shall be filed with and ruled upon by the traffic compliance administrator in the manner

and within the time specified by ordinance. The grounds for the petition may be limited to: (A) the person not having been the owner or lessee of the cited vehicle on the date the violation notice was issued, (B) the person having already paid the fine or penalty for the violation in question, and (C) excusable failure to appear at or request a new date for a hearing. With regard to municipalities with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the state registration number, or vehicle make if specified, is incorrect. After the determination of parking, standing, compliance, or automated traffic law violation liability has been set aside upon a showing of just cause, the registered owner shall be provided with a hearing on the merits for that violation.

(9) Procedures for non-residents. Procedures by which persons who are not residents of the municipality may contest the merits of the alleged violation without attending a hearing.

(10) A schedule of civil fines for violations of vehicular standing, parking, compliance, or automated traffic law regulations enacted by ordinance pursuant to this Section, and a schedule of penalties for late payment of the fines, provided, however, that the total amount of the fine and penalty for any one violation shall not exceed \$250, except as provided in subsection (c) of Section 11-1301.3 of this Code.

(11) Other provisions as are necessary and proper to carry into effect the powers granted and purposes stated in this Section.

(c) Any municipality establishing vehicular standing, parking, compliance, or automated traffic law regulations under this Section may also provide by ordinance for a program of vehicle immobilization for the purpose of facilitating enforcement of those regulations. The program of vehicle immobilization shall provide for immobilizing any eligible vehicle upon the public way by presence of a restraint in a manner to prevent operation of the vehicle. Any ordinance establishing a program of vehicle immobilization under this Section shall provide:

(1) Criteria for the designation of vehicles eligible for immobilization. A vehicle shall be eligible for immobilization when the registered owner of the vehicle has accumulated the number of unpaid final determinations of parking, standing, compliance, or automated traffic law violation liability as determined by ordinance.

(2) A notice of impending vehicle immobilization and a right to a hearing to challenge the validity of the notice by disproving liability for the unpaid final determinations of parking, standing, compliance, or automated traffic law violation liability listed on the notice.

(3) The right to a prompt hearing after a vehicle has been immobilized or subsequently towed without payment of the outstanding fines and penalties on parking, standing, compliance, or automated traffic law violations for which final determinations have been issued. An order issued after the hearing is a final administrative decision within the meaning of Section 3-101 of the Code of Civil Procedure.

(4) A post immobilization and post-towing notice advising the registered owner of the vehicle of the right to a hearing to challenge the validity of the impoundment.

(d) Judicial review of final determinations of parking, standing, compliance, or automated traffic law violations and final administrative decisions issued after hearings regarding vehicle immobilization and impoundment made under this Section shall be subject to the provisions of the Administrative Review Law.

(e) Any fine, penalty, or part of any fine or any penalty remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies created under this Section and the conclusion of any judicial review procedures shall be a debt due and owing the municipality and, as such, may be collected in accordance with applicable law. Payment in full of any fine or penalty resulting from a standing, parking, compliance, or automated traffic law violation shall constitute a final disposition of that violation.

(f) After the expiration of the period within which judicial review may be sought for a final determination of parking, standing, compliance, or automated traffic law violation, the municipality may commence a proceeding in the Circuit Court for purposes of obtaining a judgment on the final determination of violation. Nothing in this Section shall prevent a municipality from consolidating multiple final determinations of parking, standing, compliance, or automated traffic law violations against a person in a proceeding. Upon commencement of the action, the municipality shall file a certified copy or record of the final determination of parking, standing, compliance, or automated traffic law violation, which shall be accompanied by a certification that recites facts sufficient to show that the final determination of violation was issued in accordance with this Section and the applicable municipal ordinance. Service of the summons and a copy of the petition may be by any method provided by Section 2-203 of the Code of Civil Procedure or by certified mail, return receipt requested, provided that the total amount of fines and penalties for final determinations of parking, standing, compliance, or

automated traffic law violations does not exceed \$2500. If the court is satisfied that the final determination of parking, standing, compliance, or automated traffic law violation was entered in accordance with the requirements of this Section and the applicable municipal ordinance, and that the registered owner or the lessee, as the case may be, had an opportunity for an administrative hearing and for judicial review as provided in this Section, the court shall render judgment in favor of the municipality and against the registered owner or the lessee for the amount indicated in the final determination of parking, standing, compliance, or automated traffic law violation, plus costs. The judgment shall have the same effect and may be enforced in the same manner as other judgments for the recovery of money.

(Source: P.A. 94-294, eff. 1-1-06; 94-795, eff. 5-22-06; 94-930, eff. 6-26-06; 95-331, eff. 8-21-07.)
(625 ILCS 5/11-1201.1)

Sec. 11-1201.1. Automated Railroad Crossing Enforcement System ~~Pilot Project~~.

(a) For the purposes of this Section, an automated railroad grade crossing enforcement system is a system in a municipality or county operated by a governmental agency that produces a recorded image of a motor vehicle's violation of a provision of this Code or local ordinance and is designed to obtain a clear recorded image of the vehicle and vehicle's license plate. The recorded image must also display the time, date, and location of the violation.

As used in this Section, "recorded images" means images recorded by an automated railroad grade crossing enforcement system on:

(1) 2 or more photographs;

(2) 2 or more microphotographs;

(3) 2 or more electronic images; or

(4) a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate number of the motor vehicle, operated by a law enforcement agency that records a driver's response to automatic, electrical or mechanical signal devices and crossing gates. The system shall be designed to obtain a clear photograph or other recorded image of the vehicle, vehicle operator and the vehicle registration plate of a vehicle in violation of Section 11-1201. The photograph or other recorded image shall also display the time, date and location of the violation.

(b) The Illinois Commerce Commission may, in cooperation with a local law enforcement agency, establish in any county or municipality an automated railroad grade crossing enforcement system at any railroad grade crossing designated by local authorities. Local authorities desiring the establishment of an automated railroad crossing enforcement system must initiate the process by enacting a local ordinance requesting the creation of such a system. After the ordinance has been enacted, and before any additional steps toward the establishment of the system are undertaken, the local authorities and the Commission must agree to a plan for obtaining, from any combination of federal, State, and local funding sources, the moneys required for the purchase and installation of any necessary equipment. Commencing on January 1, 1996, the Illinois Commerce Commission and the Commuter Rail Board of the Regional Transportation Authority shall, in cooperation with local law enforcement agencies, establish a 5 year pilot program within a county with a population of between 750,000 and 1,000,000 using an automated railroad grade crossing enforcement system. The Commission shall determine the 3 railroad grade crossings within that county that pose the greatest threat to human life based upon the number of accidents and fatalities at the crossings during the past 5 years and with approval of the local law enforcement agency equip the crossings with an automated railroad grade crossing enforcement system.

(b-1) (Blank.) Commencing on July 20, 2001 (the effective date of Public Act 92-98), the Illinois Commerce Commission and the Commuter Rail Board may, in cooperation with the local law enforcement agency, establish in a county with a population of between 750,000 and 1,000,000 a 2 year pilot program using an automated railroad grade crossing enforcement system. This pilot program may be established at a railroad grade crossing designated by local authorities. No State moneys may be expended on the automated railroad grade crossing enforcement system established under this pilot program.

(c) For each violation of Section 11-1201 of this Code or a local ordinance recorded by an automated railroad grade crossing enforcement system, the county or municipality having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, no later than 90 days after the violation.

The notice shall include:

(1) the name and address of the registered owner of the vehicle;

(2) the registration number of the motor vehicle involved in the violation;

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(3) the violation charged;

(4) the location where the violation occurred;

(5) the date and time of the violation;

(6) a copy of the recorded images;

(7) the amount of the civil penalty imposed and the date by which the civil penalty should be paid;

(8) a statement that recorded images are evidence of a violation of a railroad grade crossing;

(9) a warning that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability and may result in a suspension of the driving privileges of the registered owner of the vehicle; and

(10) a statement that the person may elect to proceed by:

(A) paying the fine; or

(B) challenging the charge in court, by mail, or by administrative hearing. For each violation of Section 11-1201 recorded by an automatic railroad grade crossing system, the local law enforcement agency having jurisdiction shall issue a written Uniform Traffic Citation of the violation to the registered owner of the vehicle as the alleged violator. The Uniform Traffic Citation shall be delivered to the registered owner of the vehicle, by mail, within 30 days of the violation. The Uniform Traffic Citation shall include the name and address of vehicle owner, the vehicle registration number, the offense charged, the time, date, and location of the violation, the first available court date and that the basis of the citation is the photograph or other recorded image from the automated railroad grade crossing enforcement system.

(d) If a person charged with a traffic violation, as a result of an automated railroad grade crossing enforcement system, does not pay or successfully contest the civil penalty resulting from that violation, the Secretary of State shall suspend the driving privileges of the registered owner of the vehicle under Section 6-306.5 of this Code for failing to pay any fine or penalty due and owing as a result of 5 violations of the automated railroad grade crossing enforcement system. The Uniform Traffic Citation issued to the registered owner of the vehicle shall be accompanied by a written notice, the contents of which is set forth in subsection (d-1) of this Section, explaining how the registered owner of the vehicle can elect to proceed by either paying the fine or challenging the issuance of the Uniform Traffic Citation.

(d-1) (Blank.) The written notice explaining the alleged violator's rights and obligations must include the following text:

"You have been served with the accompanying Uniform Traffic Citation and cited with having violated Section 11-1201 of the Illinois Vehicle Code. You can elect to proceed by:

1. Paying the fine; or

2. Challenging the issuance of the Uniform Traffic Citation in court; or

3. If you were not the operator of the vehicle at the time of the alleged offense, notifying in writing the local law enforcement agency that issued the Uniform Traffic Citation of the number of the Uniform Traffic Citation received and the name and address of the person operating the vehicle at the time of the alleged offense. If you fail to so notify in writing the local law enforcement agency of the name and address of the operator of the vehicle at the time of the alleged offense, you may be presumed to have been the operator of the vehicle at the time of the alleged offense."

(d-2) (Blank.) If the registered owner of the vehicle was not the operator of the vehicle at the time of the alleged offense, and if the registered owner notifies the local law enforcement agency having jurisdiction of the name and address of the operator of the vehicle at the time of the alleged offense, the local law enforcement agency having jurisdiction shall then issue a written Uniform Traffic Citation to the person alleged by the registered owner to have been the operator of the vehicle at the time of the alleged offense. If the registered owner fails to notify in writing the local law enforcement agency having jurisdiction of the name and address of the operator of the vehicle at the time of the alleged offense, the registered owner may be presumed to have been the operator of the vehicle at the time of the alleged offense.

(e) Based on inspection of recorded images produced by an automated railroad grade crossing enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section. Evidence:

(i) A certificate alleging that a violation of Section 11-1201 occurred, sworn to or affirmed by a duly authorized agency, based on inspection of recorded images produced by an automated railroad crossing enforcement system are evidence of the facts contained in the certificate and are admissible in any proceeding alleging a violation under this Section.

(ii) Photographs or recorded images made by an automatic railroad grade crossing enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of Section 11-1201 of the Illinois

Vehicle Code. The photographs may also be made available to governmental agencies for the purpose of a safety analysis of the crossing where the automatic railroad grade crossing enforcement system is installed. However, any photograph or other recorded image evidencing a violation of Section 11-1201 shall be admissible in any proceeding resulting from the issuance of the Uniform Traffic Citation when there is reasonable and sufficient proof of the accuracy of the camera or electronic instrument recording the image. There is a rebuttable presumption that the photograph or recorded image is accurate if the camera or electronic recording instrument was in good working order at the beginning and the end of the day of the alleged offense.

(e-1) Recorded images made by an automated railroad grade crossing enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any recorded image evidencing a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(e-2) The court or hearing officer may consider the following in the defense of a violation:

(1) that the motor vehicle or registration plates of the motor vehicle were stolen before the violation occurred and not under the control of or in the possession of the owner at the time of the violation;

(2) that the driver of the motor vehicle received a Uniform Traffic Citation from a police officer at the time of the violation for the same offense;

(3) any other evidence or issues provided by municipal or county ordinance.

(e-3) To demonstrate that the motor vehicle or the registration plates were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner must submit proof that a report concerning the stolen motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

(f) Rail crossings equipped with an automatic railroad grade crossing enforcement system shall be posted with a sign visible to approaching traffic stating that the railroad grade crossing is being monitored, that citations will be issued, and the amount of the fine for violation.

(g) The compensation paid for an automated railroad grade crossing enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of citations issued or the revenue generated by the system. Except as provided in subsection (b-1), the cost of the installation and maintenance of each automatic railroad grade crossing enforcement system shall be paid from the Grade Crossing Protection Fund if the rail line is not owned by Commuter Rail Board of the Regional Transportation Authority. Except as provided in subsection (b-1), if the rail line is owned by the Commuter Rail Board of the Regional Transportation Authority, the costs of the installation and maintenance shall be paid from the Regional Transportation Authority's portion of the Public Transportation Fund.

(h) ~~(Blank.) The Illinois Commerce Commission shall issue a report to the General Assembly at the conclusion of the 5 year pilot program established under subsection (b) on the effectiveness of the automatic railroad grade crossing enforcement system.~~

(i) If any part or parts of this Section are held by a court of competent jurisdiction to be unconstitutional, the unconstitutionality shall not affect the validity of the remaining parts of this Section. The General Assembly hereby declares that it would have passed the remaining parts of this Section if it had known that the other part or parts of this Section would be declared unconstitutional.

(j) Penalty. ~~(i) A violation of this Section is a petty offense for which a civil fine of \$250 shall be imposed for a first violation of this Section, and a civil fine of \$500 shall be imposed for a second or subsequent violation of this Section. The court may impose 25 hours of community service in place of the \$250 fine for the first violation.~~

~~(ii) For a second or subsequent violation, the Secretary of State may suspend the registration of the motor vehicle for a period of at least 6 months.~~

(Source: P.A. 94-771, eff. 1-1-07.)

(625 ILCS 5/11-1201.5 rep.)

Section 10. The Illinois Vehicle Code is amended by repealing Section 11-1201.5."

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

On motion of Senator Sullivan, **Senate Bill No. 2006** having been printed, was taken up, read by title a second time.

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

[April 1, 2008]

AMENDMENT NO. 1 TO SENATE BILL 2006

AMENDMENT NO. 1. Amend Senate Bill 2006 by replacing everything after the enacting clause with the following:

"Section 5. The Smoke Free Illinois Act is amended by changing Section 35 as follows:

(410 ILCS 82/35)

Sec. 35. Exemptions. Notwithstanding any other provision of this Act, smoking is allowed in the following areas:

(1) Private residences or dwelling places, except when used as a child care, adult day care, or healthcare facility or any other home-based business open to the public.

(2) Retail tobacco stores as defined in Section 10 of this Act in operation prior to the effective date of this amendatory Act of the 95th General Assembly. The retail tobacco store shall annually file with the Department by January 31st an affidavit stating the percentage of its gross income during the prior calendar year that was derived from the sale of loose tobacco, plants, or herbs and cigars, cigarettes, pipes, or other smoking devices for smoking tobacco and related smoking accessories. Any retail tobacco store that begins operation after the effective date of this amendatory Act may only qualify for an exemption if located in a freestanding structure occupied solely by the business and smoke from the business does not migrate into an enclosed area where smoking is prohibited.

(3) Private and semi-private rooms in nursing homes and long-term care facilities that are occupied by one or more persons, all of whom are smokers and have requested in writing to be placed or to remain in a room where smoking is permitted and the smoke shall not infiltrate other areas of the nursing home.

(4) Hotel and motel sleeping rooms that are rented to guests and are designated as smoking rooms, provided that all smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into nonsmoking rooms or other areas where smoking is prohibited. Not more than 25% of the rooms rented to guests in a hotel or motel may be designated as rooms where smoking is allowed. The status of rooms as smoking or nonsmoking may not be changed, except to permanently add additional nonsmoking rooms.

(5) Common smoking rooms in long-term care facilities operated under the authority of the Illinois Department of Veterans' Affairs that are accessible only to residents who are smokers and have requested in writing to have access to the common smoking room where smoking is permitted and the smoke shall not infiltrate other areas of the long-term care facility.

(Source: P.A. 95-17, eff. 1-1-08.)

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

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

On motion of Senator Bomke, **Senate Bill No. 2009** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2009

AMENDMENT NO. 1. Amend Senate Bill 2009 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 18c-7401 as follows:

(625 ILCS 5/18c-7401) (from Ch. 95 1/2, par. 18c-7401)

Sec. 18c-7401. Safety Requirements for Track, Facilities, and Equipment.

(1) General Requirements. Each rail carrier shall, consistent with rules, orders, and regulations of the Federal Railroad Administration, construct, maintain, and operate all of its equipment, track, and other property in this State in such a manner as to pose no undue risk to its employees or the person or property of any member of the public.

(2) Adoption of Federal Standards. The track safety standards and accident/incident standards promulgated by the Federal Railroad Administration shall be safety standards of the Commission. The

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Commission may, in addition, adopt by reference in its regulations other federal railroad safety standards, whether contained in federal statutes or in regulations adopted pursuant to such statutes.

(3) Railroad Crossings. No public road, highway, or street shall hereafter be constructed across the track of any rail carrier at grade, nor shall the track of any rail carrier be constructed across a public road, highway or street at grade, without having first secured the permission of the Commission; provided, that this Section shall not apply to the replacement of lawfully existing roads, highways and tracks. No public pedestrian bridge or subway shall be constructed across the track of any rail carrier without having first secured the permission of the Commission. The Commission shall have the right to refuse its permission or to grant it upon such terms and conditions as it may prescribe. The Commission shall have power to determine and prescribe the manner, including the particular point of crossing, and the terms of installation, operation, maintenance, use and protection of each such crossing.

The Commission shall also have power, after a hearing, to require major alteration of or to abolish any crossing, heretofore or hereafter established, when in its opinion, the public safety requires such alteration or abolition, and, except in cities, villages and incorporated towns of 1,000,000 or more inhabitants, to vacate and close that part of the highway on such crossing altered or abolished and cause barricades to be erected across such highway in such manner as to prevent the use of such crossing as a highway, when, in the opinion of the Commission, the public convenience served by the crossing in question is not such as to justify the further retention thereof; or to require a separation of grades, at railroad-highway grade crossings; or to require a separation of grades at any proposed crossing where a proposed public highway may cross the tracks of any rail carrier or carriers; and to prescribe, after a hearing of the parties, the terms upon which such separations shall be made and the proportion in which the expense of the alteration or abolition of such crossings or the separation of such grades, having regard to the benefits, if any, accruing to the rail carrier or any party in interest, shall be divided between the rail carrier or carriers affected, or between such carrier or carriers and the State, county, municipality or other public authority in interest. However, a public hearing by the Commission to abolish a crossing shall not be required when the public highway authority in interest vacates the highway. In such instance the rail carrier, following notification to the Commission and the highway authority, shall remove any grade crossing warning devices and the grade crossing surface.

The Commission shall also have power by its order to require the reconstruction, minor alteration, minor relocation or improvement of any crossing (including the necessary highway approaches thereto) of any railroad across any highway or public road, pedestrian bridge, or pedestrian subway, whether such crossing be at grade or by overhead structure or by subway, whenever the Commission finds after a hearing or without a hearing as otherwise provided in this paragraph that such reconstruction, alteration, relocation or improvement is necessary to preserve or promote the safety or convenience of the public or of the employees or passengers of such rail carrier or carriers. By its original order or supplemental orders in such case, the Commission may direct such reconstruction, alteration, relocation, or improvement to be made in such manner and upon such terms and conditions as may be reasonable and necessary and may apportion the cost of such reconstruction, alteration, relocation or improvement and the subsequent maintenance thereof, having regard to the benefits, if any, accruing to the railroad or any party in interest, between the rail carrier or carriers and public utilities affected, or between such carrier or carriers and public utilities and the State, county, municipality or other public authority in interest. The cost to be so apportioned shall include the cost of changes or alterations in the equipment of public utilities affected as well as the cost of the relocation, diversion or establishment of any public highway, made necessary by such reconstruction, alteration, relocation or improvement of said crossing. A hearing shall not be required in those instances when the Commission enters an order confirming a written stipulation in which the Commission, the public highway authority or other public authority in interest, the rail carrier or carriers affected, and in instances involving the use of the Grade Crossing Protection Fund, the Illinois Department of Transportation, agree on the reconstruction, alteration, relocation, or improvement and the subsequent maintenance thereof and the division of costs of such changes of any grade crossing (including the necessary highway approaches thereto) of any railroad across any highway, pedestrian bridge, or pedestrian subway.

Every rail carrier operating in the State of Illinois shall construct and maintain every highway crossing over its tracks within the State so that the roadway at the intersection shall be as flush with the rails as superelevated curves will allow, and, unless otherwise ordered by the Commission, shall construct and maintain the approaches thereto at a grade of not more than 5% within the right of way for a distance of not less the 6 feet on each side of the centerline of such tracks; provided, that the grades at the approaches may be maintained in excess of 5% only when authorized by the Commission.

Every rail carrier operating within this State shall remove from its right of way at all railroad-highway grade crossings within the State, such brush, shrubbery, and trees as is reasonably practical for a distance

of not less than 500 feet in either direction from each grade crossing. The Commission shall have power, upon its own motion, or upon complaint, and after having made proper investigation, to require the installation of adequate and appropriate luminous reflective warning signs, luminous flashing signals, crossing gates illuminated at night, or other protective devices in order to promote and safeguard the health and safety of the public. Luminous flashing signal or crossing gate devices installed at grade crossings, which have been approved by the Commission, shall be deemed adequate and appropriate. The Commission shall have authority to determine the number, type, and location of such signs, signals, gates, or other protective devices which, however, shall conform as near as may be with generally recognized national standards, and the Commission shall have authority to prescribe the division of the cost of the installation and subsequent maintenance of such signs, signals, gates, or other protective devices between the rail carrier or carriers, the public highway authority or other public authority in interest, and in instances involving the use of the Grade Crossing Protection Fund, the Illinois Department of Transportation. Except where train crews provide flagging of the crossing to road users, yield signs shall be installed at all highway intersections with every grade crossing in this State that is not equipped with automatic warning devices, such as luminous flashing signals or crossing gate devices. A stop sign may be used in lieu of the yield sign when an engineering study conducted in cooperation with the highway authority and the Illinois Department of Transportation has determined that a stop sign is warranted. If the Commission has ordered the installation of luminous flashing signal or crossing gate devices at a grade crossing not equipped with active warning devices, the Commission shall order the installation of temporary stop signs at the highway intersection with the grade crossing unless an engineering study has determined that a stop sign is not appropriate. If a stop sign is not appropriate, the Commission may order the installation of other appropriate supplemental signing as determined by an engineering study. The temporary ~~stop~~ signs shall remain in place until the luminous flashing signal or crossing gate devices have been installed. The rail carrier is responsible for ~~the cost of~~ the installation and subsequent maintenance of any required ~~temporary stop~~ signs. The permanent signs shall be in place by July 1, 2010.

No railroad may change or modify the warning device system at a railroad-highway grade crossing, including warning systems interconnected with highway traffic control signals, without having first received the approval of the Commission. The Commission shall have the further power, upon application, upon its own motion, or upon complaint and after having made proper investigation, to require the interconnection of grade crossing warning devices with traffic control signals at highway intersections located at or near railroad crossings within the distances described by the State Manual on Uniform Traffic Control Devices adopted pursuant to Section 11-301 of this Code. In addition, State and local authorities may not install, remove, modernize, or otherwise modify traffic control signals at a highway intersection that is interconnected or proposed to be interconnected with grade crossing warning devices when the change affects the number, type, or location of traffic control devices on the track approach leg or legs of the intersection or the timing of the railroad preemption sequence of operation until the Commission has approved the installation, removal, modernization, or modification. Commission approval shall be limited to consideration of issues directly affecting the public safety at the railroad-highway grade crossing. The electrical circuit devices, alternate warning devices, and preemption sequences shall conform as nearly as possible, considering the particular characteristics of the crossing and intersection area, to the State manual adopted by the Illinois Department of Transportation pursuant to Section 11-301 of this Code and such federal standards as are made applicable by subsection (2) of this Section. In order to carry out this authority, the Commission shall have the authority to determine the number, type, and location of traffic control devices on the track approach leg or legs of the intersection and the timing of the railroad preemption sequence of operation. The Commission shall prescribe the division of costs for installation and maintenance of all devices required by this paragraph between the railroad or railroads and the highway authority in interest and in instances involving the use of the Grade Crossing Protection Fund or a State highway, the Illinois Department of Transportation.

Any person who unlawfully or maliciously removes, throws down, damages or defaces any sign, signal, gate or other protective device, located at or near any public grade crossing, shall be guilty of a petty offense and fined not less than \$50 nor more than \$200 for each offense. In addition to fines levied under the provisions of this Section a person adjudged guilty hereunder may also be directed to make restitution for the costs of repair or replacement, or both, necessitated by his misconduct.

It is the public policy of the State of Illinois to enhance public safety by establishing safe grade crossings. In order to implement this policy, the Illinois Commerce Commission is directed to conduct public hearings and to adopt specific criteria by July 1, 1994, that shall be adhered to by the Illinois Commerce Commission in determining if a grade crossing should be opened or abolished. The following

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factors shall be considered by the Illinois Commerce Commission in developing the specific criteria for opening and abolishing grade crossings:

- (a) timetable speed of passenger trains;
- (b) distance to an alternate crossing;
- (c) accident history for the last 5 years;
- (d) number of vehicular traffic and posted speed limits;
- (e) number of freight trains and their timetable speeds;
- (f) the type of warning device present at the grade crossing;
- (g) alignments of the roadway and railroad, and the angle of intersection of those alignments;
- (h) use of the grade crossing by trucks carrying hazardous materials, vehicles carrying passengers for hire, and school buses; and
- (i) use of the grade crossing by emergency vehicles.

The Illinois Commerce Commission, upon petition to open or abolish a grade crossing, shall enter an order opening or abolishing the crossing if it meets the specific criteria adopted by the Commission.

Except as otherwise provided in this subsection (3), in no instance shall a grade crossing be permanently closed without public hearing first being held and notice of such hearing being published in an area newspaper of local general circulation.

(4) Freight Trains - Radio Communications. The Commission shall after hearing and order require that every main line railroad freight train operating on main tracks outside of yard limits within this State shall be equipped with a radio communication system. The Commission after notice and hearing may grant exemptions from the requirements of this Section as to secondary and branch lines.

(5) Railroad Bridges and Trestles - Walkway and Handrail. In cases in which the Commission finds the same to be practical and necessary for safety of railroad employees, bridges and trestles, over and upon which railroad trains are operated, shall include as a part thereof, a safe and suitable walkway and handrail on one side only of such bridge or trestle, and such handrail shall be located at the outer edge of the walkway and shall provide a clearance of not less than 8 feet, 6 inches, from the center line of the nearest track, measured at right angles thereto.

(6) Packages Containing Articles for First Aid to Injured on Trains. All rail carriers shall provide a package containing the articles prescribed by the Commission, on each train or engine, for first aid to persons who may be injured in the course of the operation of such trains.

(7) Abandoned Bridges, Crossings, and Other Rail Plant. The Commission shall have authority, after notice and hearing, to order:

- (a) The removal of any abandoned railroad tracks from roads, streets or other thoroughfares in this State; and
- (b) The removal of abandoned overhead railroad structures crossing highways, waterways, or railroads.

The Commission may equitably apportion the cost of such actions between the rail carrier or carriers, public utilities, and the State, county, municipality, township, road district, or other public authority in interest.

(8) Railroad-Highway Bridge Clearance. A vertical clearance of not less than 23 feet above the top of rail shall be provided for all new or reconstructed highway bridges constructed over a railroad track. The Commission may permit a lesser clearance if it determines that the 23 foot clearance standard cannot be justified based on engineering, operational, and economic conditions.

(Source: P.A. 93-604, eff. 11-21-03.)"

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

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

On motion of Senator Koehler, **Senate Bill No. 2071**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pankau, **Senate Bill No. 2072**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **Senate Bill No. 2090** having been printed, was taken up, read by title a second time.

[April 1, 2008]

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

AMENDMENT NO. 1 TO SENATE BILL 2090

AMENDMENT NO. 1. Amend Senate Bill 2090 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 1-110 as follows:

(40 ILCS 5/1-110) (from Ch. 108 1/2, par. 1-110)

Sec. 1-110. Prohibited Transactions.

(a) A fiduciary with respect to a retirement system or pension fund shall not cause ~~the~~ ~~the~~ retirement system or pension fund to engage in a transaction if he or she knows or should know that such transaction constitutes a direct or indirect:

(1) Sale or exchange, or leasing of any property from the retirement system or pension fund to a party in interest for less than adequate consideration, or from a party in interest to a retirement system or pension fund for more than adequate consideration.

(2) Lending of money or other extension of credit from the retirement system or pension fund to a party in interest without the receipt of adequate security and a reasonable rate of interest, or from a party in interest to a retirement system or pension fund with the provision of excessive security or an unreasonably high rate of interest.

(3) Furnishing of goods, services or facilities from the retirement system or pension fund to a party in interest for less than adequate consideration, or from a party in interest to a retirement system or pension fund for more than adequate consideration.

(4) Transfer to, or use by or for the benefit of, a party in interest of any assets of a retirement system or pension fund for less than adequate consideration.

(b) A fiduciary with respect to a retirement system or pension fund established under this Code shall not:

(1) Deal with the assets of the retirement system or pension fund in his own interest or for his own account;

(2) In his individual or any other capacity act in any transaction involving the retirement system or pension fund on behalf of a party whose interests are adverse to the interests of the retirement system or pension fund or the interests of its participants or beneficiaries; or

(3) Receive any consideration for his own personal account from any party dealing with the retirement system or pension fund in connection with a transaction involving the assets of the retirement system or pension fund.

(c) Nothing in this Section shall be construed to prohibit any trustee from:

(1) Receiving any benefit to which he may be entitled as a participant or beneficiary in the retirement system or pension fund.

(2) Receiving any reimbursement of expenses properly and actually incurred in the performance of his duties with the retirement system or pension fund.

(3) Serving as a trustee in addition to being an officer, employee, agent or other representative of a party in interest.

(Source: P.A. 88-535.)".

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

On motion of Senator Wilhelmi, **Senate Bill No. 2100**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **Senate Bill No. 2111**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2113** having been printed, was taken up, read by title a second time.

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

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

[April 1, 2008]

AMENDMENT NO. 2 TO SENATE BILL 2113

AMENDMENT NO. 2. Amend Senate Bill 2113 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Identity Protection Act.

Section 5. Definitions. In this Act:

"Local government agency" means that term as it is defined in Section 1-8 of the Illinois State Auditing Act.

"Person" means any individual in the employ of a State agency or local government agency.

"Publicly post" or "publicly display" means to intentionally communicate or otherwise intentionally make available to the general public.

"State agency" means that term as it is defined in Section 1-7 of the Illinois State Auditing Act.

Section 10. Prohibited activities.

(a) Except as otherwise provided in this Act, beginning July 1, 2010, no person or State or local government agency may do any of the following:

(1) Publicly post or publicly display in any manner an individual's social security number.

(2) Print an individual's social security number on any card required for the individual to access products or services provided by the person or entity; however, a person or entity that provides an insurance card must print on the card an identification number unique to the holder of the card in the format prescribed by Section 15 of the Uniform Prescription Drug Information Card Act.

(3) Require an individual to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted.

(4) Require an individual to use his or her social security number to access an Internet web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet web site.

(5) Print an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision in this Section to the contrary, social security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the social security number. A social security number that may permissibly be mailed under this Section may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope or visible without the envelope having been opened.

(6) Collect a social security number from an individual, unless required to do so under State or federal law, rules, or regulations, unless the collection of the social security number is otherwise necessary for the performance of that agency's duties and responsibilities. Social security numbers collected by a State or local government agency must be relevant to the purpose for which the number was collected and must not be collected unless and until the need for social security numbers for that purpose has been clearly documented.

(7) Use the social security number for any purpose other than the purpose for which it was collected.

(8) Intentionally communicate or otherwise make available to the general public a person's social security number.

(b) The prohibitions in subsection (a) do not apply in the following circumstances:

(1) The disclosure of social security numbers to agents, employees, or contractors of a governmental entity or disclosed by a governmental entity to another governmental entity or its agents, employees, or contractors if disclosure is necessary in order for the entity to perform its duties and responsibilities and if the governmental entity and its agents, employees, and contractors maintain the confidential and exempt status of the social security numbers.

(2) The disclosure of social security numbers pursuant to a court order, warrant, or subpoena.

(3) The collection, use, or disclosure of social security numbers in order to ensure the

safety of: State and local government employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a State or local government agency facility.

(4) The disclosure of social security numbers by a State agency to any entity for the collection of delinquent child support or of any State debt.

(5) The collection, use, or disclosure of social security numbers to investigate or prevent fraud, to conduct background checks, to conduct social or scientific research, to collect a debt, to obtain a credit report from or furnish data to a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed-property benefit.

(c) If any State agency or local government agency has adopted standards for the collection, use, or disclosure of social security numbers that are stricter than the standards under this Act with respect to the protection of that identifying information, then, in the event of any conflict with the provisions of this Act, the stricter standards adopted by the State agency or local government agency shall control.

Section 15. Public inspection and copying of information and documents. Notwithstanding any other provision of this Act to the contrary, a person or State or local government agency must comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's social security number.

Section 20. Applicability.

(a) This Act does not apply to the collection, use, or release of a social security number as required by State or federal law, rule, or regulation, or the use of a social security number or other identifying information for internal verification or administrative purposes.

(b) This Act does not apply to documents that are recorded with a county recorder or required to be open to the public under any State or federal law, rule, or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois. Notwithstanding this Section, county recorders must comply with the provisions of Section 35 of this Act.

Section 25. Compliance with federal law.

If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, any State or local government agency that complies with the federal law shall be deemed to be in compliance with this Act.

Section 30. Embedded social security numbers.

Beginning December 31, 2009, no person or State or local government agency may encode or embed a social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this Act.

Section 35. Identity-protection policy; local government. Each local government agency must establish an identity-protection policy and must implement that policy on or before December 31, 2009. The policy must do all of the following:

(1) Identify all employees of the local government agency who may have access to social security numbers in the course of performing their duties.

(2) Require all employees of the local government agency identified as having access to social security numbers in the course of performing their duties to be trained to protect the confidentiality of social security numbers and to understand the requirements of this Section.

(3) Prohibit the unlawful disclosure of social security numbers.

(4) Limit the number of employees who have access to information or documents that contain social security numbers.

(5) Describe how to properly dispose of information and documents that contain social security numbers.

(6) Establish penalties for violation of the privacy policy.

(7) Prevent the intentional communication of or ability of the general public to access an individual's social security number.

(8) Require that social security numbers requested from an individual be segregated on a separate page from the rest of the record, provide a discrete location for a social security number

when required on a standardized form, or otherwise place the number in a manner that makes it easily redacted if required to be released as part of a public records request.

(9) Require that, when collecting a social security number from an individual, at the time of or prior to the actual collection of the social security number or upon request by the individual, a statement of the purpose or purposes for which the agency is collecting and using the social security number be provided.

Each local government agency must file a written copy of its privacy policy with the governing board of the unit of local government. Each local government agency must also provide a written copy of the policy to each of its employees, and must also make its privacy policy available to any member of the public, upon request. If a local government agency amends its privacy policy, then that agency must file a written copy of the amended policy with the appropriate entity and must also provide each of its employees with a new written copy of the amended policy.

Section 37. Identity-protection policy; State. Each State agency must recommend to the Social Security Number Task Force an identity-protection policy on or before September 30, 2009. The policy must do all of the following:

- (1) Identify all employees of the State agency who may have access to social security numbers in the performance of their duties.
- (2) Require all employees of the State agency identified as having access to social security numbers in the performance of their duties to be trained to protect the confidentiality of social security numbers and to understand the requirements of this Section.
- (3) Prohibit the unlawful disclosure of social security numbers.
- (4) Limit the number of employees who have access to information or documents that contain social security numbers.
- (5) Describe how to properly dispose of information and documents that contain social security numbers.
- (6) Establish penalties for violation of the privacy policy.
- (7) Prevent the intentional communication of or ability of the general public to access an individual's social security number.
- (8) Require that social security numbers requested from an individual be segregated on a separate page from the rest of the record, provide a discrete location for a social security number when required on a standardized form, or otherwise place the number in a manner that makes it easily redacted if required to be released as part of a public records request.
- (9) Require that, when collecting a social security number from an individual, at the time of or prior to the actual collection of the social security number or upon request by the individual, a statement of the purpose or purposes for which the agency is collecting and using the social security number be provided.

The Task Force will study the recommendations from the State agencies and will make its recommendation to the General Assembly of the changes needed to implement the policies by December 31, 2009.

Section 40. Judicial branch and clerks of courts. The judicial branch and clerks of the circuit court are not subject to the provisions of this Act, except that the Supreme Court shall, under its rulemaking authority or by administrative order, adopt requirements applicable to the judicial branch, including clerks of the circuit court, regulating the disclosure of social security numbers consistent with the intent of this Act and the unique circumstances relevant in the judicial process.

Section 45. Violation. Any person who intentionally violates the prohibitions in Section 10 of this Act is guilty of a Class B misdemeanor.

Section 50. Home rule. A home rule unit of local government, any non-home rule municipality, or any non-home rule county may regulate the use of social security numbers, but that regulation must be no less restrictive than this Act. This Act is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

Section 55. This Act does not supersede any more restrictive law, rule, or regulation regarding the collection, use, or release of social security numbers.

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Section 90. The State Mandates Act is amended by adding Section 8.32 as follows:
(30 ILCS 805/8.32 new)

Sec. 8.32. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 95th General Assembly.

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

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

On motion of Senator Clayborne, **Senate Bill No. 2179**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **Senate Bill No. 2199**, having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Silverstein, **Senate Bill No. 2210**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **Senate Bill No. 2211**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **Senate Bill No. 2227** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2227

AMENDMENT NO. 1. Amend Senate Bill 2227 on page 1, line 10, after "grants", by inserting "in equal amounts, to the member organizations of".

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

On motion of Senator Harmon, **Senate Bill No. 2231**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 2254** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 2254

AMENDMENT NO. 2. Amend Senate Bill 2254 on page 7, by replacing line 11 with the following:

"7 days after the prisoner has been granted parole"; and

on page 7, by replacing lines 16 through 18 with the following:

"Parole Hearings Act. When the victim, concerned citizens, or the State's Attorney has opposed parole for an inmate sentenced before February 1, 1978, the additional provisions in paragraphs (5.1) through (5.4) apply."; and

by replacing lines 12 through 26 on page 8 and lines 1 through 9 on page 9 with the following:

"(5.2) If the Prisoner Review Board makes a preliminary determination that parole may be allowed to an inmate sentenced before February 1, 1978, the victims, concerned citizens, and the State's Attorney

shall be notified and advised within 3 days thereafter of their right to address the full Prisoner Review Board with any opposition to parole at a hearing which shall be held no sooner than 28 days after the preliminary determination. The notice shall include the date, time, and location of the hearing at which they may voice their opposition to parole. These objections to parole may be made in person, in writing, on film, videotape, or other electronic means or in the form of a recording.

(5.3) At this hearing, the victims, concerned citizens, and the State's Attorney may also suggest and request certain conditions of parole. A written request may also be made through the State's Attorney's Office or directly to the Prisoner Review Board.

(5.4) Subsequent to this hearing, if the Board grants the inmate parole, all registered victims, concerned citizens, and the State's Attorney shall be notified. The actual release of the inmate shall not take place until these notifications are made. A copy of the parole order including all conditions and terms of parole shall be served upon all victims, concerned citizens, and the State's Attorney within 7 days of the Board's order granting the inmate parole."; and

on page 11, by replacing lines 12 through 21 with the following:
"or"; and

on page 12, by replacing lines 18 through 19 with the following:
"(1) hear by at least one member and through a panel of ~~at least~~ 3 members decide, cases of prisoners"; and

on page 13, by replacing lines 9 through 11 with the following:
"the Prisoner Review Board after all members have heard presentations in support of and, if the parole is opposed, in objection to the parole request;"; and

on page 20, line 11, by replacing "~~and~~" with "and"; and

on page 20, by replacing lines 16 through 18 with the following:
"Victims and Witnesses Act."; and

on page 20, by replacing line 20 with the following:
"receive reasonable written notice not less than 60 ~~45~~ days"; and

on page 21, by replacing lines 19 through 23 with the following:
"to be considered at the parole hearing."; and

on page 22, by replacing line 18 with the following:
"custody of the Department, ~~at least~~ one member of the"; and

on page 23, by replacing lines 4 through 17 with the following:
"(b-1) If the Prisoner Review Board makes a preliminary determination that parole may be allowed to an inmate sentenced before February 1, 1978, the full Prisoner Review Board shall listen to opposition presented by the victims, concerned citizens, or State's Attorney at a subsequent hearing. If the inmate is granted parole, the victims, concerned citizens, and the State's Attorney shall be notified. A copy of the parole order including all conditions and terms of parole shall be served upon all victims, concerned citizens and the State's Attorney within 7 days of the Board's order granting the inmate parole."; and

on page 24, by replacing lines 12 through 18 with the following:
"whose application it has acted. The Prisoner Review Board shall also give written notice of its decision to the parties opposing parole including a copy of the parole order and conditions of parole."; and

on page 24, by replacing line 24 with the following:
"schedule a rehearing no later than 5 ~~3~~ years from the date of the"; and

on page 25, by replacing lines 9 through 22 with the following:
"date of the sentence, the date of the parole, and the basis for the decision of the Board ~~to grant parole and the vote of the Board~~ on any such decisions. The registry shall be made available for"; and

on page 26, by deleting lines 2 through 13.

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

On motion of Senator Delgado, **Senate Bill No. 2290**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **Senate Bill No. 2293** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2293

AMENDMENT NO. 1. Amend Senate Bill 2293 on page 7, immediately below line 14, by inserting the following:

"Section 10. The Public Community College Act is amended by changing Section 3-27.1 as follows:
(110 ILCS 805/3-27.1) (from Ch. 122, par. 103-27.1)

Sec. 3-27.1. Contracts. To award all contracts for purchase of supplies, materials or work involving an expenditure in excess of \$25,000 or a lower amount as required by board policy ~~\$10,000~~ to the lowest responsible bidder considering conformity with specifications, terms of delivery, quality, and serviceability; after due advertisement, except the following: (a) contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part; (b) contracts for the printing of finance committee reports and departmental reports; (c) contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness; (d) contracts for materials and work which have been awarded to the lowest responsible bidder after due advertisement, but due to unforeseen revisions, not the fault of the contractor for materials and work, must be revised causing expenditures not in excess of 10% of the contract price; (e) contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent; (f) purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and inter-connect equipment, software, and services; (g) contracts for duplicating machines and supplies; (h) contracts for the purchase of natural gas when the cost is less than that offered by a public utility; (i) purchases of equipment previously owned by some entity other than the district itself; (j) contracts for repair, maintenance, remodeling, renovation, or construction, or a single project involving an expenditure not to exceed \$50,000 ~~\$15,000~~ and not involving a change or increase in the size, type, or extent of an existing facility; (k) contracts for goods or services procured from another governmental agency; (l) contracts for goods or services which are economically procurable from only one source, such as for the purchase of magazines, books, periodicals, pamphlets and reports, and for utility services such as water, light, heat, telephone or telegraph; and (m) where funds are expended in an emergency and such emergency expenditure is approved by 3/4 of the members of the board.

All competitive bids for contracts involving an expenditure in excess of \$25,000 or a lower amount as required by board policy ~~\$10,000~~ must be sealed by the bidder and must be opened by a member or employee of the board at a public bid opening at which the contents of the bids must be announced. Each bidder must receive at least 3 days' notice of the time and place of such bid opening. For purposes of this Section due advertisement includes, but is not limited to, at least one public notice at least 10 days before the bid date in a newspaper published in the district, or if no newspaper is published in the district, in a newspaper of general circulation in the area of the district.

The provisions of this Section do not apply to guaranteed energy savings contracts entered into under Article V-A.

(Source: P.A. 87-1023; 88-173)."

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

On motion of Senator Bomke, **Senate Bill No. 2302**, having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Brady, **Senate Bill No. 2329**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **Senate Bill No. 2344** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2344

AMENDMENT NO. 1. Amend Senate Bill 2344 by replacing line 21 on page 1 through line 2 on page 2 with the following:

~~"(b) (Blank). If at the end of the lapse period the balance in the State Surplus Property Revolving Fund exceeds the amount of \$500,000, all monies in excess of that amount shall be transferred and deposited into the General Revenue Fund.";~~ and

on page 2, line 22, after "2008", by inserting "for liabilities incurred on or after July 1, 2008"; and

on page 2, line 26, by replacing "that date" with "July 1, 2008"; and

on page 3, line 3, by replacing "October 31" with "October 1".

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

On motion of Senator Clayborne, **Senate Bill No. 2348** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2348

AMENDMENT NO. 1. Amend Senate Bill 2348 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-5 as follows:
(305 ILCS 5/5-5) (from Ch. 23, par. 5-5)

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant women, provided by an individual licensed to practice dentistry or dental surgery; for purposes of this item (10), "dental services" means diagnostic, preventive, or corrective procedures provided by or under the supervision of a dentist in the practice of his or her profession; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State, but not including abortions, or induced miscarriages or premature births, unless, in the opinion of a physician, such procedures are necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live viable child and such procedure is necessary for the health of the mother or her unborn child. The Illinois

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Department, by rule, shall prohibit any physician from providing medical assistance to anyone eligible therefor under this Code where such physician has been found guilty of performing an abortion procedure in a wilful and wanton manner upon a woman who was not pregnant at the time such abortion procedure was performed. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and Drug Administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.

Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

The Department of Healthcare and Family Services shall provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

(1) dental services provided by or under the supervision of a dentist, ~~which shall include but not be limited to prosthodontics~~; and

(2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide coverage and reimbursement for amino acid-based elemental formulas, regardless of delivery method, for the diagnosis and treatment of (i) eosinophilic disorders and (ii) short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the presence of occult breast cancer for women 35 years of age or older who are eligible for medical assistance under this Article, as follows: a baseline mammogram for women 35 to 39 years of age and an annual mammogram for women 40 years of age or older. All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. As used in this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, image receptor, and cassettes, with an average radiation exposure delivery of less than one rad mid-breast, with 2 views for each breast.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and

educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

- (1) Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.
- (2) The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.
- (3) Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.

The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after the effective date of this amendatory Act of 1984, the Illinois Department shall establish a current list of acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

The rules and regulations of the Illinois Department shall require that a written statement including the required opinion of a physician shall accompany any claim for reimbursement for abortions, or induced miscarriages or premature births. This statement shall indicate what procedures were used in providing such medical services.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program

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established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor that provides non-emergency medical transportation, defined by the Department by rule, shall be conditional for 180 days. During that time, the Department of Healthcare and Family Services may terminate the vendor's eligibility to participate in the medical assistance program without cause. That termination of eligibility is not subject to the Department's hearing process.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients without medical authorization; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Such rules shall enable a recipient to temporarily acquire and use alternative or substitute devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department.

The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

- (a) actual statistics and trends in utilization of medical services by public aid recipients;
- (b) actual statistics and trends in the provision of the various medical services by medical vendors;
- (c) current rate structures and proposed changes in those rate structures for the various medical vendors; and
- (d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one copy with the Legislative Research Unit, and such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (i) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.

(Source: P.A. 95-331, eff. 8-21-07; 95-520, eff. 8-28-07)."

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

On motion of Senator Garrett, **Senate Bill No. 2369**, having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Demuzio, **Senate Bill No. 2379** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2379

AMENDMENT NO. 1. Amend Senate Bill 2379 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 10-22.31 as follows:

(105 ILCS 5/10-22.31) (from Ch. 122, par. 10-22.31)

Sec. 10-22.31. Special education.

(a) To enter into joint agreements with other school boards to provide the needed special educational facilities and to employ a director and other professional workers as defined in Section 14-1.10 and to establish facilities as defined in Section 14-1.08 for the types of children described in Sections 14-1.02 through 14-1.07. The director (who may be employed under a ~~multi-year~~ contract as provided in subsection (c) of this Section) and other professional workers may be employed by one district, which shall be reimbursed on a mutually agreed basis by other districts that are parties to the joint agreement. Such agreements may provide that one district may supply professional workers for a joint program conducted in another district. Such agreement shall provide that any full-time school psychologist who is employed by a joint agreement program and spends over 50% of his or her time in one school district shall not be required to work a different teaching schedule than the other school psychologists in that district. Such agreement shall include, but not be limited to, provisions for administration, staff, programs, financing, housing, transportation, an advisory body, and the withdrawal of districts from the joint agreement. Except as otherwise provided in this Section and Section 10-22.31.1, the withdrawal of districts from the joint agreement shall be by petition to the regional board of school trustees. Such agreement may be amended at any time as provided in the joint agreement or, if the joint agreement does not so provide, then such agreement may be amended at any time upon the adoption of concurring resolutions by the school boards of all member districts. Such an amendment may include the removal of a school district from or the addition of a school district to the joint agreement without a petition as otherwise required in this Section if all member districts adopt concurring resolutions to that effect. A fully executed copy of any such agreement or amendment entered into on or after January 1, 1989 shall be filed with the State Board of Education. Petitions ~~Such petitions~~ for withdrawal shall be made to the regional board or boards of school trustees exercising oversight or governance over any of all counties having jurisdiction over one or more of the districts in the joint agreement. Upon receipt of a petition for withdrawal, the regional board boards of school trustees having jurisdiction over the cooperating districts shall publish notice of and conduct a joint hearing or, in instances in which more than one regional board of school trustees exercises oversight or governance over any of the districts in the joint agreement, a joint hearing, in accordance with rules adopted by the State Board of Education. In instances in which a single regional board of school trustees holds the hearing, approval of the petition must be by a two-thirds majority vote of the school trustees. In instances in which a joint hearing of 2 or more regional boards of school trustees is required, approval of the petition must be by a two-thirds majority of all those school trustees present and voting. Notwithstanding the provisions of Article 6 of this Code, in instances in which the competent regional board or boards of school trustees has been abolished, petitions for withdrawal shall be made to the school boards of those districts that fall under the oversight or governance of the abolished regional board of school trustees in accordance with rules adopted by the State Board of Education on the issue as provided in Section 7-6. No such petition may be considered, however, unless in compliance with Section 7-8. If any petition is approved pursuant to this subsection (a) by a 2/3 vote of all trustees of those regional boards, at a joint meeting, the withdrawal takes effect as provided in Section 7-9 of this Act. The changes to this Section made by this amendatory Act of the 95th General Assembly apply to all changes to special education joint agreement membership initiated after July 1, 2008.

(b) To either (1) designate an administrative district to act as fiscal and legal agent for the districts that are parties to the joint agreement, or (2) designate a governing board composed of one member of the school board of each cooperating district and designated by such boards to act in accordance with the joint agreement. No such governing board may levy taxes and no such governing board may incur any indebtedness except within an annual budget for the joint agreement approved by the governing board and by the boards of at least a majority of the cooperating school districts or a number of districts greater than a majority if required by the joint agreement. The governing board may appoint an executive board

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of at least 7 members to administer the joint agreement in accordance with its terms. However, if 7 or more school districts are parties to a joint agreement that does not have an administrative district: (i) at least a majority of the members appointed by the governing board to the executive board shall be members of the school boards of the cooperating districts; or (ii) if the governing board wishes to appoint members who are not school board members, they shall be superintendents from the cooperating districts.

(c) To employ a director of a joint agreement program under a one-year or multi-year contract. No such contract can be offered or accepted for less than one year or more than 3 years, except for a person serving as a director of a special education joint agreement for the first time in Illinois. In such a case, the initial contract shall be for a 2 year period. Such contract may be discontinued at any time by mutual agreement of the contracting parties, or may be extended for an additional 3 years at the end of any year.

The contract year is July 1 through the following June 30th, unless the contract specifically provides otherwise. Notice of intent not to renew a contract when given by a controlling board or administrative district must be in writing stating the specific reason therefor. Notice of intent not to renew the contract must be given by the controlling board or the administrative district at least 90 days before the contract expires. Failure to do so will automatically extend the contract for one additional year.

By accepting the terms of the multi-year contract, the director of a special education joint agreement waives all rights granted under Sections 24-11 through 24-16 for the duration of his or her employment as a director of a special education joint agreement.

(d) To designate a district that is a party to the joint agreement as the issuer of bonds or notes for the purposes and in the manner provided in this Section. It is not necessary for such district to also be the administrative district for the joint agreement, nor is it necessary for the same district to be designated as the issuer of all series of bonds or notes issued hereunder. Any district so designated may, from time to time, borrow money and, in evidence of its obligation to repay the borrowing, issue its negotiable bonds or notes for the purpose of acquiring, constructing, altering, repairing, enlarging and equipping any building or portion thereof, together with any land or interest therein, necessary to provide special educational facilities and services as defined in Section 14-1.08. Title in and to any such facilities shall be held in accordance with the joint agreement.

Any such bonds or notes shall be authorized by a resolution of the board of education of the issuing district. The resolution may contain such covenants as may be deemed necessary or advisable by the district to assure the payment of the bonds or notes. The resolution shall be effective immediately upon its adoption.

Prior to the issuance of such bonds or notes, each school district that is a party to the joint agreement shall agree, whether by amendment to the joint agreement or by resolution of the board of education, to be jointly and severally liable for the payment of the bonds and notes. The bonds or notes shall be payable solely and only from the payments made pursuant to such agreement.

Neither the bonds or notes nor the obligation to pay the bonds or notes under any joint agreement shall constitute an indebtedness of any district, including the issuing district, within the meaning of any constitutional or statutory limitation.

As long as any bonds or notes are outstanding and unpaid, the agreement by a district to pay the bonds and notes shall be irrevocable notwithstanding the district's withdrawal from membership in the joint special education program.

(e) If a district whose employees are on strike was, prior to the strike, sending students with disabilities to special educational facilities and services in another district or cooperative, the district affected by the strike shall continue to send such students during the strike and shall be eligible to receive appropriate State reimbursement.

(f) With respect to those joint agreements that have a governing board composed of one member of the school board of each cooperating district and designated by those boards to act in accordance with the joint agreement, the governing board shall have, in addition to its other powers under this Section, the authority to issue bonds or notes for the purposes and in the manner provided in this subsection. The governing board of the joint agreement may from time to time borrow money and, in evidence of its obligation to repay the borrowing, issue its negotiable bonds or notes for the purpose of acquiring, constructing, altering, repairing, enlarging and equipping any building or portion thereof, together with any land or interest therein, necessary to provide special educational facilities and services as defined in Section 14-1.08 and including also facilities for activities of administration and educational support personnel employees. Title in and to any such facilities shall be held in accordance with the joint agreement.

Any such bonds or notes shall be authorized by a resolution of the governing board. The resolution may contain such covenants as may be deemed necessary or advisable by the governing board to assure

the payment of the bonds or notes and interest accruing thereon. The resolution shall be effective immediately upon its adoption.

Each school district that is a party to the joint agreement shall be automatically liable, by virtue of its membership in the joint agreement, for its proportionate share of the principal amount of the bonds and notes plus interest accruing thereon, as provided in the resolution. Subject to the joint and several liability hereinafter provided for, the resolution may provide for different payment schedules for different districts except that the aggregate amount of scheduled payments for each district shall be equal to its proportionate share of the debt service in the bonds or notes based upon the fraction that its equalized assessed valuation bears to the total equalized assessed valuation of all the district members of the joint agreement as adjusted in the manner hereinafter provided. In computing that fraction the most recent available equalized assessed valuation at the time of the issuance of the bonds and notes shall be used, and the equalized assessed valuation of any district maintaining grades K to 12 shall be doubled in both the numerator and denominator of the fraction used for all of the districts that are members of the joint agreement. In case of default in payment by any member, each school district that is a party to the joint agreement shall automatically be jointly and severally liable for the amount of any deficiency. The bonds or notes and interest thereon shall be payable solely and only from the funds made available pursuant to the procedures set forth in this subsection. No project authorized under this subsection may require an annual contribution for bond payments from any member district in excess of 0.15% of the value of taxable property as equalized or assessed by the Department of Revenue in the case of districts maintaining grades K-8 or 9-12 and 0.30% of the value of taxable property as equalized or assessed by the Department of Revenue in the case of districts maintaining grades K-12. This limitation on taxing authority is expressly applicable to taxing authority provided under Section 17-9 and other applicable Sections of this Act. Nothing contained in this subsection shall be construed as an exception to the property tax limitations contained in Section 17-2, 17-2.2a, 17-5, or any other applicable Section of this Act.

Neither the bonds or notes nor the obligation to pay the bonds or notes under any joint agreement shall constitute an indebtedness of any district within the meaning of any constitutional or statutory limitation.

As long as any bonds or notes are outstanding and unpaid, the obligation of a district to pay its proportionate share of the principal of and interest on the bonds and notes as required in this Section shall be a general obligation of the district payable from any and all sources of revenue designated for that purpose by the board of education of the district and shall be irrevocable notwithstanding the district's withdrawal from membership in the joint special education program.

(Source: P.A. 89-397, eff. 8-20-95; 89-613, eff. 8-9-96; 89-626, eff. 8-9-96; 90-103, eff. 7-11-97; 90-515, eff. 8-22-97; 90-637, eff. 7-24-98; 90-655, eff. 7-30-98.)

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

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

On motion of Senator Demuzio, **Senate Bill No. 2380** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2380

AMENDMENT NO. 1. Amend Senate Bill 2380 by replacing everything after the enacting clause with the following:

"Section 5. The Comprehensive Health Insurance Plan Act is amended by changing Section 2 as follows:

(215 ILCS 105/2) (from Ch. 73, par. 1302)

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

"Plan administrator" means the insurer or third party administrator designated under Section 5 of this Act.

"Benefits plan" means the coverage to be offered by the Plan to eligible persons and federally eligible individuals pursuant to this Act.

"Board" means the Illinois Comprehensive Health Insurance Board.

"Church plan" has the same meaning given that term in the federal Health Insurance Portability and

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Accountability Act of 1996.

"Continuation coverage" means continuation of coverage under a group health plan or other health insurance coverage for former employees or dependents of former employees that would otherwise have terminated under the terms of that coverage pursuant to any continuation provisions under federal or State law, including the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, Sections 367.2, 367e, and 367e.1 of the Illinois Insurance Code, or any other similar requirement in another State.

"Covered person" means a person who is and continues to remain eligible for Plan coverage and is covered under one of the benefit plans offered by the Plan.

"Creditable coverage" means, with respect to a federally eligible individual, coverage of the individual under any of the following:

(A) A group health plan.

(B) Health insurance coverage (including group health insurance coverage).

(C) Medicare.

(D) Medical assistance.

(E) Chapter 55 of title 10, United States Code.

(F) A medical care program of the Indian Health Service or of a tribal organization.

(G) A state health benefits risk pool.

(H) A health plan offered under Chapter 89 of title 5, United States Code.

(I) A public health plan (as defined in regulations consistent with Section 104 of the Health Care Portability and Accountability Act of 1996 that may be promulgated by the Secretary of the U.S. Department of Health and Human Services).

(J) A health benefit plan under Section 5(e) of the Peace Corps Act (22 U.S.C. 2504(e)).

(K) Any other qualifying coverage required by the federal Health Insurance Portability and Accountability Act of 1996, as it may be amended, or regulations under that Act.

"Creditable coverage" does not include coverage consisting solely of coverage of excepted benefits, as defined in Section 2791(c) of title XXVII of the Public Health Service Act (42 U.S.C. 300 gg-91), nor does it include any period of coverage under any of items (A) through (K) that occurred before a break of more than 90 days or, if the individual has been certified as eligible pursuant to the federal Trade Act of 2002, a break of more than 63 days during all of which the individual was not covered under any of items (A) through (K) above.

Any period that an individual is in a waiting period for any coverage under a group health plan (or for group health insurance coverage) or is in an affiliation period under the terms of health insurance coverage offered by a health maintenance organization shall not be taken into account in determining if there has been a break of more than 90 days in any creditable coverage.

"Department" means the Illinois Department of Insurance.

"Dependent" means an Illinois resident: who is a spouse; or who is claimed as a dependent by the principal insured for purposes of filing a federal income tax return and resides in the principal insured's household, and is a resident unmarried child under the age of 19 years; or who is an unmarried child who also is a full-time student under the age of 23 years and who is financially dependent upon the principal insured; or who is a child of any age and who is disabled and financially dependent upon the principal insured.

"Direct Illinois premiums" means, for Illinois business, an insurer's direct premium income for the kinds of business described in clause (b) of Class 1 or clause (a) of Class 2 of Section 4 of the Illinois Insurance Code, and direct premium income of a health maintenance organization or a voluntary health services plan, except it shall not include credit health insurance as defined in Article IX 1/2 of the Illinois Insurance Code.

"Director" means the Director of the Illinois Department of Insurance.

"Effective date of medical assistance" means the date that eligibility for medical assistance for a person is approved by the Department of Human Services or the Department of Healthcare and Family Services, except when the Department of Human Services or the Department of Healthcare and Family Services determines eligibility retroactively. In such circumstances, the effective date of the medical assistance is the date the Department of Human Services or the Department of Healthcare and Family Services determines the person to be eligible for medical assistance.

"Eligible person" means a resident of this State who qualifies for Plan coverage under Section 7 of this Act.

"Employee" means a resident of this State who is employed by an employer or has entered into the employment of or works under contract or service of an employer including the officers, managers and employees of subsidiary or affiliated corporations and the individual proprietors, partners and employees

of affiliated individuals and firms when the business of the subsidiary or affiliated corporations, firms or individuals is controlled by a common employer through stock ownership, contract, or otherwise.

"Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee, for which one or more persons is gainfully employed.

"Family" coverage means the coverage provided by the Plan for the covered person and his or her eligible dependents who also are covered persons.

"Federally eligible individual" means an individual resident of this State:

(1)(A) for whom, as of the date on which the individual seeks Plan coverage under Section 15 of this Act, the aggregate of the periods of creditable coverage is 18 or more months or, if the individual has been certified as eligible pursuant to the federal Trade Act of 2002, 3 or more months, and (B) whose most recent prior creditable coverage was under group health insurance coverage offered by a health insurance issuer, a group health plan, a governmental plan, or a church plan (or health insurance coverage offered in connection with any such plans) or any other type of creditable coverage that may be required by the federal Health Insurance Portability and Accountability Act of 1996, as it may be amended, or the regulations under that Act;

(2) who is not eligible for coverage under (A) a group health plan (other than an individual who has been certified as eligible pursuant to the federal Trade Act of 2002), (B) part A or part B of Medicare due to age (other than an individual who has been certified as eligible pursuant to the federal Trade Act of 2002), or (C) medical assistance, and does not have other health insurance coverage (other than an individual who has been certified as eligible pursuant to the federal Trade Act of 2002);

(3) with respect to whom (other than an individual who has been certified as eligible pursuant to the federal Trade Act of 2002) the most recent coverage within the coverage period described in paragraph (1)(A) of this definition was not terminated based upon a factor relating to nonpayment of premiums or fraud;

(4) if the individual (other than an individual who has been certified as eligible pursuant to the federal Trade Act of 2002) had been offered the option of continuation coverage under a COBRA continuation provision or under a similar State program, who elected such coverage; and

(5) who, if the individual elected such continuation coverage, has exhausted such continuation coverage under such provision or program.

However, an individual who has been certified as eligible pursuant to the federal Trade Act of 2002 shall not be required to elect continuation coverage under a COBRA continuation provision or under a similar state program.

"Group health insurance coverage" means, in connection with a group health plan, health insurance coverage offered in connection with that plan.

"Group health plan" has the same meaning given that term in the federal Health Insurance Portability and Accountability Act of 1996.

"Governmental plan" has the same meaning given that term in the federal Health Insurance Portability and Accountability Act of 1996.

"Health insurance coverage" means benefits consisting of medical care (provided directly, through insurance or reimbursement, or otherwise and including items and services paid for as medical care) under any hospital and medical expense-incurred policy, certificate, or contract provided by an insurer, non-profit health care service plan contract, health maintenance organization or other subscriber contract, or any other health care plan or arrangement that pays for or furnishes medical or health care services whether by insurance or otherwise. Health insurance coverage shall not include short term, accident only, disability income, hospital confinement or fixed indemnity, dental only, vision only, limited benefit, or credit insurance, coverage issued as a supplement to liability insurance, insurance arising out of a workers' compensation or similar law, automobile medical-payment insurance, or insurance under which benefits are payable with or without regard to fault and which is statutorily required to be contained in any liability insurance policy or equivalent self-insurance.

"Health insurance issuer" means an insurance company, insurance service, or insurance organization (including a health maintenance organization and a voluntary health services plan) that is authorized to transact health insurance business in this State. Such term does not include a group health plan.

"Health Maintenance Organization" means an organization as defined in the Health Maintenance Organization Act.

"Hospice" means a program as defined in and licensed under the Hospice Program Licensing Act.

"Hospital" means a duly licensed institution as defined in the Hospital Licensing Act, an institution that meets all comparable conditions and requirements in effect in the state in which it is located, or the

University of Illinois Hospital as defined in the University of Illinois Hospital Act.

"Individual health insurance coverage" means health insurance coverage offered to individuals in the individual market, but does not include short-term, limited-duration insurance.

"Insured" means any individual resident of this State who is eligible to receive benefits from any insurer (including health insurance coverage offered in connection with a group health plan) or health insurance issuer as defined in this Section.

"Insurer" means any insurance company authorized to transact health insurance business in this State and any corporation that provides medical services and is organized under the Voluntary Health Services Plans Act or the Health Maintenance Organization Act.

"Medical assistance" means the State medical assistance or medical assistance no grant (MANG) programs provided under Title XIX of the Social Security Act and Articles V (Medical Assistance) and VI (General Assistance) of the Illinois Public Aid Code (or any successor program) or under any similar program of health care benefits in a state other than Illinois.

"Medically necessary" means that a service, drug, or supply is necessary and appropriate for the diagnosis or treatment of an illness or injury in accord with generally accepted standards of medical practice at the time the service, drug, or supply is provided. When specifically applied to a confinement it further means that the diagnosis or treatment of the covered person's medical symptoms or condition cannot be safely provided to that person as an outpatient. A service, drug, or supply shall not be medically necessary if it: (i) is investigational, experimental, or for research purposes; or (ii) is provided solely for the convenience of the patient, the patient's family, physician, hospital, or any other provider; or (iii) exceeds in scope, duration, or intensity that level of care that is needed to provide safe, adequate, and appropriate diagnosis or treatment; or (iv) could have been omitted without adversely affecting the covered person's condition or the quality of medical care; or (v) involves the use of a medical device, drug, or substance not formally approved by the United States Food and Drug Administration.

"Medical care" means the ordinary and usual professional services rendered by a physician or other specified provider during a professional visit for treatment of an illness or injury.

"Medicare" means coverage under both Part A and Part B of Title XVIII of the Social Security Act, 42 U.S.C. Sec. 1395, et seq.

"Minimum premium plan" means an arrangement whereby a specified amount of health care claims is self-funded, but the insurance company assumes the risk that claims will exceed that amount.

"Participating transplant center" means a hospital designated by the Board as a preferred or exclusive provider of services for one or more specified human organ or tissue transplants for which the hospital has signed an agreement with the Board to accept a transplant payment allowance for all expenses related to the transplant during a transplant benefit period.

"Physician" means a person licensed to practice medicine pursuant to the Medical Practice Act of 1987.

"Plan" means the Comprehensive Health Insurance Plan established by this Act.

"Plan of operation" means the plan of operation of the Plan, including articles, bylaws and operating rules, adopted by the board pursuant to this Act.

"Provider" means any hospital, skilled nursing facility, hospice, home health agency, physician, registered pharmacist acting within the scope of that registration, or any other person or entity licensed in Illinois to furnish medical care.

"Qualified high risk pool" has the same meaning given that term in the federal Health Insurance Portability and Accountability Act of 1996.

"Resident" means a person who is and continues to be legally domiciled and physically residing on a permanent and full-time basis in a place of permanent habitation in this State that remains that person's principal residence and from which that person is absent only for temporary or transitory purpose.

"Skilled nursing facility" means a facility or that portion of a facility that is licensed by the Illinois Department of Public Health under the Nursing Home Care Act or a comparable licensing authority in another state to provide skilled nursing care.

"Stop-loss coverage" means an arrangement whereby an insurer insures against the risk that any one claim will exceed a specific dollar amount or that the entire loss of a self-insurance plan will exceed a specific amount.

"Third party administrator" means an administrator as defined in Section 511.101 of the Illinois Insurance Code who is licensed under Article XXXI 1/4 of that Code.

(Source: P.A. 92-153, eff. 7-25-01; 93-33, eff. 6-23-03; 93-34, eff. 6-23-03; 93-477, eff. 8-8-03; 93-622, eff. 12-18-03.)

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

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

On motion of Senator Risinger, **Senate Bill No. 2391**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 2400** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2400

AMENDMENT NO. 1. Amend Senate Bill 2400 on page 2, by replacing lines 17 through 19 with the following:

"fingerprints, voiceprints, records or scans of hand geometry, facial geometry, or facial recognition. Biometric identifiers do not include writing samples, written signatures, photographs, or human biological samples used for valid scientific testing or screening. Biometric identifiers do not include donated organs, tissues, or parts as defined in the Illinois Anatomical Gift Act or blood or serum stored on behalf of recipients or potential recipients of living or cadaveric transplants and obtained or stored by a federally-designated organ procurement agency. Biometric identifiers do not include biological materials regulated under the Genetic Information Privacy Act."; and

on page 3, line 24, by replacing "entity." with "entity, whichever occurs first."; and

on page 4, by replacing lines 19 through 23 with the following:

"(c) Subsections (a) and (b) of this Section do not apply to a public agency engaged in criminal investigations or prosecutions, acting pursuant to a valid warrant or subpoena issued by a court of competent jurisdiction, or issuing driver's licenses, driver's permits, or other similar identification cards. Subsection (a) of this Section does not apply to school districts; however, a school district that collects biometric identifiers or biometric information must adopt retention schedules and destruction policies in accordance with the School Code."; and

on page 5, line 10, by replacing "federal law or regulation" with "or when required by State or federal law"; and

on page 5, immediately below line 13, by inserting the following:

"(e-5) Nothing in subsection (d) of this Section shall be construed to prohibit or inhibit a public agency that issues driver's licenses, driver's permits, or other identification cards from:

- (1) sharing biometric identifiers or biometric information pursuant to or when required by State or federal law; or
- (2) sharing biometric identifiers or biometric information pursuant to a valid warrant or subpoena issued by a court of competent jurisdiction."; and

by replacing line 26 on page 5 through line 1 on page 6 with the following:

"(3) the disclosure or redisclosure is required by State or federal law; or"; and

by replacing line 5 on page 7 through line 4 on page 8 with the following:

"Section 20. Right of action. Any person aggrieved by a violation of this Act shall have a right of action in a State circuit court or as a supplemental claim in federal district court against an offending party. A prevailing party may recover for each violation:

- (1) against any public agency or private entity that negligently violates a provision of this Act, liquidated damages of \$1,000 or actual damages, whichever is greater;
- (2) against any public agency or private entity that intentionally or recklessly violates a provision of this Act, liquidated damages of \$5,000 or actual damages, whichever is greater;
- (3) reasonable attorneys' fees and costs, including expert witness fees and other litigation expenses; and
- (4) other relief, including an injunction, as the State or federal court may deem

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appropriate."

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

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

AMENDMENT NO. 3 TO SENATE BILL 2400

AMENDMENT NO. 3. Amend Senate Bill 2400, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 1, line 4, after "voiceprints," by inserting "and".

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

On motion of Senator Demuzio, **Senate Bill No. 2412** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2412

AMENDMENT NO. 1. Amend Senate Bill 2412 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 21-7.3 as follows:
(105 ILCS 5/21-7.3 new)
Sec. 21-7.3. Developing high quality school principals."

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

On motion of Senator Demuzio, **Senate Bill No. 2413**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Millner, **Senate Bill No. 2415**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **Senate Bill No. 2422**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **Senate Bill No. 2424**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **Senate Bill No. 2428**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **Senate Bill No. 2431**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 2435**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 2452** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2452

AMENDMENT NO. 1. Amend Senate Bill 2452 on page 2, by replacing lines 23 and 24 with the following:

"commenced within 3 years after the act constituting the violation is discovered or reasonably should

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have been discovered."

AMENDMENT NO. 2 TO SENATE BILL 2452

AMENDMENT NO. 2. Amend Senate Bill 2452 on page 1, by replacing line 1 with the following:

"AN ACT concerning court records."; and

on page 2, by inserting immediately after line 25 the following:

"Section 10. The Probate Act of 1975 is amended by changing Section 28-1 as follows:
(755 ILCS 5/28-1) (from Ch. 110 1/2, par. 28-1)

Sec. 28-1. Purpose and scope of Article.) This Article permits an executor or administrator to administer the estate without court order or filings, except to the extent that court order or filing is required by this Article or is requested by any interested person pursuant to this Article. This Article shall apply to all estates after the effective date of this Amendatory Act of 1983, whether letters of office are issued before, on or after that date. All provisions of this Act dealing with decedents' estates that are not inconsistent with this Article apply to and govern independent administration. This Article does not apply to any testate estate which purports to create one or more trusts, as defined by Section 2 of the Trusts and Trustees Act.

(Source: P.A. 83-900.)".

Senator Cullerton moved that the foregoing Amendment No. 2 be ordered to lie on the table.

The motion to table prevailed.

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

On motion of Senator Kotowski, **House Bill No. 2489** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 2501** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 2512** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2512

AMENDMENT NO. 1. Amend Senate Bill 2512 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 27-13.3 as follows:
(105 ILCS 5/27-13.3)

Sec. 27-13.3. Internet safety education curriculum.

(a) The purpose of this Section is to inform and protect students from inappropriate or illegal communications and solicitation and to encourage school districts to provide education about Internet threats and risks, including without limitation child predators, fraud, and other dangers.

(b) The General Assembly finds and declares the following:

(1) it is the policy of this State to protect consumers and Illinois residents from deceptive and unsafe communications that result in harassment, exploitation, or physical harm;

(2) children have easy access to the Internet at home, school, and public places;

(3) the Internet is used by sexual predators and other criminals to make initial contact with children and other vulnerable residents in Illinois; and

(4) education is an effective method for preventing children from falling prey to online predators, identity theft, and other dangers.

(c) Each school may adopt an age-appropriate curriculum for Internet safety instruction of students in grades kindergarten through 12. However, beginning with the 2009-2010 school year, a school district must incorporate into the school curriculum a component on Internet safety to be taught at least once each school year to students in grade 3 or above. It is hereby recommended that the

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age-appropriate curriculum for Internet safety instruction provide for a minimum of 2 hours of Internet safety education each school year that includes instruction on each of the following topics:

- (1) Safe and responsible use of social networking websites, chat rooms, electronic mail, bulletin boards, instant messaging, and other means of communication on the Internet.
 - (2) Recognizing, avoiding, and reporting online solicitations of students, their classmates, and their friends by sexual predators.
 - (3) Risks of transmitting personal information on the Internet.
 - (4) Recognizing and avoiding unsolicited or deceptive communications received online.
 - (5) Recognizing and reporting online harassment and cyber-bullying.
 - (6) Reporting illegal activities and communications on the Internet.
 - (7) Copyright laws on written materials, photographs, music, and video.
- (d) Curricula devised in accordance with subsection (c) of this Section may be submitted for review to the Office of the Illinois Attorney General.

(e) The State Board of Education shall make available resource materials for educating children regarding child online safety and may take into consideration the curriculum on this subject developed by other states, as well as any other curricular materials suggested by education experts, child psychologists, or technology companies that work on child online safety issues. Materials may include without limitation safe online communications, privacy protection, cyber-bullying, viewing inappropriate material, file sharing, and the importance of open communication with responsible adults. The State Board of Education shall make these resource materials available on its Internet website.

(Source: P.A. 95-509, eff. 8-28-07.)"

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

On motion of Senator Clayborne, **Senate Bill No. 2546**, having been printed, was taken up, read by title a second time.

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

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

On motion of Senator J. Jones, **Senate Bill No. 2562**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **Senate Bill No. 2566** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Housing and Community Affairs, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2566

AMENDMENT NO. 1. Amend Senate Bill 2566 on page 3, line 9, by replacing "\$3,700" with "\$3,200"; and

on page 5, line 20, by replacing "\$1,000" with "\$500".

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

On motion of Senator Frerichs, **Senate Bill No. 2570**, having been printed, was taken up, read by title a second time and ordered to a third reading.

LEGISLATIVE MEASURES FILED

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

Senate Floor Amendment No. 2 to Senate Bill 1879

Senate Floor Amendment No. 3 to Senate Bill 2085

Senate Floor Amendment No. 2 to Senate Bill 2110

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Senate Floor Amendment No. 1 to Senate Bill 2426
 Senate Floor Amendment No. 1 to Senate Bill 2527
 Senate Floor Amendment No. 2 to Senate Bill 2538
 Senate Floor Amendment No. 2 to Senate Bill 2546
 Senate Floor Amendment No. 1 to Senate Bill 2755
 Senate Floor Amendment No. 1 to Senate Bill 2821

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Demuzio, **Senate Bill No. 1850**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 51; Nays 1.

The following voted in the affirmative:

Althoff	Forby	Lauzen	Raoul
Bivins	Frerichs	Link	Risinger
Bomke	Garrett	Luechtefeld	Sandoval
Bond	Haine	Maloney	Schoenberg
Brady	Halvorson	Martinez	Silverstein
Clayborne	Harmon	Meeks	Steans
Collins	Hendon	Millner	Sullivan
Crotty	Holmes	Munoz	Syverson
Cullerton	Hunter	Murphy	Trotter
DeLeo	Jacobs	Noland	Viverito
Delgado	Jones, J.	Pankau	Wilhelmi
Demuzio	Koehler	Peterson	Mr. President
Dillard	Kotowski	Radogno	

The following voted in the negative:

Burzynski

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

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

On motion of Senator Haine, **Senate Bill No. 1881**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 49; Nays None.

The following voted in the affirmative:

Althoff	Dillard	Lauzen	Risinger
Bivins	Forby	Link	Schoenberg
Bomke	Frerichs	Luechtefeld	Silverstein
Bond	Garrett	Maloney	Steans
Brady	Haine	Martinez	Sullivan
Burzynski	Halvorson	Meeks	Syverson
Clayborne	Harmon	Millner	Trotter

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Collins	Hendon	Murphy	Viverito
Crotty	Holmes	Noland	Wilhelmi
Cullerton	Jacobs	Pankau	Mr. President
DeLeo	Jones, J.	Peterson	
Delgado	Koehler	Radogno	
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 and ask their concurrence therein.

On motion of Senator Haine, **Senate Bill No. 1887**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 49; Nays None.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Risinger
Bivins	Forby	Lauzen	Schoenberg
Bomke	Frerichs	Link	Silverstein
Bond	Garrett	Maloney	Steans
Brady	Haine	Martinez	Sullivan
Burzynski	Halvorson	Meeks	Syverson
Clayborne	Harmon	Millner	Trotter
Collins	Hendon	Murphy	Viverito
Crotty	Holmes	Noland	Wilhelmi
Cullerton	Hunter	Pankau	Mr. President
DeLeo	Jacobs	Peterson	
Delgado	Jones, J.	Radogno	
Demuzio	Koehler	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 and ask their concurrence therein.

On motion of Senator Schoenberg, **Senate Bill No. 1923**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Raoul
Bivins	Forby	Lauzen	Risinger
Bomke	Frerichs	Link	Rutherford
Bond	Garrett	Luechtefeld	Schoenberg
Brady	Haine	Maloney	Silverstein
Burzynski	Halvorson	Martinez	Steans
Clayborne	Harmon	Meeks	Sullivan
Collins	Hendon	Millner	Syverson

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Crotty	Holmes	Murphy	Trotter
Cullerton	Hunter	Noland	Viverito
DeLeo	Jacobs	Pankau	Wilhelmi
Delgado	Jones, J.	Peterson	Mr. President
Demuzio	Koehler	Radogno	

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

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

On motion of Senator Maloney, **Senate Bill No. 1939**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Raoul
Bivins	Forby	Lauzen	Risinger
Bomke	Frerichs	Link	Rutherford
Bond	Garrett	Luechtefeld	Schoenberg
Brady	Haine	Maloney	Silverstein
Burzynski	Halvorson	Martinez	Steans
Clayborne	Harmon	Meeks	Sullivan
Collins	Hendon	Millner	Syverson
Crotty	Holmes	Murphy	Trotter
Cullerton	Hunter	Noland	Viverito
DeLeo	Jacobs	Pankau	Wilhelmi
Delgado	Jones, J.	Peterson	Mr. President
Demuzio	Koehler	Radogno	

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

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

On motion of Senator Clayborne, **Senate Bill No. 1957**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 49; Nays None; Present 1.

The following voted in the affirmative:

Althoff	Forby	Lauzen	Rutherford
Bomke	Frerichs	Link	Schoenberg
Bond	Garrett	Maloney	Silverstein
Brady	Haine	Martinez	Steans
Burzynski	Halvorson	Meeks	Sullivan
Clayborne	Harmon	Millner	Syverson
Collins	Hendon	Murphy	Trotter
Crotty	Holmes	Noland	Viverito
Cullerton	Hunter	Pankau	Wilhelmi

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DeLeo	Jacobs	Peterson	Mr. President
Delgado	Jones, J.	Radogno	
Demuzio	Koehler	Raoul	
Dillard	Kotowski	Risinger	

The following voted present:

Bivins

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

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

On motion of Senator Clayborne, **Senate Bill No. 1981**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 50; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lauzen	Risinger
Bivins	Frerichs	Link	Rutherford
Bomke	Garrett	Luechtefeld	Schoenberg
Bond	Haine	Maloney	Silverstein
Brady	Halvorson	Martinez	Steans
Clayborne	Harmon	Meeks	Sullivan
Collins	Hendon	Millner	Syverson
Crotty	Holmes	Murphy	Trotter
Cullerton	Hunter	Noland	Viverito
DeLeo	Jacobs	Pankau	Wilhelmi
Delgado	Jones, J.	Peterson	Mr. President
Demuzio	Koehler	Radogno	
Dillard	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 and ask their concurrence therein.

At the hour of 1:56 o'clock p.m., Senator Halvorson presiding.

On motion of Senator Hendon, **Senate Bill No. 1979**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 44; Nays 3.

The following voted in the affirmative:

Althoff	Frerichs	Luechtefeld	Schoenberg
Bomke	Garrett	Maloney	Silverstein
Bond	Haine	Martinez	Steans

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Clayborne	Halvorson	Meeks	Sullivan
Collins	Harmon	Millner	Trotter
Crotty	Hendon	Murphy	Viverito
Cullerton	Hunter	Noland	Wilhelmi
DeLeo	Jacobs	Pankau	Mr. President
Delgado	Jones, J.	Peterson	
Demuzio	Koehler	Radogno	
Dillard	Kotowski	Raoul	
Forby	Link	Risinger	

The following voted in the negative:

Bivins
Burzynski
Laufen

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

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

On motion of Senator Frerichs, **Senate Bill No. 1984**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 50; Nays None.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Risinger
Bivins	Forby	Laufen	Rutherford
Bomke	Frerichs	Link	Schoenberg
Bond	Garrett	Luechtefeld	Silverstein
Brady	Haine	Maloney	Steans
Burzynski	Halvorson	Meeks	Sullivan
Clayborne	Harmon	Millner	Syverson
Collins	Hendon	Murphy	Trotter
Crotty	Holmes	Noland	Viverito
Cullerton	Hunter	Pankau	Wilhelmi
DeLeo	Jacobs	Peterson	Mr. President
Delgado	Jones, J.	Radogno	
Demuzio	Koehler	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 and ask their concurrence therein.

On motion of Senator DeLeo, **Senate Bill No. 1997**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 47; Nays 5.

The following voted in the affirmative:

[April 1, 2008]

Bivins	Forby	Kotowski	Raoul
Bomke	Frerichs	Lauzen	Risinger
Bond	Garrett	Link	Rutherford
Brady	Haine	Luechtefeld	Sandoval
Clayborne	Halvorson	Martinez	Schoenberg
Collins	Harmon	Meeks	Silverstein
Crotty	Hendon	Millner	Steans
Cullerton	Holmes	Munoz	Sullivan
DeLeo	Hunter	Murphy	Trotter
Delgado	Jacobs	Pankau	Viverito
Demuzio	Jones, J.	Peterson	Mr. President
Dillard	Koehler	Radogno	

The following voted in the negative:

Althoff	Maloney	Syverson
Burzynski	Noland	

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

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

On motion of Senator Link, **Senate Bill No. 2005**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 52; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Delgado, **Senate Bill No. 2012**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

[April 1, 2008]

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Wilhelmi
DeLeo	Jones, J.	Peterson	Mr. President
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

On motion of Senator Garrett, **Senate Bill No. 2014**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Forby	Luechtefeld	Sandoval
Bivins	Frerichs	Maloney	Schoenberg
Bomke	Garrett	Martinez	Silverstein
Bond	Haine	Meeks	Steans
Brady	Halvorson	Millner	Sullivan
Burzynski	Harmon	Munoz	Syverson
Clayborne	Hendon	Murphy	Trotter
Collins	Holmes	Noland	Viverito
Crotty	Hunter	Pankau	Wilhelmi
Cullerton	Jones, J.	Peterson	Mr. President
DeLeo	Koehler	Radogno	
Delgado	Kotowski	Raoul	
Demuzio	Lauzen	Risinger	
Dillard	Link	Rutherford	

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

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

On motion of Senator Clayborne, **Senate Bill No. 2015**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

[April 1, 2008]

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

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Wilhelmi
DeLeo	Jones, J.	Peterson	
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

On motion of Senator Haine, **Senate Bill No. 2017**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Risinger
Bivins	Frerichs	Luechtefeld	Rutherford
Bomke	Garrett	Maloney	Sandoval
Bond	Haine	Martinez	Schoenberg
Burzynski	Halvorson	Meeks	Silverstein
Clayborne	Harmon	Millner	Steans
Collins	Hendon	Munoz	Sullivan
Crotty	Holmes	Murphy	Syverson
Cullerton	Hunter	Noland	Trotter
DeLeo	Jacobs	Pankau	Viverito
Delgado	Jones, J.	Peterson	Wilhelmi
Demuzio	Koehler	Radogno	Mr. President
Dillard	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 and ask their concurrence therein.

On motion of Senator Frerichs, **Senate Bill No. 2021**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

[April 1, 2008]

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

Yeas 46; Nays 2.

The following voted in the affirmative:

Althoff	Garrett	Martinez	Sandoval
Bond	Haine	Meeks	Schoenberg
Burzynski	Halvorson	Millner	Silverstein
Clayborne	Harmon	Munoz	Steans
Crotty	Hendon	Murphy	Sullivan
Cullerton	Holmes	Noland	Syverson
DeLeo	Hunter	Pankau	Trotter
Delgado	Jacobs	Peterson	Viverito
Demuzio	Koehler	Radogno	Wilhelmi
Dillard	Kotowski	Raoul	Mr. President
Forby	Link	Risinger	
Frerichs	Maloney	Rutherford	

The following voted in the negative:

Bivins
Lauzen

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

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

On motion of Senator Haine, **Senate Bill No. 2023**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

[April 1, 2008]

On motion of Senator Haine, **Senate Bill No. 2031**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Koehler, **Senate Bill No. 2034**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 48; Nays 4.

The following voted in the affirmative:

Althoff	Garrett	Martinez	Schoenberg
Bomke	Haine	Meeks	Silverstein
Bond	Halvorson	Millner	Steans
Clayborne	Harmon	Munoz	Sullivan
Collins	Hendon	Murphy	Trotter
Crotty	Holmes	Noland	Viverito
Cullerton	Hunter	Pankau	Watson
DeLeo	Jacobs	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
Dillard	Link	Risinger	
Forby	Luechtefeld	Rutherford	
Frerichs	Maloney	Sandoval	

The following voted in the negative:

Bivins	Burzynski
Brady	Lauzen

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

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

On motion of Senator Dillard, **Senate Bill No. 2044**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Sandoval
Bivins	Frerichs	Luechtefeld	Schoenberg
Bomke	Garrett	Maloney	Silverstein
Bond	Haine	Martinez	Steans
Brady	Halvorson	Millner	Sullivan
Burzynski	Harmon	Munoz	Syverson
Clayborne	Hendon	Murphy	Trotter
Collins	Holmes	Noland	Viverito
Crotty	Hunter	Pankau	Watson
Cullerton	Jacobs	Peterson	Wilhelmi
DeLeo	Jones, J.	Radogno	Mr. President
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Risinger	
Dillard	Laufen	Rutherford	

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

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

On motion of Senator Murphy, **Senate Bill No. 2047**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Luechtefeld	Sandoval
Bivins	Garrett	Maloney	Schoenberg
Bomke	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
Dillard	Laufen	Risinger	

[April 1, 2008]

Forby

Link

Rutherford

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

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

On motion of Senator Althoff, **Senate Bill No. 2049**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Forby	Maloney	Schoenberg
Bivins	Frerichs	Martinez	Silverstein
Bomke	Haine	Meeks	Steans
Bond	Halvorson	Millner	Sullivan
Brady	Harmon	Munoz	Syverson
Burzynski	Hendon	Murphy	Trotter
Clayborne	Holmes	Noland	Viverito
Collins	Hunter	Pankau	Watson
Crotty	Jacobs	Peterson	Wilhelmi
Cullerton	Jones, J.	Radogno	Mr. President
DeLeo	Koehler	Raoul	
Delgado	Lauzen	Risinger	
Demuzio	Link	Rutherford	
Dillard	Luechtefeld	Sandoval	

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

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

On motion of Senator Koehler, **Senate Bill No. 2053**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Forby	Luechtefeld	Sandoval
Bivins	Frerichs	Maloney	Schoenberg
Bomke	Garrett	Martinez	Silverstein
Bond	Haine	Meeks	Steans
Brady	Halvorson	Millner	Sullivan
Burzynski	Harmon	Munoz	Trotter
Clayborne	Hendon	Murphy	Viverito
Collins	Holmes	Noland	Watson
Crotty	Hunter	Pankau	Wilhelmi
Cullerton	Jacobs	Peterson	Mr. President
DeLeo	Jones, J.	Radogno	
Delgado	Koehler	Raoul	

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Demuzio	Kotowski	Risinger
Dillard	Link	Rutherford

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

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

On motion of Senator Jacobs, **Senate Bill No. 2070**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

On motion of Senator Koehler, **Senate Bill No. 2077**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 47; Nays 4.

The following voted in the affirmative:

Bomke	Frerichs	Luechtefeld	Rutherford
Bond	Garrett	Maloney	Sandoval
Brady	Haine	Martinez	Schoenberg
Clayborne	Halvorson	Meeks	Silverstein
Collins	Harmon	Millner	Steans
Crotty	Hendon	Munoz	Sullivan
Cullerton	Holmes	Noland	Trotter
DeLeo	Hunter	Pankau	Viverito
Delgado	Jacobs	Peterson	Watson
Demuzio	Koehler	Radogno	Wilhelmi
Dillard	Kotowski	Raoul	Mr. President

[April 1, 2008]

Forby Link Risinger

The following voted in the negative:

Bivins Lauzen
Burzynski Murphy

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

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

On motion of Senator Haine, **Senate Bill No. 2078**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 51; Nays None; Present 1.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bomke	Frerichs	Luechtefeld	Sandoval
Bond	Garrett	Maloney	Schoenberg
Brady	Haine	Martinez	Silverstein
Burzynski	Halvorson	Meeks	Steans
Clayborne	Harmon	Millner	Sullivan
Collins	Hendon	Munoz	Syverson
Crotty	Holmes	Murphy	Trotter
Cullerton	Hunter	Noland	Viverito
DeLeo	Jacobs	Pankau	Watson
Delgado	Koehler	Peterson	Wilhelmi
Demuzio	Kotowski	Radogno	Mr. President
Dillard	Lauzen	Raoul	

The following voted present:

Bivins

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

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

On motion of Senator Brady, **Senate Bill No. 2102**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Garrett	Maloney	Schoenberg
Bivins	Haine	Martinez	Silverstein
Bomke	Halvorson	Meeks	Steans
Brady	Harmon	Millner	Sullivan

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Burzynski	Hendon	Munoz	Syverson
Clayborne	Holmes	Murphy	Trotter
Collins	Hunter	Noland	Viverito
Crotty	Jacobs	Pankau	Watson
Cullerton	Jones, J.	Peterson	Wilhelmi
DeLeo	Koehler	Radogno	Mr. President
Delgado	Kotowski	Raoul	
Demuzio	Laufen	Risinger	
Forby	Link	Rutherford	
Frerichs	Luechtefeld	Sandoval	

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

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

On motion of Senator Millner, **Senate Bill No. 2135**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Syverson, **Senate Bill No. 2149**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg

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Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

On motion of Senator Risinger, **Senate Bill No. 2157**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

On motion of Senator Bomke, **Senate Bill No. 2159**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Sandoval
Bivins	Frerichs	Luechtefeld	Schoenberg

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Bomke	Garrett	Maloney	Silverstein
Bond	Haine	Martinez	Steans
Brady	Halvorson	Millner	Sullivan
Burzynski	Harmon	Munoz	Syverson
Clayborne	Hendon	Murphy	Trotter
Collins	Holmes	Noland	Viverito
Crotty	Hunter	Pankau	Watson
Cullerton	Jacobs	Peterson	Wilhelmi
DeLeo	Jones, J.	Radogno	Mr. President
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Risinger	
Dillard	Lauzen	Rutherford	

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

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

On motion of Senator Haine, **Senate Bill No. 2160**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Haine, **Senate Bill No. 2162**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Forby	Luechtefeld	Sandoval
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[April 1, 2008]

Bivins	Frerichs	Maloney	Schoenberg
Bomke	Haine	Martinez	Silverstein
Bond	Halvorson	Meeks	Steans
Brady	Harmon	Millner	Sullivan
Burzynski	Hendon	Munoz	Syverson
Clayborne	Holmes	Murphy	Trotter
Collins	Hunter	Noland	Viverito
Crotty	Jacobs	Pankau	Watson
Cullerton	Jones, J.	Peterson	Wilhelmi
DeLeo	Koehler	Radogno	Mr. President
Delgado	Kotowski	Raoul	
Demuzio	Lauzen	Risinger	
Dillard	Link	Rutherford	

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

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

On motion of Senator Koehler, **Senate Bill No. 2187**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

On motion of Senator Link, **Senate Bill No. 2190**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Link, **Senate Bill No. 2191**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays 1.

The following voted in the affirmative:

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

The following voted in the negative:

Jacobs

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

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

On motion of Senator DeLeo, **Senate Bill No. 2198**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

[April 1, 2008]

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Luechtefeld	Rutherford
Bivins	Garrett	Maloney	Sandoval
Brady	Haine	Martinez	Schoenberg
Burzynski	Halvorson	Meeks	Silverstein
Clayborne	Harmon	Millner	Steans
Collins	Hendon	Munoz	Sullivan
Crotty	Holmes	Murphy	Syverson
Cullerton	Hunter	Noland	Trotter
DeLeo	Jones, J.	Pankau	Viverito
Delgado	Koehler	Peterson	Watson
Demuzio	Kotowski	Radogno	Wilhelmi
Dillard	Lauzen	Raoul	Mr. President
Forby	Link	Risinger	

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

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

At the hour of 3:06 o'clock p.m., Senator Hendon presiding.

On motion of Senator Link, **Senate Bill No. 2239**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Harmon, **Senate Bill No. 2240**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
Dillard	Laufen	Risinger	

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

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

On motion of Senator Haine, **Senate Bill No. 2252**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
Dillard	Laufen	Risinger	

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

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

[April 1, 2008]

On motion of Senator Maloney, **Senate Bill No. 2292**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

On motion of Senator Wilhelmi, **Senate Bill No. 2294**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

[April 1, 2008]

On motion of Senator Jacobs, **Senate Bill No. 2298**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Schoenberg
Bivins	Frerichs	Luechtefeld	Silverstein
Bomke	Garrett	Maloney	Steans
Bond	Haine	Martinez	Sullivan
Brady	Halvorson	Meeks	Syverson
Burzynski	Harmon	Millner	Trotter
Clayborne	Hendon	Murphy	Viverito
Collins	Holmes	Noland	Watson
Crotty	Hunter	Pankau	Wilhelmi
Cullerton	Jacobs	Peterson	Mr. President
DeLeo	Jones, J.	Raoul	
Delgado	Koehler	Risinger	
Demuzio	Kotowski	Rutherford	
Dillard	Lauzen	Sandoval	

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

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

On motion of Senator Halvorson, **Senate Bill No. 2301**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
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).

[April 1, 2008]

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

On motion of Senator Peterson, **Senate Bill No. 2304**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

On motion of Senator Garrett, **Senate Bill No. 2314**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Cullerton, **Senate Bill No. 2327**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Schoenberg
Bomke	Garrett	Maloney	Silverstein
Bond	Haine	Martinez	Steans
Brady	Halvorson	Meeks	Sullivan
Burzynski	Harmon	Millner	Syverson
Clayborne	Hendon	Munoz	Trotter
Collins	Holmes	Murphy	Viverito
Crotty	Hunter	Noland	Watson
Cullerton	Jacobs	Pankau	Wilhelmi
DeLeo	Jones, J.	Peterson	Mr. President
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Laufen	Risinger	

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

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

On motion of Senator Link, **Senate Bill No. 2336**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
Dillard	Laufen	Risinger	

[April 1, 2008]

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

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

On motion of Senator Link, **Senate Bill No. 2338**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Sandoval
Bivins	Frerichs	Luechtefeld	Schoenberg
Bomke	Garrett	Maloney	Silverstein
Bond	Haine	Martinez	Steans
Brady	Halvorson	Meeks	Sullivan
Burzynski	Harmon	Millner	Syverson
Clayborne	Hendon	Murphy	Trotter
Collins	Holmes	Noland	Viverito
Crotty	Hunter	Pankau	Watson
Cullerton	Jacobs	Peterson	Wilhelmi
DeLeo	Jones, J.	Radogno	Mr. President
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Risinger	
Dillard	Laufen	Rutherford	

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

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

On motion of Senator Wilhelmi, **Senate Bill No. 2352**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 50; Nays 3.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Maloney	Sandoval
Bomke	Garrett	Martinez	Schoenberg
Bond	Haine	Meeks	Silverstein
Brady	Halvorson	Millner	Steans
Clayborne	Harmon	Munoz	Sullivan
Collins	Hendon	Murphy	Trotter
Crotty	Holmes	Noland	Viverito
Cullerton	Hunter	Pankau	Watson
DeLeo	Jacobs	Peterson	Wilhelmi
Delgado	Jones, J.	Radogno	Mr. President
Demuzio	Koehler	Raoul	
Dillard	Kotowski	Risinger	

[April 1, 2008]

The following voted in the negative:

Burzynski
Lauzen
Luechtefeld

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

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

EXCUSED FROM ATTENDANCE

On motion of Senator Risinger, Senator Righter was excused from attendance due to legislative business.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Frerichs, **Senate Bill No. 2353**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Brady, **Senate Bill No. 2365**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

[April 1, 2008]

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

On motion of Senator Millner, **Senate Bill No. 2382**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

On motion of Senator Collins, **Senate Bill No. 2387**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 42; Nays 8.

The following voted in the affirmative:

Bivins	Forby	Link	Sandoval
Bond	Frerichs	Maloney	Schoenberg
Burzynski	Garrett	Martinez	Silverstein
Clayborne	Haine	Meeks	Steans
Collins	Halvorson	Millner	Sullivan
Crotty	Hendon	Munoz	Trotter
Cullerton	Holmes	Murphy	Viverito
DeLeo	Hunter	Noland	Wilhelmi
Delgado	Jacobs	Pankau	Mr. President
Demuzio	Koehler	Radogno	
Dillard	Kotowski	Raoul	

The following voted in the negative:

Althoff	Luechtefeld	Syverson
Bomke	Risinger	Watson
Jones, J.	Rutherford	

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

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

On motion of Senator Holmes, **Senate Bill No. 2401**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Martinez, **Senate Bill No. 2404**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

[April 1, 2008]

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

On motion of Senator Hunter, **Senate Bill No. 2473**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Rutherford
Bivins	Frerichs	Luechtefeld	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Silverstein
Brady	Halvorson	Meeks	Steans
Burzynski	Harmon	Millner	Sullivan
Clayborne	Hendon	Munoz	Syverson
Collins	Holmes	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	Mr. President
Demuzio	Kotowski	Raoul	
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 and ask their concurrence therein.

MESSAGE FROM THE HOUSE

[April 1, 2008]

A message from the House by

Mr. Mahoney, Clerk:

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

SENATE JOINT RESOLUTION NO. 87

Concurred in by the House, March 13, 2008.

MARK MAHONEY, Clerk of the House

At the hour of 3:41 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, April 2, 2008, at 10:00 o'clock a.m.