



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SIXTH GENERAL ASSEMBLY**

**111TH LEGISLATIVE DAY**

**WEDNESDAY, APRIL 21, 2010**

**10:53 O'CLOCK A.M.**

**SENATE**  
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**111th Legislative Day**

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The Senate met pursuant to adjournment.  
Senator James F. Clayborne, Belleville, Illinois, presiding.  
Prayer by Reverend John Roth, Faith Lutheran Church, Jacksonville, Illinois.  
Senator Maloney led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, April 20, 2010, be postponed, pending arrival of the printed Journal.  
The motion prevailed.

**REPORT RECEIVED**

The Secretary placed before the Senate the following report:

Law Enforcement Camera Grant Act Report, submitted by the Posen Police Department.

The foregoing report was ordered received and placed on file in the Secretary's Office.

**MESSAGE FROM THE PRESIDENT**

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

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706

April 21, 2010

Ms. Jillayne Rock  
Secretary of the Senate  
Room 401 State House  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator William Delgado to temporarily replace Senator Dan Kotowski as a member of the Senate Criminal Law Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Criminal Law Committee.

Sincerely,  
s/John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

**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 Assignments:

Senate Floor Amendment No. 1 to Senate Bill 2827  
Senate Floor Amendment No. 1 to Senate Bill 2889

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

[April 21, 2010]

Senate Committee Amendment No. 1 to House Bill 1826  
 Senate Committee Amendment No. 2 to House Bill 4623  
 Senate Committee Amendment No. 1 to House Bill 5065  
 Senate Committee Amendment No. 2 to House Bill 5080  
 Senate Committee Amendment No. 1 to House Bill 5501  
 Senate Committee Amendment No. 1 to House Bill 5858  
 Senate Committee Amendment No. 1 to House Bill 6001  
 Senate Committee Amendment No. 1 to House Bill 6030  
 Senate Committee Amendment No. 2 to House Bill 6271  
 Senate Committee Amendment No. 1 to House Bill 6748

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

Senate Floor Amendment No. 1 to House Bill 5193  
 Senate Floor Amendment No. 1 to House Bill 5923

### **PRESENTATION OF RESOLUTIONS**

#### **SENATE RESOLUTION NO. 773**

Offered by Senator Haine and all Senators:  
 Mourns the death of Dr. Thomas W. Nielsen, Sr.

#### **SENATE RESOLUTION NO. 774**

Offered by Senator Forby and all Senators:  
 Mourns the death of Golda Mae Gentile of Carterville.

#### **SENATE RESOLUTION NO. 775**

Offered by Senator Forby and all Senators:  
 Mourns the death of Lyndell B. Melvin of Benton.

#### **SENATE RESOLUTION NO. 776**

Offered by Senator Forby and all Senators:  
 Mourns the death of Elmo Ricci of West Frankfort.

#### **SENATE RESOLUTION NO. 777**

Offered by Senator Forby and all Senators:  
 Mourns the death of Rachel Leah (Welch) Drust of Royalton.

#### **SENATE RESOLUTION NO. 778**

Offered by Senator Hunter and all Senators:  
 Mourns the death of Leatrice E. Hall of Chicago.

#### **SENATE RESOLUTION NO. 780**

Offered by Senator Kotowski and all Senators:  
 Mourns the death of Polish President Lech Kaczynski.

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

Senator Wilhelmi offered the following Senate Resolution, which was referred to the Committee on Assignments:

#### **SENATE RESOLUTION NO. 779**

[April 21, 2010]

WHEREAS, The flow of the Chicago River into Lake Michigan was reversed one hundred years ago to protect the safety of drinking water for the Chicago region and to facilitate navigation and commerce through a series of locks and canals; and

WHEREAS, In 2008, the Port of Chicago in the Chicago Area Waterway System was ranked 6th in the United States for exports to other countries by the United States Commerce Department; and

WHEREAS, The Chicago region's five biggest exports were chemicals (\$6.1 billion), computers and electronic products (\$5.2 billion), non-electrical machinery (\$3.4 billion), transportation equipment (\$3.2 billion), and electrical equipment, appliances, and components (\$1.7 billion); and

WHEREAS, A 2007 study commissioned by the Illinois Chamber of Commerce estimated that \$29 billion worth of petroleum, chemicals, building materials, farm products, coal, and other products and raw materials travel through the Chicago area locks and canals annually; and

WHEREAS, The continued operation of Chicago's system of locks and canals are vital to ensure its continued status as the strategic transportation hub of the Midwest; and

WHEREAS, The United States Army Corps of Engineers (USACE) and the Illinois Department of Natural Resources have enacted several steps to prevent Asian carp from entering Lake Michigan, including creating an electronic barrier, eDNA testing, and a fish kill in December of 2009; and

WHEREAS, Litigation has been pursued by Great Lakes states to order the closure of the locks and canals to try and prevent Asian carp from entering the Great Lakes; and

WHEREAS, The United States Supreme Court has rejected the preliminary injunction to close the Chicago Area Waterway Systems' locks and canals; and

WHEREAS, The United States Army Corps of Engineers (USACE) has proposed a schedule of lock closures and even a permanent closure of the locks as one possible solution to the problem of Asian carp; and

WHEREAS, Closing the locks would overwhelm the Chicago Metropolitan Water Reclamation District tunnel system and cause massive flooding, affecting more than 3 million people and 1.4 million structures in Chicago and 51 surrounding suburbs; and

WHEREAS, It is estimated that closing the locks would also increase shipping costs for the Illinois agricultural community by more than a half-billion dollars a year; and

WHEREAS, At a White House "Carp Summit" of the Great Lakes states, United States Army Corps of Engineers (USACE) presented a plan to prevent Asian carp from entering Lake Michigan, outlining several scenarios including opening the locks less frequently, testing, and more electronic barriers; and

WHEREAS, The White House is allocating \$78.5 million campaign to prevent the Asian carp from gaining access to the Great Lakes; the strategy will call for modifying the lock operations in the Chicago Area Waterway systems; and

WHEREAS, Even the temporary interruption of lock traffic would be absolutely devastating to our local, State, and national economy; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the United States Army Corps of Engineers to seek alternatives to the closure of the Chicago Area Waterway systems of locks and canals that would not impede commerce.

Senator Kotowski offered the following Senate Resolution, which was referred to the Committee on Assignments:

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**SENATE RESOLUTION NO. 781**

WHEREAS, Epilepsy is one of the most common neurological conditions, estimated to affect over 50 million people worldwide, 3 million people in the United States, and 130,000 people in the State of Illinois; and

WHEREAS, The Danny Did Foundation is working to increase epilepsy awareness by mainstreaming medical devices for home use that act as alarm systems for seizure activity and strengthening communication regarding Sudden Unexplained Death in Epilepsy between medical professionals and those afflicted by seizures, as well as their loved ones; and

WHEREAS, Sudden Unexplained Death in Epilepsy accounts for up to 18 percent of all deaths in patients with epilepsy; and

WHEREAS, Adult patients and parents of children with epilepsy need to be informed of the possibility of Sudden Unexplained Death in Epilepsy; and

WHEREAS, The Danny Did Foundation was created in response to the tragic death of Danny Stanton, whose death might have been prevented by seizure-detecting technology; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate May 22, 2010 as "Danny Did Day" in the State of Illinois in an effort to support the Danny Did Foundation and to raise awareness of Sudden Unexplained Death in Epilepsy; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Danny Did Foundation as a symbol of our support and respect.

**REPORT FROM STANDING COMMITTEE**

Senator Koehler, Chairperson of the Committee on Local Government, to which was referred **House Bills Numbered 4968, 5295, 5664, 5923, 6062, 6235 and 6380**, reported the same back with the recommendation that the bills do pass.

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

Senator Koehler, Chairperson of the Committee on Local Government, to which was referred **House Bills Numbered 4837, 4846 and 4973**, reported the same back with the recommendation that the bills, as amended, do pass.

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

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

**House Bill No. 5402**, sponsored by Senator Raoul, was taken up, read by title a first time and referred to the Committee on Assignments.

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

On motion of Senator Hutchinson, **House Bill No. 596** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hendon, **House Bill No. 2360** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Hunter, **House Bill No. 3631** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 16** having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Education, adopted and ordered printed:

**AMENDMENT NO. 1 TO HOUSE BILL 16**

AMENDMENT NO. 1. Amend House Bill 16 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 2-3.62, 2-3.105, 3-0.01, 3-1, 3-2.5, 3-12, 3-14.2, 3-15.10, 3A-6, 4-2, 4-4, 4-6, 4-7, 4-8, 4-9, and 4-10 as follows:

(105 ILCS 5/2-3.62) (from Ch. 122, par. 2-3.62)

Sec. 2-3.62. Educational Service Centers.

(a) A regional network of educational service centers shall be established by the State Board of Education to coordinate and combine existing services in a manner which is practical and efficient and to provide new services to schools as provided in this Section. Services to be made available by such centers shall include the planning, implementation and evaluation of:

- (1) (blank);
- (2) computer technology education;
- (3) mathematics, science and reading resources for teachers including continuing education, inservice training and staff development.

The centers may provide training, technical assistance, coordination and planning in other program areas such as school improvement, school accountability, financial planning, consultation, and services, career guidance, early childhood education, alcohol/drug education and prevention, family life - sex education, electronic transmission of data from school districts to the State, alternative education and regional special education, and telecommunications systems that provide distance learning. Such telecommunications systems may be obtained through the Department of Central Management Services pursuant to Section 405-270 of the Department of Central Management Services Law (20 ILCS 405/405-270). The programs and services of educational service centers may be offered to private school teachers and private school students within each service center area provided public schools have already been afforded adequate access to such programs and services.

Upon the abolition of the office, removal from office, disqualification for office, resignation from office, or expiration of the current term of office of the regional superintendent of schools, whichever is earlier, centers serving that portion of a Class II county school unit outside of a city of 500,000 or more inhabitants shall have and exercise, in and with respect to each educational service region having a population of 2,000,000 or more inhabitants and in and with respect to each school district located in any such educational service region, all of the rights, powers, duties, and responsibilities theretofore vested by law in and exercised and performed by the regional superintendent of schools for that area under the provisions of this Code or any other laws of this State.

The State Board of Education shall promulgate rules and regulations necessary to implement this Section. The rules shall include detailed standards which delineate the scope and specific content of programs to be provided by each Educational Service Center, as well as the specific planning, implementation and evaluation services to be provided by each Center relative to its programs. The Board shall also provide the standards by which it will evaluate the programs provided by each Center.

(b) Centers serving Class 1 county school units shall be governed by an 11-member board, 3 members of which shall be public school teachers nominated by the local bargaining representatives to the appropriate regional superintendent for appointment and no more than 3 members of which shall be from each of the following categories, including but not limited to superintendents, regional superintendents, school board members and a representative of an institution of higher education. The members of the board shall be appointed by the regional superintendents whose school districts are served by the educational service center. The composition of the board will reflect the revisions of this amendatory Act of 1989 as the terms of office of current members expire.

(c) The centers shall be of sufficient size and number to assure delivery of services to all local school districts in the State.

(d) From monies appropriated for this program the State Board of Education shall provide grants to qualifying Educational Service Centers applying for such grants in accordance with rules and regulations

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promulgated by the State Board of Education to implement this Section.

(e) The governing authority of each of the 18 regional educational service centers shall appoint a family life - sex education advisory board consisting of 2 parents, 2 teachers, 2 school administrators, 2 school board members, 2 health care professionals, one library system representative, and the director of the regional educational service center who shall serve as chairperson of the advisory board so appointed. Members of the family life - sex education advisory boards shall serve without compensation. Each of the advisory boards appointed pursuant to this subsection shall develop a plan for regional teacher-parent family life - sex education training sessions and shall file a written report of such plan with the governing board of their regional educational service center. The directors of each of the regional educational service centers shall thereupon meet, review each of the reports submitted by the advisory boards and combine those reports into a single written report which they shall file with the Citizens Council on School Problems prior to the end of the regular school term of the 1987-1988 school year.

(f) The 14 educational service centers serving Class I county school units shall be disbanded on the first Monday of August, 1995, and their statutory responsibilities and programs shall be assumed by the regional offices of education, subject to rules and regulations developed by the State Board of Education. The regional superintendents of schools elected by the voters residing in all Class I counties shall serve as the chief administrators for these programs and services. By rule of the State Board of Education, the 10 educational service regions of lowest population shall provide such services under cooperative agreements with larger regions.

(Source: P.A. 93-21, eff. 7-1-03; 94-1105, eff. 6-1-07.)

(105 ILCS 5/2-3.105) (from Ch. 122, par. 2-3.105)

Sec. 2-3.105. Services to educational service regions and school districts. Commencing July 1, 1994 and thereafter, the State Board of Education through the office of the State Superintendent of Education shall have and exercise, in and with respect to an each educational service region located in a city of 500,000 having a population of 2,000,000 or more inhabitants, and in and with respect to each school district located in any such educational service region, all rights, powers, duties and responsibilities theretofore vested in and exercised and performed by the regional superintendent of schools in that educational service region under the provisions of this Act or any other law of this State.

(Source: P.A. 87-654; 87-895; 87-1251.)

(105 ILCS 5/3-0.01) (from Ch. 122, par. 3-0.01)

Sec. 3-0.01. "County superintendent of schools" and "regional superintendent of schools" defined - Application of Article.

(a) Except as otherwise provided by subsection (b), after the effective date of this amendatory Act of 1975, the chief administrative officer of an educational service region shall be designated and referred to as the "regional superintendent of schools" or the "regional superintendent" and after the effective date of this amendatory Act of 1993 the office held by the chief administrative officer shall be designated and referred to as the "regional office of education". For purposes of the School Code and except as otherwise provided by subsection (b), any reference to "county superintendent of schools" or "county superintendent" means the regional superintendent of schools.

(b) Notwithstanding any other provisions of this Article, but subject ~~Subject~~ to subsection (b-1), in educational service regions containing 2,000,000 or more inhabitants, the office of regional superintendent of schools is abolished on July 1, 1994. Subject to Section 2-3.105 of this Code, beginning on the effective date of this amendatory Act of the 96th General Assembly, On and after that date in each educational service region in which the office of regional superintendent of schools is so abolished all rights, powers, duties and responsibilities theretofore vested by law in, and exercised and performed by the regional superintendent of schools and by any assistant regional superintendents or other assistants or employees in the office of the regional superintendent of schools being so abolished shall be vested in, exercised and performed by educational service centers established pursuant to Section 2-3.62 of this Code for any educational service region containing 2,000,000 or more inhabitants. Beginning on the effective date of this amendatory Act of the 96th General Assembly, the State Board of Education through the office of the State Superintendent of Education. Upon abolition of the office of regional superintendent of schools in an educational service region containing 2,000,000 or more inhabitants: (i) all books, records, maps, papers and other documents belonging to or subject to the control or disposition of the former regional superintendent of schools by virtue of his office shall be transferred and delivered to the State Board of Education; (ii) possession or control over all moneys, deposits and accounts in the possession or subject to the control or disposition of the former regional superintendent of schools by virtue of his office, including but not limited to undistributed or unexpended moneys drawn from, and all amounts on deposit in, the county, institute and supervisory

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expense funds, shall be transferred to and placed under the control and disposition of the State Board of Education, excepting only those moneys or accounts, if any, the source of which is the county treasury for proper redistribution to the educational service centers; and (iii) all other equipment, furnishings, supplies and other personal property belonging to or subject to the control or disposition of the former regional superintendent of schools by virtue of his office, excepting only those items which were provided by the county board, shall be transferred and delivered to the State Board of Education. ~~Beginning on the effective date of this amendatory Act of the 96th General Assembly From and after July 1, 1994, any reference in this the School Code or any other law of this State to "regional superintendent of schools" or "regional superintendent", or "county superintendent of schools" or "county superintendent" shall mean, with respect to any educational service region containing 2,000,000 or more inhabitants in which the office of regional superintendent of schools is abolished, the educational service centers established pursuant to Section 2-3.62 of this Code for the educational service region State Board of Education serving through the office of the State Superintendent of Education as the chief administrative entity of an educational service region.~~ Upon and after the first Monday of August 1995, references in this Code and elsewhere to educational service regions of 2,000,000 or fewer inhabitants shall exclude any educational service region containing a city of 500,000 or more inhabitants and references in this Code and elsewhere to educational service regions of 2,000,000 or more inhabitants shall mean an educational service region containing a city of 500,000 or more inhabitants regardless of the actual population of the region.

(b-1) References to "regional superintendent" shall also include the educational service centers established under Section 2-3.62 of this Code and regional superintendent of schools in regions serving that portion of a Class II county outside a city of 500,000 or more population elected at the general election in 1994 and every 4 years thereafter.

(c) This Article applies to the regional superintendent of a multicounty educational service region formed under Article 3A as well as to a single county or partial county region, except that in case of conflict between the provisions of this Article and of Article 3A in the case of a multicounty region, the provisions of Article 3A shall apply. Any reference to "county" or to "educational service region" in this Article means a regional office of education.

(Source: P.A. 87-654; 87-895; 87-1251; 88-89.)

(105 ILCS 5/3-1) (from Ch. 122, par. 3-1)

Sec. 3-1. Election; eligibility. Quadrennially there shall be elected in every county, except those which have been consolidated into a multicounty educational service region under Article 3A and except those having a population of 2,000,000 or more inhabitants, ~~and beginning in 1994 in that portion of a Class II county outside a city of 500,000 or more inhabitants and constituting an educational service region,~~ a regional superintendent of schools, who shall enter upon the discharge of his duties on the first Monday of August next after his election; provided, however, that the term of office of each regional superintendent of schools in office on June 30, 2003 is terminated on July 1, 2003, except that an incumbent regional superintendent of schools shall continue to serve until his successor is elected and qualified, and each regional superintendent of schools elected at the general election in 2002 and every four years thereafter shall assume office on the first day of July next after his election. No one is eligible to file his petition at any primary election for the nomination as candidate for the office of regional superintendent of schools nor to enter upon the duties of such office either by election or appointment unless he possesses the following qualifications: (1) he is of good character, (2) he has a master's degree, (3) he has earned at least 20 semester hours of credit in professional education at the graduate level, (4) he holds a valid all grade supervisory certificate or a valid state limited supervisory certificate, or a valid state life supervisory certificate, or a valid administrative certificate, (5) he has had at least 4 years experience in teaching, and (6) he was engaged for at least 2 years of the 4 previous years in full time teaching or supervising in the common public schools or serving as a county superintendent of schools or regional superintendent of schools for an educational service region in the State of Illinois.

No petition of any candidate for nomination for the office of regional superintendent of schools may be filed and no such candidate's name may be placed on a primary or general election ballot, unless such candidate files as part of his petition a certificate from the State Board of Education certifying that from the records of its office such candidate has the qualifications required by this Section; however, any incumbent filing his petition for nomination for a succeeding term of office shall not be required to attach such certificate to his petition of candidacy.

Nomination papers filed under this Section are not valid unless the candidate named therein files with the county clerk or State Board of Elections a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his nomination papers were filed or within the period for the filing of nomination papers in

accordance with the general election law.

The changes in qualifications made by Public Act 76-1563 do not affect the right of an incumbent to seek reelection.

On and after July 1, 1994, the provisions of this Section shall have no application in any educational service region having a population of 2,000,000 or more inhabitants; provided further that no election shall be held in November of 1994 or at any other time after July 1, 1992 for the office of regional superintendent of schools in any county or educational service region having a population of 2,000,000 or more inhabitants.

(Source: P.A. 89-383, eff. 8-18-95; 90-280, eff. 7-31-97.)

(105 ILCS 5/3-2.5)

Sec. 3-2.5. Salaries.

(a) Except as otherwise provided in this Section, the regional superintendents of schools shall receive for their services an annual salary according to the population, as determined by the last preceding federal census, of the region they serve, as set out in the following schedule:

**SALARIES OF REGIONAL SUPERINTENDENTS OF SCHOOLS**

POPULATION OF REGION	ANNUAL SALARY
Less than 48,000	\$73,500
48,000 to 99,999	\$78,000
100,000 to 999,999	\$81,500
1,000,000 and over	\$83,500

The changes made by Public Act 86-98 in the annual salary that the regional superintendents of schools shall receive for their services shall apply to the annual salary received by the regional superintendents of schools during each of their elected terms of office that commence after July 26, 1989 and before the first Monday of August, 1995.

The changes made by Public Act 89-225 in the annual salary that regional superintendents of schools shall receive for their services shall apply to the annual salary received by the regional superintendents of schools during their elected terms of office that commence after August 4, 1995 and end on August 1, 1999.

The changes made by this amendatory Act of the 91st General Assembly in the annual salary that the regional superintendents of schools shall receive for their services shall apply to the annual salary received by the regional superintendents of schools during each of their elected terms of office that commence on or after August 2, 1999.

Beginning July 1, 2000, the salary that the regional superintendent of schools receives for his or her services shall be adjusted annually to reflect the percentage increase, if any, in the most recent Consumer Price Index, as defined and officially reported by the United States Department of Labor, Bureau of Labor Statistics, except that no annual increment may exceed 2.9%. If the percentage of change in the Consumer Price Index is a percentage decrease, the salary that the regional superintendent of schools receives shall not be adjusted for that year.

When regional superintendents are authorized by the School Code to appoint assistant regional superintendents, the assistant regional superintendent shall receive an annual salary based on his or her qualifications and computed as a percentage of the salary of the regional superintendent to whom he or she is assistant, as set out in the following schedule:

**SALARIES OF ASSISTANT REGIONAL SUPERINTENDENTS**

QUALIFICATIONS OF ASSISTANT REGIONAL SUPERINTENDENT	PERCENTAGE OF SALARY OF REGIONAL SUPERINTENDENT
No Bachelor's degree, but State certificate valid for teaching and supervising.	70%
Bachelor's degree plus State certificate valid for supervising.	75%
Master's degree plus State certificate valid for supervising.	90%

However, in any region in which the appointment of more than one assistant regional superintendent is authorized, whether by Section 3-15.10 of this Code or otherwise, not more than one assistant may be compensated at the 90% rate and any other assistant shall be paid at not exceeding the 75% rate, in each case depending on the qualifications of the assistant.

The salaries provided in this Section for regional superintendents and assistant regional superintendents are payable monthly from the Common School Fund. The State Comptroller in making his or her warrant to any county for the amount due it from the Common School Fund shall deduct from it the several amounts for which warrants have been issued to the regional superintendent, and any assistant regional superintendent, of the educational service region encompassing the county since the preceding apportionment of the Common School Fund.

County boards may provide for additional compensation for the regional superintendent or the assistant regional superintendents, or for each of them, to be paid quarterly from the county treasury.

(b) Upon abolition ~~on July 1, 1994,~~ of the office of regional superintendent of schools in educational service regions containing 2,000,000 or more inhabitants as provided in Section 3-0.01 of this Code, the funds provided under ~~provisions of subsection (a) of this Section shall continue to be appropriated and reallocated, as provided for pursuant to subsection (b) of Section 3-0.01 of this Code, to the educational service centers established pursuant to Section 2-3.62 of this Code for an educational service region containing 2,000,000 or more inhabitants shall no longer apply in any educational service region in which the office of regional superintendent of schools is so abolished, and no salary or other compensation shall be payable under that subsection (a) or under any other provision of this Section with respect to the office so abolished or with respect to any assistant position to the office so abolished.~~

(c) If the State pays all or any portion of the employee contributions required under Section 16-152 of the Illinois Pension Code for employees of the State Board of Education, it shall also pay the employee contributions required of regional superintendents of schools and assistant regional superintendents of schools on the same basis, but excluding any contributions based on compensation that is paid by the county rather than the State.

This subsection (c) applies to contributions based on payments of salary earned after the effective date of this amendatory Act of the 91st General Assembly, except that in the case of an elected regional superintendent of schools, this subsection does not apply to contributions based on payments of salary earned during a term of office that commenced before the effective date of this amendatory Act.

(Source: P.A. 91-276, eff. 7-23-99.)

(105 ILCS 5/3-12) (from Ch. 122, par. 3-12)

Sec. 3-12. Institute fund.

(a) All certificate registration fees and a portion of renewal and duplicate fees shall be kept by the regional superintendent as described in Section 21-16 of this Code, together with a record of the names of the persons paying them. Such fees shall be deposited into the institute fund and shall be used by the regional superintendent to defray expenses associated with the work of the regional professional development review committees established pursuant to paragraph (2) of subsection (g) of Section 21-14 of this Code to advise the regional superintendent, upon his or her request, and to hear appeals relating to the renewal of teaching certificates, in accordance with Section 21-14 of this Code; to defray expenses connected with improving the technology necessary for the efficient processing of certificates; ~~to defray all costs associated with the administration of teaching certificates;~~ to defray expenses incidental to teachers' institutes, workshops or meetings of a professional nature that are designed to promote the professional growth of teachers or for the purpose of defraying the expense of any general or special meeting of teachers or school personnel of the region, which has been approved by the regional superintendent.

(b) In addition to the use of moneys in the institute fund to defray expenses under subsection (a) of this Section, the State Superintendent of Education, as authorized under Section 2-3.105 of this Code, shall use moneys in the institute fund to defray all costs associated with the administration of teaching certificates within a city having a population exceeding 500,000.

(c) The regional superintendent shall on or before January 1 of each year publish in a newspaper of general circulation published in the region or shall post in each school building under his jurisdiction an accounting of (1) the balance on hand in the Institute fund at the beginning of the previous year; (2) all receipts within the previous year deposited in the fund, with the sources from which they were derived; (3) the amount distributed from the fund and the purposes for which such distributions were made; and (4) the balance on hand in the fund.

(Source: P.A. 94-839, eff. 6-6-06.)

(105 ILCS 5/3-14.2) (from Ch. 122, par. 3-14.2)

Sec. 3-14.2. Supervision and control of school districts. Except in regions established within that portion of a Class II county school unit outside of a city of 500,000 or more inhabitants, the ~~The~~ county superintendent of schools shall exercise supervision and control over all school districts within the county. If a district is divided by a county line or lines the county superintendent in the county where the majority of the children attend school at the time the district is organized shall exercise supervision and

control over all aspects of supervision, reports, and financial accounting of the district until it has been determined by the State Superintendent of Education that 60 per cent of the children attend school in another county or that a majority of the children have attended a school in another county for three consecutive years and the school board has adopted a resolution requesting the supervision and control be transferred to the county superintendent in the county in which the majority of children attend school. The county superintendent under whose direction a school district has been established shall retain supervision and control until July 1 following the date of the election establishing the district. Whenever a change in supervision and control shall result from a change in school district boundaries, population shifts, or other cause, such change in supervision and control shall not be effective until July 1 following the date of its determination. All references to the county superintendent of schools, in relation to school districts, in this Act shall be interpreted to mean the county superintendent of schools having supervision and control of the district or districts as defined in this Section.

(Source: P.A. 81-1146.)

(105 ILCS 5/3-15.10) (from Ch. 122, par. 3-15.10)

Sec. 3-15.10. Assistant Regional Superintendent. To employ, in counties or regions of 2,000,000 inhabitants or less, in addition to any assistants authorized to be employed with the approval of the county board, an assistant regional superintendent of schools who shall be a person of good attainment, versed in the principles and methods of education, and qualified to teach and supervise schools under Article 21 of this Act; to fix the term of such assistant and direct his work and define his duties. On the effective date of this amendatory Act of the 96th General Assembly, in 14 regions established within that portion of a Class II county school unit outside of a city of 500,000 or more inhabitants, the employment of all persons serving as assistant county or regional superintendents of schools is terminated, the position of assistant regional superintendent of schools in each such region is abolished, and this Section shall, beginning on the effective date of this amendatory Act of the 96th General Assembly, have no further application in the educational service region the regional superintendent may employ, in addition to any assistants authorized to be employed with the approval of the county board, 3 assistant regional superintendents of schools. Until July 1, 1994, in counties or regions having a population of more than 2,000,000 inhabitants the regional superintendent may employ, in addition to any assistants authorized to be employed with the approval of the county board, 11 assistant regional superintendents of schools. Assistant regional superintendents shall each be a person of good attainment, versed in the principles and methods of education, and qualified to teach and supervise schools under Article 21 of this Act. The work of such assistant regional superintendent shall be so arranged and directed that the county or regional superintendent and assistant superintendent, together, shall devote an amount of time during the school year, equal to at least the full time of one individual, to the supervision of schools and of teaching in the schools of the county.

~~Notwithstanding any of the provisions of this Section, any person who, on July 1, 1955, was employed as an assistant county superintendent of schools shall be qualified for that position if he holds a state certificate valid for teaching and supervising.~~

~~On July 1, 1994, the employment of all persons serving as assistant county or regional superintendents in any county or educational service region having a population of more than 2,000,000 inhabitants is terminated, the office of assistant county or regional superintendent in each such county or educational service region is abolished, and this Section shall, from and after July 1, 1994, have no further application in any such county or educational service region.~~

A regional superintendent of schools shall not employ his or her spouse, child, stepchild, or relative as an assistant regional superintendent of schools. By September 1 each year, a regional superintendent shall certify to the State Board of Education that he or she has complied with this paragraph. If the State Board of Education becomes aware of the fact that a regional superintendent is employing his or her spouse, child, stepchild, or relative as an assistant regional superintendent, the State Board of Education shall not request for payment from the State Comptroller any warrants for the payment of the assistant regional superintendent's salary. In this paragraph, "relative" means a grandparent, parent, aunt, uncle, sibling, first cousin, nephew, niece, grandchild, or spouse of one of these persons. This paragraph applies only to contracts for employment entered into on or after the effective date of this amendatory Act of the 91st General Assembly.

(Source: P.A. 91-764, eff. 6-9-00.)

(105 ILCS 5/3A-6) (from Ch. 122, par. 3A-6)

Sec. 3A-6. Election of Superintendent for consolidated region - Bond - Vacancies in any educational service region.

(a) The regional superintendent to be elected under Section 3A-5 shall be elected at the time provided in the general election law and must possess the qualifications described in Section 3-1 of this Act.

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(b) The bond required under Section 3-2 shall be filed in the office of the county clerk in the county where the regional office is situated, and a certified copy of that bond shall be filed in the office of the county clerk in each of the other counties in the region.

(c) When a vacancy occurs in the office of regional superintendent of schools of any educational service region which is not located in a county which is a home rule unit, such vacancy shall be filled within 60 days (i) by appointment of the chairman of the county board, with the advice and consent of the county board, when such vacancy occurs in a single county educational service region; or (ii) by appointment of a committee composed of the chairmen of the county boards of those counties comprising the affected educational service region when such vacancy occurs in a multicounty educational service region, each committeeman to be entitled to one vote for each vote that was received in the county represented by such committeeman on the committee by the regional superintendent of schools whose office is vacant at the last election at which a regional superintendent was elected to such office, and the person receiving the highest number of affirmative votes from the committeemen for such vacant office to be deemed the person appointed by such committee to fill the vacancy. The appointee shall be a member of the same political party as the regional superintendent of schools the appointee succeeds was at the time such regional superintendent of schools last was elected. The appointee shall serve for the remainder of the term. However, if more than 28 months remain in that term, the appointment shall be until the next general election, at which time the vacated office shall be filled by election for the remainder of the term. Nominations shall be made and any vacancy in nomination shall be filled as follows:

(1) If the vacancy in office occurs before the first date provided in Section 7-12 of the Election Code for filing nomination papers for county offices for the primary in the next even-numbered year following commencement of the term of office in which the vacancy occurs, nominations for the election for filling the vacancy shall be made pursuant to Article 7 of the Election Code.

(2) If the vacancy in office occurs during the time provided in Section 7-12 of the Election Code for filing nomination papers for county offices for the primary in the next even-numbered year following commencement of the term of office in which the vacancy occurs, the time for filing nomination papers for the primary shall not be more than 91 days nor less than 85 days prior to the date of the primary.

(3) If the vacancy in office occurs after the last day provided in Section 7-12 of the Election Code for filing nomination papers for county offices for the primary in the next even-numbered year following commencement of the term of office in which the vacancy occurs, a vacancy in nomination shall be deemed to have occurred and the county central committee of each established political party (if the vacancy occurs in a single county educational service region) or the multi-county educational service region committee of each established political party (if the vacancy occurs in a multi-county educational service region) shall nominate, by resolution, a candidate to fill the vacancy in nomination for election to the office at the general election. In the nomination proceedings to fill the vacancy in nomination, each member of the county central committee or the multi-county educational service region committee, whichever applies, shall have the voting strength as set forth in Section 7-8 or 7-8.02 of the Election Code, respectively. The name of the candidate so nominated shall not appear on the ballot at the general primary election. The vacancy in nomination shall be filled prior to the date of certification of candidates for the general election.

(4) The resolution to fill the vacancy shall be duly acknowledged before an officer qualified to take acknowledgments of deeds and shall include, upon its face, the following information: (A) the name of the original nominee and the office vacated; (B) the date on which the vacancy occurred; and (C) the name and address of the nominee selected to fill the vacancy and the date of selection. The resolution to fill the vacancy shall be accompanied by a statement of candidacy, as prescribed in Section 7-10 of the Election Code, completed by the selected nominee, a certificate from the State Board of Education, as prescribed in Section 3-1 of this Code, and a receipt indicating that the nominee has filed a statement of economic interests as required by the Illinois Governmental Ethics Act.

The provisions of Sections 10-8 through 10-10.1 of the Election Code relating to objections to nomination papers, hearings on objections, and judicial review shall also apply to and govern objections to nomination papers and resolutions for filling vacancies in nomination filed pursuant to this Section. Unless otherwise specified in this Section, the nomination and election provided for in this Section is governed by the general election law.

Except as otherwise provided by applicable county ordinance or by law, if a vacancy occurs in the office of regional superintendent of schools of an educational service region that is located in a county

that is a home rule unit and that has a population of less than 2,000,000 inhabitants, that vacancy shall be filled by the county board of such home rule county.

~~Until July 1, 2003 or until the regional superintendent of schools elected in 2002 takes office, whichever occurs first, if a vacancy exists in the office of regional superintendent of schools of an educational service region that is located in a county that is a home rule unit and that has a population of 2,000,000 or more inhabitants, then that vacancy shall be filled by the first assistant superintendent/deputy superintendent until the end of the term to which the regional superintendent was elected.~~

Any person appointed to fill a vacancy in the office of regional superintendent of schools of any educational service region must possess the qualifications required to be elected to the position of regional superintendent of schools, and shall obtain a certificate of eligibility from the State Superintendent of Education and file same with the county clerk of the county in which the regional superintendent's office is located.

If the regional superintendent of schools is called into the active military service of the United States, his office shall not be deemed to be vacant, but a temporary appointment shall be made as in the case of a vacancy. The appointee shall perform all the duties of the regional superintendent of schools during the time the regional superintendent of schools is in the active military service of the United States, and shall be paid the same compensation apportioned as to the time of service, and such appointment and all authority thereunder shall cease upon the discharge of the regional superintendent of schools from such active military service. The appointee shall give the same bond as is required of a regularly elected regional superintendent of schools.

(Source: P.A. 92-277, eff. 8-7-01; 92-869, eff. 1-3-03.)

(105 ILCS 5/4-2) (from Ch. 122, par. 4-2)

Sec. 4-2. Office and supplies. Provide for the county superintendent of schools a suitable office with necessary furniture and office supplies.

~~On and after July 1, 1994, the provisions of this Section shall have no application in any county having a population of 2,000,000 or more inhabitants.~~

(Source: P.A. 87-654; 87-1251.)

(105 ILCS 5/4-4) (from Ch. 122, par. 4-4)

Sec. 4-4. Traveling expenses. Allow, when they deem it proper, reasonable traveling expenses for the office of county superintendent of schools.

~~On and after July 1, 1994, the provisions of this Section shall have no application in any county having a population of 2,000,000 or more inhabitants.~~

(Source: P.A. 87-654; 87-1251.)

(105 ILCS 5/4-6) (from Ch. 122, par. 4-6)

Sec. 4-6. Employment of assistants. Authorize the county superintendent of schools to employ such assistants as he needs for the discharge of his duties and fix the compensation thereof, which compensation shall be paid out of the county treasury.

~~On and after July 1, 1994, the provisions of this Section shall have no application in any county having a population of 2,000,000 or more inhabitants.~~

(Source: P.A. 87-654; 87-1251.)

(105 ILCS 5/4-7) (from Ch. 122, par. 4-7)

Sec. 4-7. Examination of financial statements.

(a) Examine the financial statements of the county superintendent of schools required by Section 15-21 and compare them with vouchers.

(b) The county board, or so many thereof as are present at its meeting, shall be liable individually to the fund injured and to the sureties of the county superintendent, if judgment is recovered from the sureties, for all damages occasioned by neglect of the duties, or any of them, required of the board by this section; but nothing herein shall be construed to exempt the sureties and they shall remain liable to the fund injured the same as if the members of the county board were not liable to them for neglect of their duty. ~~On and after July 1, 1994, the provisions of this subsection (b) shall have no application in any county having a population of 2,000,000 or more inhabitants.~~

(Source: P.A. 87-654; 87-1251.)

(105 ILCS 5/4-8) (from Ch. 122, par. 4-8)

Sec. 4-8. Bond -- approval -- increase. Approve the bond of the county superintendent of schools, and increase the penalty thereof if, in its judgment the penalty should be increased.

~~On and after July 1, 1994, the provisions of this Section shall have no application in any county having a population of 2,000,000 or more inhabitants.~~

(Source: P.A. 87-654; 87-1251.)

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(105 ILCS 5/4-9) (from Ch. 122, par. 4-9)

Sec. 4-9. New bond. Require the county superintendent of schools, after notice given, to execute a new bond, conditioned and approved as the first bond, whenever it deems a new bond necessary, but the execution of such new bond shall not affect the old bond or the liability of the sureties thereon.

~~On and after July 1, 1994, the provisions of this Section shall have no application in any county having a population of 2,000,000 or more inhabitants.~~

(Source: P.A. 87-654; 87-1251.)

(105 ILCS 5/4-10) (from Ch. 122, par. 4-10)

Sec. 4-10. Reports -- Removal from office.

(a) Require the county superintendent of schools to make the reports to it provided for by law.

(b) Remove the county superintendent of schools from office in case of neglect or refusal so to do, or for any palpable violation of law or omission of duty. ~~On and after July 1, 1994, the provisions of this subsection (b) shall have no application in any county having a population of 2,000,000 or more inhabitants.~~

(Source: P.A. 87-654; 87-1251.)

(105 ILCS 5/3A-17 rep.)

Section 10. The School Code is amended by repealing Section 3A-17.

Section 99. Effective date. This Act takes effect July 1, 2010."

#### AMENDMENT NO. 2 TO HOUSE BILL 16

AMENDMENT NO. 2. Amend House Bill 16, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, as follows:

on page 1, by replacing line 6 with the following:

"and 3A-6 and by adding Section 4-12"; and

on page 27, by replacing lines 18 through 25 with the following:

"(105 ILCS 5/4-12 new)

Sec. 4-12. Educational service center support. Notwithstanding Sections 4-2, 4-4, 4-6, 4-7, 4-8, 4-9, and 4-10 of this Code, a county having a population of 2,000,000 or more inhabitants may provide financial or in-kind support to the educational service centers serving that county."; and

by deleting pages 28 and 29; and

on page 30, by deleting lines 1 through 18.

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

On motion of Senator Silverstein, **House Bill No. 4583** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 4586** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 4672** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Muñoz, **House Bill No. 4673** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 4674** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **House Bill No. 4684** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Viverito, **House Bill No. 4691** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Demuzio, **House Bill No. 4699** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cronin, **House Bill No. 4708** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Risinger, **House Bill No. 4710** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Righter, **House Bill No. 4717** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 4721** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 4722** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 4723** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 4755** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hutchinson, **House Bill No. 4756** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **House Bill No. 4775** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **House Bill No. 4796** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 4797** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 4798** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 4801** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 4805** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bivins, **House Bill No. 4818** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **House Bill No. 4836** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 4854** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hutchinson, **House Bill No. 4858** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Martinez, **House Bill No. 4859** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 4863** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 4864** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 4866** having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Agriculture and Conservation, adopted and ordered printed:

**AMENDMENT NO. 1 TO HOUSE BILL 4866**

AMENDMENT NO. 1. Amend House Bill 4866 by replacing line 2 on page 16 through line 1 on page 20 with the following:

"(415 ILCS 60/6) (from Ch. 5, par. 806)

Sec. 6. Registration.

1. Every pesticide which is distributed, sold, offered for sale within this State, delivered for transportation or transported in interstate commerce or between points within the State through any point outside the State, shall be registered with the Director or his designated agent, subject to provisions of this Act. Such registration shall be for a period determined under item 1.5 of this Section and shall expire on December 31st ~~be renewed annually with registrations expiring December 31 each year.~~ Registration is not required if a pesticide is shipped from one plant or warehouse to another plant or warehouse by the same person and is used solely at such plant or warehouse as a constituent part to make a pesticide which is registered under provisions of this Act and FIFRA.

1.5. In order to stagger product registrations, the Department shall, for the 2011 registration year, register half of the applicants and their products for one year and the other half for 2 years. Thereafter, a business registration and product registration shall be for 2 years.

2. Registration applicant shall file a statement with the Director which shall include:

A. The name and address of the applicant and the name and address of the person whose name will appear on the label if different from the applicant's.

B. The name of the pesticide.

C. A copy of the labeling accompanying the pesticide under customary conditions of distribution, sale and use, including ingredient statement, direction for use, use classification, and precautionary or warning statements.

3. The Director may require the submission of complete formula data.

4. The Director may require a full description of tests made and the results thereof, upon which the claims are based, for any pesticide not registered pursuant to FIFRA, or on any pesticide under consideration to be classified for restricted use.

A. The Director will not consider data he required of the initial registrant of a pesticide in support of another applicants' registration unless the subsequent applicant has obtained written permission to use such data.

B. In the case of renewal registration, the Director may accept a statement only with respect to information which is different from that furnished previously.

5. The Director may prescribe other requirements to support a pesticide registration by regulation.

6. For the years preceding the year 2004, any registrant desiring to register a pesticide product at any time during one year shall pay the annual registration fee of \$100 per product registered for that applicant. For the years 2004 through 2010 and thereafter, the annual product registration fee is \$200 per product. For the years 2011 and thereafter, the product registration fee shall be \$300 per product per year and shall be paid at the time of registration.

In addition, for the years preceding the year 2004 any business registering a pesticide product at any time during one year shall pay the annual business registration fee of \$250. For the years 2004 through 2010 and thereafter, the annual business registration fee shall be \$400. For the years 2011 and thereafter, the business registration fee shall be \$400 per year and shall be paid at the time of registration. Each legal entity of the business shall pay the ~~annual~~ business registration fee.

For the years preceding the year 2004, any applicant requesting an experimental use permit shall pay the annual fee of \$100 per permit and all special local need pesticide registration applicants shall pay an

annual fee of \$100 per product. For the years 2004 ~~through 2010 and thereafter~~, the annual experimental use permit fee and special local need pesticide registration fee is \$200 per permit. For the years 2011 and thereafter, the annual experimental use permit and special local need pesticide registration fee shall be \$300 per product. Subsequent SLN registrations for a pesticide already registered shall be exempted from the registration fee.

A. All registration accepted and approved by the Director shall expire on the 31st day of December in any one year unless cancelled. Registration for a special local need may be granted for a specific period of time with the approval date and expiration date specified.

B. If a registration for special local need granted by the Director does not receive approval of the Administrator of USEPA, the registration shall expire on the date of the Administrator's disapproval.

7. Registrations approved and accepted by the Director and in effect on the 31st day of December, for which renewal application is made, shall continue in full force and effect until the Director notifies the registrant that the renewal has been approved and accepted or the registration is denied under this Act. Renewal registration forms will be provided to applicants by the Director.

8. If the renewal of a pesticide registration is not filed within 30 days of the date of expiration, a penalty late registration assessment of ~~\$400~~ ~~\$300~~ per product shall apply in lieu of the normal annual product registration fee. The late registration assessment shall not apply if the applicant furnishes an affidavit certifying that no unregulated pesticide was distributed or sold during the period of registration. The late assessment is not a bar to prosecution for doing business without proper registry.

9. The Director may prescribe by regulation to allow pesticide use for a special local need, pursuant to FIFRA.

10. The Director may prescribe by regulation the provisions for and requirements of registering a pesticide intended for experimental use.

11. The Director shall not make any lack of essentiality a criterion for denial of registration of any pesticide. Where 2 pesticides meet the requirements, one should not be registered in preference to the other.

12. It shall be the duty of the pesticide registrant to properly dispose of any pesticide the registration of which has been suspended, revoked or cancelled or which is otherwise not properly registered in the State.

(Source: P.A. 93-32, eff. 7-1-03)."

#### **AMENDMENT NO. 2 TO HOUSE BILL 4866**

AMENDMENT NO. 2. Amend House Bill 4866 as follows:

on page 6, line 17, immediately after "10," by inserting "14.2.," and

on page 10, immediately below line 24, by inserting the following:

"(410 ILCS 615/14.2) (from Ch. 56 1/2, par. 55-14.2)

Sec. 14.2. For the purpose of carrying out the provisions of this Act and the rules and regulations promulgated thereunder, the Department through its authorized inspectors or agents is empowered:

(a) To enter on any business day during the usual hours of business, any place or conveyance within the State where eggs are produced, candled, incubated, stored, packed, delivered for shipment, loaded, shipped, transported or sold. ;

(b) To enter on any business day during the usual hours of business, with or without the presence of the owner, manager, or other responsible person, any restaurant kitchen or the kitchen and food storage area of any other public eating place including but not limited to hotels, boarding houses, hospitals, nursing homes, government institutions, or any other business facility or place in which eggs or egg products are stored, prepared, or offered as food for use by its patrons, residents, inmates, or patients. ;

(c) To enter on any business day during the usual hours of business the cooking or food preparation area of any bakery where eggs and egg products are used in the manufacture of bakery products, with or without the presence of the owner or persons employed as bakers, or to enter at any time while those bakery products are being prepared.

(d) To sample any eggs or egg products for analysis or testing. Sample eggs or egg products shall be furnished at no cost to the Department.

(e) To inspect all invoices, eggs and egg products, and the cases and containers for eggs or egg products and the equipment found in the places or conveyances described in paragraph (a) and to seize and hold as evidence an advertisement, sign, placard, invoice, case or container of eggs or

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egg products, or all or any part of any pack, load, lot, consignment, or shipment of eggs or egg products packed, stored, delivered for shipment, loaded, shipped, transported, or sold in violation of any provision of this Act. ~~Possession of a commodity described in this Section by any person engaged in the sale of that commodity is prima facie evidence that the commodity is for sale.~~

(f) To seize and hold any case or container of eggs or egg products from any person or business who is not licensed under Section 8 of this Act and is required to be licensed.

Possession of a commodity described in this Section by any person engaged in the sale of that commodity is prima facie evidence that the commodity is for sale.

(Source: P.A. 89-154, eff. 7-19-95.)"

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

On motion of Senator Hutchinson, **House Bill No. 4868** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hutchinson, **House Bill No. 4873** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 4909** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 4910** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pankau, **House Bill No. 4922** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 4928** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **House Bill No. 4972** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **House Bill No. 4982** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Luechtefeld, **House Bill No. 4990** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 5011** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 5018** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 5040** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 5040**

AMENDMENT NO. 1. Amend House Bill 5040 on page 2, line 26, by replacing "substance" with "substrate".

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

On motion of Senator Forby, **House Bill No. 5053** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 5053**

AMENDMENT NO. 1. Amend House Bill 5053 on page 6, line 21, by replacing ", including, but not be" with "."; and

by deleting line 22 on page 6 through line 5 on page 7.

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

On motion of Senator Collins, **House Bill No. 5054** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 5079** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 5109** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pankau, **House Bill No. 5144** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Righter, **House Bill No. 5150** was taken up, read by title a second time.

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

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

On motion of Senator Steans, **House Bill No. 5152** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **House Bill No. 5203** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 5214** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **House Bill No. 5219** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 5219**

AMENDMENT NO. 1. Amend House Bill 5219 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by adding Section 5-5.4f as follows:  
(305 ILCS 5/5-5.4f new)

Sec. 5-5.4f. Minimum Data Set (MDS) Compliance Review: preliminary findings. The Department shall establish by rule a procedure for sharing preliminary Minimum Data Set (MDS) Compliance Review findings with nursing facilities prior to completion of the on-site review. The procedure shall include, but not be limited to, notification to a nursing facility of specific areas of missing documentation required under 89 Ill. Adm. Code 147.75 and the federally mandated resident assessment instrument as specified in 42 CFR 483.20 likely to be determined deficient upon conclusion of the Department's quality assurance review process. Prior to the conclusion of the on-site review, the facility shall be given the opportunity to address the specific areas of missing documentation. A facility disputing any rate change may submit an appeal request pursuant to provisions established at 89 Ill. Adm. Code 140.830. An appeal hearing may be requested if the facility believes that the basis for reducing the facility's MDS rate was in error. The facility may not offer any additional documentation during the appeal hearing, but may identify documentation provided during the on-site review that may support a specific area of

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documentation deemed deficient by the Department.

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

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

On motion of Senator Forby, **House Bill No. 5223** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 5223**

AMENDMENT NO. 1. Amend House Bill 5223 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Act on the Aging is amended by adding Section 8.09 as follows:  
(20 ILCS 105/8.09 new)

Sec. 8.09. Unlicensed or uncertified facilities. No public official, agent, or employee may place any person in or with, or recommend that any person be placed in or with, or directly or indirectly cause any person to be placed in or with any unlicensed or uncertified: (i) board and care home as defined in the Board and Care Home Act and licensed under the Assisted Living Shared Housing Act; (ii) assisted living or shared housing establishment as defined in the Assisted Living and Shared Housing Act; (iii) facility licensed under the Nursing Home Care Act; (iv) supportive living facility as described in Section 5-5.01a of the Illinois Public Aid Code; (v) free-standing hospice residence licensed under the Hospice Program Licensing Act; or (vi) home services agency licensed under the Home Health, Home Services, and Home Nursing Agency Licensing Act if licensure or certification is required. No public official, agent, or employee may place the name of such a facility on a list of facilities to be circulated to the public, unless the facility is licensed or certified. Use of the Department of Public Health's annual list of licensed facilities shall satisfy compliance with this Section for all facilities licensed or certified by the Illinois Department of Public Health.

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

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

On motion of Senator Steans, **House Bill No. 5226** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **House Bill No. 5232** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cronin, **House Bill No. 5282** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 5283** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Risinger, **House Bill No. 5306** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 4209** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 4209**

AMENDMENT NO. 1. Amend House Bill 4209 by replacing everything after the enacting clause with the following:

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"Section 5. The School Code is amended by adding Section 27-1.5 as follows:

(105 ILCS 5/27-1.5 new)

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

Sec. 27-1.5. Instructional Mandates Task Force; moratorium.

(a) The General Assembly recognizes the increasing number of instructional mandates that it passes each year. The State Board shall create the Instructional Mandates Task Force.

(b) The Task Force shall consist of the following voting members:

(1) One member appointed by the Governor, who shall serve as chairperson of the Task Force.

(2) One member appointed by the President of the Senate.

(3) One member appointed by the Minority Leader of the Senate.

(4) One member appointed by the Speaker of the House of Representatives.

(5) One member appointed by the Minority Leader of the House of Representatives.

(6) One member appointed by the State Superintendent of Education.

(7) One district superintendent from a rural district appointed by the Governor upon the recommendation of an organization representing school administrators.

(8) One district superintendent from a suburban school district appointed by the Governor upon the recommendation of an organization representing school administrators.

(9) One district superintendent from an urban school district appointed by the Governor upon the recommendation of an organization representing school administrators.

(10) One school principal appointed by the Governor upon the recommendation of an association representing school principals.

(11) One member appointed by the Governor upon the recommendation of an association representing special education administrators.

(12) One member appointed by the Governor upon the recommendation of an association representing school boards.

(13) One member appointed by the Governor upon the recommendation of the Chicago Board of Education.

(14) One member appointed by the Governor upon the recommendation of an organization representing teachers.

(15) One member appointed by the Governor upon the recommendation of a different organization representing teachers.

(16) One member appointed by the Governor upon the recommendation of an organization representing parents and teachers.

Members appointed by the legislative leaders shall be appointed for the duration of the Task Force. In the event of a vacancy, the appointment to fill the vacancy shall be made by the legislative leader of the same chamber and party as the leader who made the original appointment.

(c) The Task Force shall explore and examine all instructional mandates governing the public schools of this State that currently exist and shall make recommendations concerning, but not limited to, the propriety of all existing mandates, the imposition of future mandates, and waivers of instructional mandates. The Task Force shall ensure that its recommendations include specifics as to the necessary funding to carry out identified responsibilities.

(d) The Task Force may begin to conduct business upon the appointment of a majority of the voting members.

(e) The State Board of Education shall be responsible for providing staff and administrative support to the Task Force.

(f) Members of the Task Force shall receive no compensation for their participation, but may be reimbursed by the State Board of Education for expenses in connection with their participation, including travel, if funds are available.

(g) The Task Force shall submit a final report of its findings and recommendations to the Governor and the General Assembly on or before July 1, 2011. The Task Force may submit other reports as it deems appropriate.

(h) The Task Force is abolished on July 2, 2011, and this Section is repealed on July 1, 2012.

(i) Beginning on the effective date of this amendatory Act of the 96th General Assembly and until one year after the Task Force submits a final report to the Governor and General Assembly, there shall be a moratorium on the passage of instructional mandates for public schools. For the purposes of this Section, "instructional mandate" means any State law that requires a school district to devote any amount of time to the instruction of or engagement by students in any subject or course.

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

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

On motion of Senator Risinger, **House Bill No. 5307** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hutchinson, **House Bill No. 5321** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hendon, **House Bill No. 5323** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Risinger, **House Bill No. 5330** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 5340** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, **House Bill No. 5357** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 5357**

AMENDMENT NO. 1. Amend House Bill 5357 as follows:

on page 4, line 4, by replacing "program." with "Program."; and

on page 8, line 18, by replacing "the health" with "the behavioral health"; and

on page 10, line 10, immediately after "community", by inserting "behavioral".

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

On motion of Senator Steans, **House Bill No. 5376** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **House Bill No. 5381** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hendon, **House Bill No. 5388** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hutchinson, **House Bill No. 5398** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **House Bill No. 5411** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 5448** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 5448**

AMENDMENT NO. 1. Amend House Bill 5448 on page 2, by replacing lines 10 through 14 with the following:

"syndrome. At least annually, the county board shall submit to the Illinois Department of Public Health a report as to the county clerk's compliance with the requirement that the county clerk provide a pamphlet

with each marriage license. All".

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

On motion of Senator Trotter, **House Bill No. 5459** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Trotter, **House Bill No. 5463** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **House Bill No. 5469** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 5481** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 5499** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 5507** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 5509** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **House Bill No. 5523** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Jones, **House Bill No. 5540** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pankau, **House Bill No. 5555** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Righter, **House Bill No. 5633** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 5633**

AMENDMENT NO. 1. Amend House Bill 5633 by replacing everything after the enacting clause with the following:

"Section 5. The School Construction Law is amended by changing Sections 5-5 and 5-25 as follows:  
(105 ILCS 230/5-5)

Sec. 5-5. Definitions. As used in this Article:

"Approved school construction bonds" mean bonds that were approved by referendum after January 1, 1996 but prior to January 1, 1998 as provided in Sections 19-2 through 19-7 of the School Code to provide funds for the acquisition, development, construction, reconstruction, rehabilitation, improvement, architectural planning, and installation of capital facilities consisting of buildings, structures, durable-equipment, and land for educational purposes.

"Grant index" means a figure for each school district equal to one minus the ratio of the district's equalized assessed valuation per pupil in average daily attendance to the equalized assessed valuation per pupil in average daily attendance of the district located at the 90th percentile for all districts of the same category. For the purpose of calculating the grant index, school districts are grouped into 2 categories, Category I and Category II. Category I consists of elementary and unit school districts. The equalized assessed valuation per pupil in average daily attendance of each school district in Category I shall be computed using its grades kindergarten through 8 average daily attendance figure. A unit school district's Category I grant index shall be used for projects or portions of projects constructed for

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elementary school pupils. Category II consists of high school and unit school districts. The equalized assessed valuation per pupil in average daily attendance of each school district in Category II shall be computed using its grades 9 through 12 average daily attendance figure. A unit school district's Category II grant index shall be used for projects or portions of projects constructed for high school pupils. The changes made by this amendatory Act of the 92nd General Assembly apply to all grants made on or after the effective date of this amendatory Act, provided that for grants not yet made on the effective date of this amendatory Act but made in fiscal year 2001 and for grants made in fiscal year 2002, the grant index for a school district shall be the greater of (i) the grant index as calculated under this Law on or after the effective date of this amendatory Act or (ii) the grant index as calculated under this Law before the effective date of this amendatory Act. The grant index shall be no less than 0.35 and no greater than 0.75 for each district; provided that the grant index for districts whose equalized assessed valuation per pupil in average daily attendance is at the 99th percentile and above for all districts of the same type shall be 0.00.

The grant index shall be calculated for each of those school districts forming a reorganized school district or cooperative high school if one or more of the following happen within the current or prior 2 fiscal years:

(1) a new school district is created in accordance with Article 11E of the School Code;

(2) an existing school district annexes all of the territory of one or more entire other school districts in accordance with Article 7 of the School Code; or

(3) a cooperative high school is formed in accordance with Section 10-22.22c of the School Code.

The average grant index of those school districts shall be used as the grant index for the newly reorganized district or cooperative high school.

"School construction project" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, architectural planning, and installation of capital facilities consisting of buildings, structures, durable equipment, and land for educational purposes.

"School district" means a school district or a Type 40 area vocational center that is jointly owned if the joint agreement includes language that specifies how the debt obligation is to be paid, including in the event that an entity withdraws from the joint agreement.

"School district" includes a cooperative high school, which shall be considered a high school district for the purpose of calculating its grant index.

"School maintenance project" means a project, other than a school construction project, intended to provide for the maintenance or upkeep of buildings or structures for educational purposes, but does not include ongoing operational costs.

(Source: P.A. 96-731, eff. 8-25-09.)

(105 ILCS 230/5-25)

Sec. 5-25. Eligibility and project standards.

(a) The State Board of Education shall establish eligibility standards for school construction project grants and debt service grants. These standards shall include minimum enrollment requirements for eligibility for school construction project grants of 200 students for elementary districts, 200 students for high school districts, and 400 students for unit districts. The total enrollment of member districts forming a cooperative high school in accordance with subsection (c) of Section 10-22.22 of the School Code shall meet the minimum enrollment requirements specified in this subsection (a). The State Board of Education shall approve a district's eligibility for a school construction project grant or a debt service grant pursuant to the established standards.

For purposes only of determining a Type 40 area vocational center's eligibility for an entity included in a school construction project grant or a school maintenance project grant, an area vocational center shall be deemed eligible if one or more of its member school districts satisfy the grant index criteria set forth in this Law. A Type 40 area vocational center that makes application for school construction funds after August 25, 2009 (the effective date of Public Act 96-731) ~~this amendatory Act of the 96th General Assembly~~ shall be placed on the respective application cycle list. Type 40 area vocational centers must be placed last on the priority listing of eligible entities for the applicable fiscal year.

(b) The Capital Development Board shall establish project standards for all school construction project grants provided pursuant to this Article. These standards shall include space and capacity standards as well as the determination of recognized project costs that shall be eligible for State financial assistance and enrichment costs that shall not be eligible for State financial assistance.

(c) The State Board of Education and the Capital Development Board shall not establish standards that disapprove or otherwise establish limitations that restrict the eligibility of (i) a school district with a population exceeding 500,000 for a school construction project grant based on the fact that any or all of the school construction project grant will be used to pay debt service or to make lease payments, as

authorized by subsection (b) of Section 5-35 of this Law, or (ii) a school district located in whole or in part in a county that imposes a tax for school facility purposes pursuant to Section 5-1006.7 of the Counties Code.

(d) A reorganized school district or cooperative high school may use a school construction application that was submitted by a school district that formed the reorganized school district or cooperative high school if that application has not been entitled for a project by the State Board of Education and any one or more of the following happen within the current or prior 2 fiscal years:

(1) a new school district is created in accordance with Article 11E of the School Code;

(2) an existing school district annexes all of the territory of one or more other school districts in accordance with Article 7 of the School Code; or

(3) a cooperative high school is formed in accordance with subsection (c) of Section 10-22.22 of the School Code.

A new elementary district formed from a school district conversion, as defined in Section 11E-15 of the School Code, may use only the application of the dissolved district whose territory is now included in the new elementary district and must obtain the written approval of the local school board of any other school district that includes territory from that dissolved district. A new high school district formed from a school district conversion, as defined in Section 11E-15 of the School Code, may use only the application of any dissolved district whose territory is now included in the new high school district, but only after obtaining the written approval of the local school board of any other school district that includes territory from that dissolved district. A cooperative high school using this Section must obtain the written approval of the local school board of the member school district whose application it is using. All other eligibility and project standards apply to this Section.

(Source: P.A. 96-37, eff. 7-13-09; 96-731, eff. 8-25-09; revised 9-15-09.)"

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

On motion of Senator Steans, **House Bill No. 5669** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dahl, **House Bill No. 5671** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 5688** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 5691** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **House Bill No. 5718** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **House Bill No. 5727** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hutchinson, **House Bill No. 5732** having been printed, was taken up and read by title a second time.

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

#### **AMENDMENT NO. 1 TO HOUSE BILL 5732**

AMENDMENT NO. 1. Amend House Bill 5732 by replacing everything from line 15 on page 2 through line 5 on page 3 with the following:

"(d) The Department shall develop an annual application process for existing or potential participants to request an initial appropriation or an appropriation exceeding the formula amount found in subsection (b-10) of Section 2-7 for funding service in new areas in the next fiscal year. The application shall include, but not be limited to, a description of the new service area, proposed service in the new area, and a budget for providing existing and new service. The Department shall review the application for reasonableness and compliance with the requirements of this Section, and, if it approves the application, shall recommend to the Governor an appropriation for the next fiscal year in an amount sufficient to

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provide 65% of projected eligible operating expenses associated with a new participant's service area or the portion of an existing participant's service area that has been expanded by annexation or intergovernmental agreement. The recommended appropriation for the next fiscal year may exceed the formula amount found in subsection (b-10) of Section 2-7."

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

On motion of Senator Collins, **House Bill No. 5735** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **House Bill No. 5764** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 5790** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 5791** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **House Bill No. 5813** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **House Bill No. 5820** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **House Bill No. 5836** was taken up, read by title a second time. Senate Floor Amendment No. 1 was held in the Committee on Assignments. There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 5838** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Muñoz, **House Bill No. 5842** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 5859** was taken up, read by title a second time and ordered to a third reading.

### **READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Wilhelmi, **House Bill No. 5428**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 36; NAYS 16; Present 2.

The following voted in the affirmative:

Althoff	Garrett	Link	Steans
Bond	Harmon	Maloney	Sullivan
Clayborne	Hendon	Martinez	Trotter
Collins	Holmes	Meeks	Viverito
Crotty	Hunter	Muñoz	Wilhelmi
DeLeo	Hutchinson	Noland	Mr. President
Delgado	Jacobs	Raoul	
Demuzio	Jones, E.	Sandoval	

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Forby	Koehler	Schoenberg
Frerichs	Lightford	Silverstein

The following voted in the negative:

Bivins	Duffy	Millner	Syverson
Bomke	Hultgren	Murphy	
Burzynski	Lauzen	Pankau	
Cronin	Luechtefeld	Radogno	
Dahl	McCarter	Righter	

The following voted present:

Haine  
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.

At the hour of 12:24 o'clock p.m., the Chair announced that the Senate stand at ease.

#### AT EASE

At the hour of 12:34 o'clock p.m., the Senate resumed consideration of business.  
Senator Clayborne, presiding.

#### REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 21, 2010 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Commerce: **Senate Committee Amendment No. 1 to House Bill 6030.**

Executive: **Senate Committee Amendment No. 1 to House Bill 1826; Senate Committee Amendment No. 1 to House Bill 4623; Senate Committee Amendment No. 2 to House Bill 4623; Senate Committee Amendment No. 1 to House Bill 4927; Senate Committee Amendment No. 1 to House Bill 4933; Senate Committee Amendment No. 1 to House Bill 4934; Senate Committee Amendment No. 1 to House Bill 4976; Senate Committee Amendment No. 1 to House Bill 4985; Senate Committee Amendment No. 1 to House Bill 5255; Senate Committee Amendment No. 1 to House Bill 5501; Senate Committee Amendment No. 1 to House Bill 5640; Senate Committee Amendment No. 1 to House Bill 5858; Senate Committee Amendment No. 1 to House Bill 5917; Senate Committee Amendment No. 1 to House Bill 5933; Senate Committee Amendment No. 1 to House Bill 5960; Senate Committee Amendment No. 1 to House Bill 6065; Senate Committee Amendment No. 1 to House Bill 6748.**

Labor: **Senate Committee Amendment No. 1 to House Bill 4658.**

Licensed Activities: **Senate Committee Amendment No. 1 to House Bill 4974; Senate Committee Amendment No. 1 to House Bill 6001; Senate Committee Amendment No. 1 to House Bill 6420.**

Revenue: **Senate Floor Amendment No. 1 to Senate Bill 2846; Senate Committee Amendment No. 1 to House Bill 5169; Senate Committee Amendment No. 1 to House Bill 5781; Senate Committee Amendment No. 1 to House Bill 5833; Senate Committee Amendment No. 1 to House Bill 6022; Senate Committee Amendment No. 1 to House Bill 6241.**

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State Government and Veterans Affairs: **Senate Committee Amendment No. 1 to House Bill 5065; Senate Committee Amendment No. 1 to House Bill 5571.**

**COMMITTEE MEETING ANNOUNCEMENT**

The Chair announced the following committee to meet:

Revenue in Room 400 at 2:00 o'clock p.m.

**MESSAGE FROM THE PRESIDENT**

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

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706

April 21, 2010

Ms. Jillayne Rock  
Secretary of the Senate  
Room 401 State House  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Donne Trotter to temporarily replace Senator Don Harmon as a member of the Senate Criminal Law Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Criminal Law Committee.

Sincerely,  
s/John J. Cullerton  
Senate President

cc: Senate Minority Leader Christine Radogno

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

At the hour of 12:37 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

**AFTER RECESS**

At the hour of 5:47 o'clock p.m., the Senate resumed consideration of business.  
Honorable John J. Cullerton, President of the Senate, presiding.

**LEGISLATIVE MEASURES FILED**

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

Senate Committee Amendment No. 2 to House Bill 4781  
Senate Committee Amendment No. 1 to House Bill 5230

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Senate Committee Amendment No. 2 to House Bill 6462

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

Senate Floor Amendment No. 1 to House Bill 6239

**MESSAGE FROM THE PRESIDENT**

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

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, ILLINOIS 62706

April 21, 2010

Ms. Jillayne Rock  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish May 7, 2010 as the 3<sup>rd</sup> Reading deadline for SB 2545, 2925, 3064, 3095, and HB 43.

Sincerely,  
s/John J. Cullerton  
Senate President

cc: Senate Republican Leader Christine Radogno

**REPORTS FROM STANDING COMMITTEES**

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **House Bills Numbered 5377, 5483 and 6041**, reported the same back with the recommendation that the bills do pass.

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

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **House Bills Numbered 1826, 4623, 4927, 4933, 4934, 4976, 4985, 5255, 5501, 5640, 5858, 5917, 5933, 5960, 6065 and 6748**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **Senate Joint Resolution No. 110**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 110** was placed on the Secretary's Desk.

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

Senate Amendment No. 1 to Senate Joint Resolution Constitutional Amendment 120

[April 21, 2010]



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

Senator Martinez, Chairperson of the Committee on Licensed Activities, to which was referred **House Bills Numbered 4975, 5430, 5744, 5783, 5890, 5991 and 6416**, reported the same back with the recommendation that the bills do pass.

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

Senator Martinez, Chairperson of the Committee on Licensed Activities, to which was referred **House Bills Numbered 4974, 5080, 6001 and 6420**, reported the same back with the recommendation that the bills, as amended, do pass.

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

Senator Viverito, Chairperson of the Committee on Revenue, to which was referred **House Bills Numbered 217, 3998, 6038, 6125, 6126 and 6359**, reported the same back with the recommendation that the bills do pass.

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

Senator Viverito, Chairperson of the Committee on Revenue, to which was referred **House Bills Numbered 5169, 5781, 5833, 6022 and 6241**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Haine, Chairperson of the Committee on Insurance, to which was referred **House Bills Numbered 4737, 4782, 5085 and 5217**, reported the same back with the recommendation that the bills do pass.

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

Senator Haine, Chairperson of the Committee on Insurance, to which was referred **House Bill No. 5527**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

At the hour of 5:49 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, April 22, 2010, at 10:30 o'clock a.m.