



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SEVENTH GENERAL ASSEMBLY

56TH LEGISLATIVE DAY

SUNDAY, MAY 29, 2011

5:56 O'CLOCK P.M.

SENATE
Daily Journal Index
56th Legislative Day

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The Senate met pursuant to adjournment.
Senator Antonio Muñoz, Chicago, Illinois, presiding.
Prayer by Pastor Shaun Lewis, Capitol Commission, Springfield, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, February 8, 2011, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, February 9, 2011, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Hunter moved that reading and approval of the Journal of Saturday, May 28, 2011, be postponed, pending arrival of the printed Journal.

The motion prevailed.

MESSAGE FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

May 29, 2011

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 31, 2011 as the 3rd Reading deadline for SB 180.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment 1 to Senate Bill 122
Motion to Concur in House Amendments 2 and 3 to Senate Bill 1799
Motion to Concur in House Amendment 1 to Senate Bill 2288

[May 29, 2011]

REPORTS FROM STANDING COMMITTEES

Senator Haine, Chairperson of the Committee on Insurance, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 2 to Senate Bill 1544; Motion to Concur in House Amendment 2 to Senate Bill 1555

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 959

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 2 to Senate Bill 1631

Under the rules, the foregoing motion is eligible for consideration by the Senate.

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

Senate Amendment No. 3 to Senate Bill 175
 Senate Amendment No. 2 to House Bill 267
 Senate Amendment No. 4 to House Bill 363
 Senate Amendment No. 4 to House Bill 3188

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

Senator Harmon, Chairperson of the Committee on Executive, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendments 1 and 2 to Senate Bill 1907

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Martinez, Chairperson of the Committee on Licensed Activities, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendments 1 and 2 to Senate Bill 1306; Motion to Concur in House Amendments 4 and 5 to Senate Bill 1539

Under the rules, the foregoing motions are eligible for consideration by the Senate.

[May 29, 2011]

MESSAGES FROM THE HOUSE

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1773

A bill for AN ACT concerning education.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1773

House Amendment No. 3 to SENATE BILL NO. 1773

House Amendment No. 4 to SENATE BILL NO. 1773

Passed the House, as amended, May 28, 2011.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1773

AMENDMENT NO. 1. Amend Senate Bill 1773 by replacing everything after the enacting clause with the following:

"Section 5. The Higher Education Student Assistance Act is amended by changing Section 35 as follows:

(110 ILCS 947/35)

Sec. 35. Monetary award program.

(a) The Commission shall, each year, receive and consider applications for grant assistance under this Section. Subject to a separate appropriation for such purposes, an applicant is eligible for a grant under this Section when the Commission finds that the applicant:

(1) is a resident of this State and a citizen or permanent resident of the United States; and

(2) in the absence of grant assistance, will be deterred by financial considerations from completing an educational program at the qualified institution of his or her choice.

(b) The Commission shall award renewals only upon the student's application and upon the Commission's finding that the applicant:

(1) has remained a student in good standing;

(2) remains a resident of this State; and

(3) is in a financial situation that continues to warrant assistance.

(c) All grants shall be applicable only to tuition and necessary fee costs. The Commission shall determine the grant amount for each student, which shall not exceed the smallest of the following amounts:

(1) subject to appropriation, \$5,468 for fiscal year 2009, \$5,968 for fiscal year 2010, and \$6,468 for fiscal year 2011 and each fiscal year thereafter, or such lesser amount as the Commission finds to be available, during an academic year;

(2) the amount which equals 2 semesters or 3 quarters tuition and other necessary fees required generally by the institution of all full-time undergraduate students; or

(3) such amount as the Commission finds to be appropriate in view of the applicant's financial resources.

Subject to appropriation, the maximum grant amount for students not subject to subdivision (1) of this subsection (c) must be increased by the same percentage as any increase made by law to the maximum grant amount under subdivision (1) of this subsection (c).

"Tuition and other necessary fees" as used in this Section include the customary charge for instruction and use of facilities in general, and the additional fixed fees charged for specified purposes, which are required generally of nongrant recipients for each academic period for which the grant applicant actually enrolls, but do not include fees payable only once or breakage fees and other contingent deposits which are refundable in whole or in part. The Commission may prescribe, by rule not inconsistent with this Section, detailed provisions concerning the computation of tuition and other necessary fees.

(d) No applicant, including those presently receiving scholarship assistance under this Act, is eligible for monetary award program consideration under this Act after receiving a baccalaureate degree or the equivalent of 135 semester credit hours of award payments.

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(e) The Commission, in determining the number of grants to be offered, shall take into consideration past experience with the rate of grant funds unclaimed by recipients. The Commission shall notify applicants that grant assistance is contingent upon the availability of appropriated funds.

(f) The Commission may request appropriations for deposit into the Monetary Award Program Reserve Fund. Monies deposited into the Monetary Award Program Reserve Fund may be expended exclusively for one purpose: to make Monetary Award Program grants to eligible students. Amounts on deposit in the Monetary Award Program Reserve Fund may not exceed 2% of the current annual State appropriation for the Monetary Award Program.

The purpose of the Monetary Award Program Reserve Fund is to enable the Commission each year to assure as many students as possible of their eligibility for a Monetary Award Program grant and to do so before commencement of the academic year. Moneys deposited in this Reserve Fund are intended to enhance the Commission's management of the Monetary Award Program, minimizing the necessity, magnitude, and frequency of adjusting award amounts and ensuring that the annual Monetary Award Program appropriation can be fully utilized.

~~(g) The Commission may not make grants to applicants enrolled at for-profit institutions. The Commission shall determine the eligibility of and make grants to applicants enrolled at qualified for profit institutions in accordance with the criteria set forth in this Section. The eligibility of applicants enrolled at such for profit institutions shall be limited as follows:~~

~~(1) Beginning with the academic year 1997, only to eligible first time freshmen and first time transfer students who have attained an associate degree.~~

~~(2) Beginning with the academic year 1998, only to eligible freshmen students, transfer students who have attained an associate degree, and students who receive a grant under paragraph (1) for the academic year 1997 and whose grants are being renewed for the academic year 1998.~~

~~(3) Beginning with the academic year 1999, to all eligible students.~~
(Source: P.A. 95-917, eff. 8-26-08.)"

AMENDMENT NO. 3 TO SENATE BILL 1773

AMENDMENT NO. 3. Amend Senate Bill 1773, AS AMENDED, by inserting at the end of the bill the following:

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

AMENDMENT NO. 4 TO SENATE BILL 1773

AMENDMENT NO. 4. Amend Senate Bill 1773, AS AMENDED, in Section 99, by replacing "upon becoming law" with "on July 1, 2012".

Under the rules, the foregoing **Senate Bill No. 1773**, with House Amendments numbered 1, 3 and 4, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 200

A bill for AN ACT concerning education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 200

Concurred in by the House, May 29, 2011.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 233

A bill for AN ACT concerning criminal law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 233

[May 29, 2011]

Concurred in by the House, May 29, 2011.

MARK MAHONEY, Clerk of the House

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 237

A bill for AN ACT concerning State government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 237

Concurred in by the House, May 29, 2011.

MARK MAHONEY, Clerk of the House

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 1571

A bill for AN ACT concerning education.

Which amendment is as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 1571

Concurred in by the House, May 29, 2011.

MARK MAHONEY, Clerk of the House

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 3040, sponsored by Senator Crotty, was taken up, read by title a first time and referred to the Committee on Assignments.

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

At the hour of 6:03 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 6:30 o'clock p.m., the Senate resumed consideration of business.
Senator Muñoz, presiding.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator Sandoval, **Senate Bill No. 959**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Sandoval moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

YEAS 42; NAYS None; Present 1.

The following voted in the affirmative:

[May 29, 2011]

Althoff	Garrett	Kotowski	Raoul
Bivins	Haine	Landek	Sandack
Bomke	Harmon	Lauzen	Schmidt
Clayborne	Holmes	Lightford	Schoenberg
Collins, A.	Hunter	Link	Silverstein
Collins, J.	Hutchinson	Maloney	Steans
Crotty	Jacobs	Martinez	Sullivan
Cultra	Johnson, C.	McCann	Trotter
Duffy	Johnson, T.	Mulroe	Wilhelmi
Forby	Jones, E.	Muñoz	
Frerichs	Koehler	Noland	

The following voted present:

Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 959**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Sandoval asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 959**.

On motion of Senator Mulroe, **Senate Bill No. 1306**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Mulroe moved that the Senate concur with the House in the adoption of their amendments to said bill.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Lauzen	Righter
Bivins	Harmon	Lightford	Sandack
Bomke	Holmes	Link	Sandoval
Brady	Hunter	Luechtefeld	Schmidt
Clayborne	Hutchinson	Maloney	Schoenberg
Collins, A.	Jacobs	Martinez	Silverstein
Collins, J.	Johnson, C.	McCann	Steans
Crotty	Johnson, T.	Mulroe	Sullivan
Cultra	Jones, E.	Muñoz	Trotter
Dillard	Jones, J.	Murphy	Wilhelmi
Duffy	Koehler	Noland	Mr. President
Forby	Kotowski	Radogno	
Frerichs	LaHood	Raoul	
Garrett	Landek	Rezin	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 1306**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Martinez, **Senate Bill No. 1539**, with House Amendments numbered 4 and 5 on the Secretary's Desk, was taken up for immediate consideration.

Senator Martinez moved that the Senate concur with the House in the adoption of their amendments to said bill.

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

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YEAS 46; NAYS 4.

The following voted in the affirmative:

Althoff	Holmes	Lightford	Sandoval
Brady	Hunter	Link	Schmidt
Clayborne	Hutchinson	Luechtefeld	Schoenberg
Collins, A.	Jacobs	Maloney	Silverstein
Collins, J.	Johnson, C.	Mulroe	Steans
Crotty	Johnson, T.	Muñoz	Sullivan
Dillard	Jones, E.	Noland	Syverson
Forby	Jones, J.	Radogno	Trotter
Frerichs	Koehler	Raoul	Wilhelmi
Garrett	Kotowski	Rezin	Mr. President
Haine	LaHood	Righter	
Harmon	Landek	Sandack	

The following voted in the negative:

Cultra	Lauzen
Duffy	McCann

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 4 and 5 to **Senate Bill No. 1539**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Haine, **Senate Bill No. 1544**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Haine moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	Lightford	Sandack
Bivins	Holmes	Link	Sandoval
Bomke	Hunter	Luechtefeld	Schmidt
Brady	Hutchinson	Maloney	Schoenberg
Clayborne	Jacobs	Martinez	Silverstein
Collins, A.	Johnson, C.	McCann	Steans
Collins, J.	Johnson, T.	Mulroe	Sullivan
Crotty	Jones, E.	Muñoz	Syverson
Dillard	Jones, J.	Murphy	Trotter
Duffy	Koehler	Noland	Wilhelmi
Forby	Kotowski	Radogno	Mr. President
Frerichs	LaHood	Raoul	
Garrett	Landek	Rezin	
Haine	Lauzen	Righter	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1544**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Haine, **Senate Bill No. 1555**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Haine moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

YEAS 47; NAY 1; Present 4.

The following voted in the affirmative:

Althoff	Haine	Link	Sandack
Bivins	Harmon	Luechtefeld	Sandoval
Bomke	Holmes	Maloney	Schmidt
Brady	Jacobs	Martinez	Schoenberg
Clayborne	Johnson, C.	McCann	Silverstein
Crotty	Johnson, T.	Mulroe	Steans
Cultra	Jones, E.	Muñoz	Sullivan
Dillard	Jones, J.	Murphy	Syverson
Duffy	Kotowski	Radogno	Trotter
Forby	LaHood	Raoul	Wilhelmi
Frerichs	Lauzen	Rezin	Mr. President
Garrett	Lightford	Righter	

The following voted in the negative:

Noland

The following voted present:

Collins, J.	Hutchinson
Hunter	Koehler

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1555**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Mulroe, **Senate Bill No. 1631**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Mulroe moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

YEAS 41; NAYS 7.

The following voted in the affirmative:

Althoff	Holmes	Luechtefeld	Schmidt
Bivins	Hunter	Maloney	Schoenberg
Bomke	Hutchinson	Martinez	Silverstein
Clayborne	Jacobs	Mulroe	Steans
Collins, J.	Johnson, T.	Muñoz	Sullivan
Crotty	Jones, E.	Murphy	Trotter
Dillard	Koehler	Noland	Wilhelmi
Forby	Kotowski	Radogno	Mr. President
Frerichs	LaHood	Raoul	
Haine	Lightford	Sandack	
Harmon	Link	Sandoval	

[May 29, 2011]

The following voted in the negative:

Brady	Duffy	Lauzen	Righter
Cultra	Johnson, C.	McCann	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1631**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Sandoval, **Senate Bill No. 1907**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Sandoval moved that the Senate concur with the House in the adoption of their amendments to said bill.

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

YEAS 39; NAYS 8.

The following voted in the affirmative:

Althoff	Hunter	Link	Sandoval
Bivins	Hutchinson	Maloney	Schmidt
Clayborne	Jacobs	Martinez	Schoenberg
Collins, A.	Johnson, T.	Mulroe	Silverstein
Collins, J.	Jones, E.	Muñoz	Steans
Crotty	Koehler	Murphy	Sullivan
Garrett	Kotowski	Noland	Trotter
Haine	Landek	Radogno	Wilhelmi
Harmon	Lauzen	Raoul	Mr. President
Holmes	Lightford	Sandack	

The following voted in the negative:

Bomke	Jones, J.	Rezin
Duffy	LaHood	Syverson
Johnson, C.	McCann	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 1907**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Cultra asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 1907**.

On motion of Senator Lightford, **Senate Bill No. 1794**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Lightford moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

YEAS 31; NAYS 20.

The following voted in the affirmative:

Clayborne	Hunter	Martinez	Schoenberg
Collins, A.	Hutchinson	Mulroe	Silverstein
Collins, J.	Jones, E.	Muñoz	Steans
Crotty	Koehler	Noland	Sullivan
Forby	Landek	Radogno	Trotter

[May 29, 2011]

Garrett	Lightford	Raoul	Wilhelmi
Haine	Link	Sandack	Mr. President
Harmon	Maloney	Sandoval	

The following voted in the negative:

Althoff	Duffy	Lauzen	Schmidt
Bivins	Frerichs	Luechtefeld	Syverson
Bomke	Jacobs	McCann	
Brady	Johnson, C.	Murphy	
Cultra	Jones, J.	Rezin	
Dillard	LaHood	Righter	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1794**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Murphy, **Senate Bill No. 1824**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Murphy moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	Lightford	Sandack
Bivins	Holmes	Link	Sandoval
Bomke	Hunter	Luechtefeld	Schmidt
Brady	Hutchinson	Maloney	Schoenberg
Clayborne	Jacobs	Martinez	Silverstein
Collins, A.	Johnson, C.	McCann	Steans
Collins, J.	Johnson, T.	Mulroe	Sullivan
Crotty	Jones, E.	Muñoz	Syverson
Cultra	Jones, J.	Murphy	Trotter
Dillard	Koehler	Noland	Wilhelmi
Duffy	Kotowski	Radogno	Mr. President
Forby	LaHood	Raoul	
Frerichs	Landek	Rezin	
Haine	Lauzen	Righter	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1824**.

Ordered that the Secretary inform the House of Representatives thereof.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Haine, **House Bill No. 143**, 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 53; NAYS None.

[May 29, 2011]

The following voted in the affirmative:

Althoff	Haine	Lauzen	Sandack
Bivins	Harmon	Lightford	Sandoval
Bomke	Holmes	Link	Schmidt
Brady	Hunter	Luechtefeld	Schoenberg
Clayborne	Hutchinson	Maloney	Silverstein
Collins, A.	Jacobs	McCann	Steans
Collins, J.	Johnson, C.	Mulroe	Sullivan
Crotty	Johnson, T.	Muñoz	Syverson
Cultra	Jones, E.	Murphy	Trotter
Dillard	Jones, J.	Noland	Wilhelmi
Duffy	Koehler	Radogno	Mr. President
Forby	Kotowski	Raoul	
Frerichs	LaHood	Rezin	
Garrett	Landek	Righter	

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Wilhelmi, **House Bill No. 267** was recalled from the order of third reading to the order of second reading.

Senator Wilhelmi offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 267

AMENDMENT NO. 2. Amend House Bill 267 on page 2, line 10, after the period, by inserting "A county may not opt out of any tax increase under this Section if the proceeds are pledged through a formally adopted 3-year or more county highway improvement program or for public safety purposes.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Wilhelmi, **House Bill No. 267**, 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 18; NAYS 32.

The following voted in the affirmative:

Clayborne	Harmon	Maloney	Sandack
Cultra	Jacobs	Mulroe	Wilhelmi
Dillard	Koehler	Murphy	Mr. President
Duffy	Lauzen	Raoul	
Haine	Lightford	Righter	

The following voted in the negative:

Althoff	Garrett	Luechtefeld	Schoenberg
Bivins	Holmes	Martinez	Steans
Bomke	Hunter	McCann	Sullivan
Brady	Johnson, C.	Muñoz	Syverson
Collins, A.	Jones, E.	Noland	Trotter
Collins, J.	Jones, J.	Radogno	
Crotty	LaHood	Rezin	
Forby	Landek	Sandoval	
Frerichs	Link	Schmidt	

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

HOUSE BILL RECALLED

On motion of Senator Harmon, **House Bill No. 363** was recalled from the order of third reading to the order of second reading.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO HOUSE BILL 363

AMENDMENT NO. 4. Amend House Bill 363, AS AMENDED, immediately below the enacting clause, by inserting the following:

"Section 3. The Election Code is amended by changing Section 7-41 as follows:
(10 ILCS 5/7-41) (from Ch. 46, par. 7-41)

Sec. 7-41. (a) All officers upon whom is imposed by law the duty of designating and providing polling places for general elections, shall provide in each such polling place so designated and provided, a sufficient number of booths for such primary election, which booths shall be provided with shelves, such supplies and pencils as will enable the voter to prepare his ballot for voting and in which voters may prepare their ballots screened from all observation as to the manner in which they do so. Such booths shall be within plain view of the election officers and both they and the ballot boxes shall be within plain view of those within the proximity of the voting booths. No person other than election officers and the challengers allowed by law and those admitted for the purpose of voting, as hereinafter provided, shall be permitted within the proximity of the voting booths, except by authority of the primary officers to keep order and enforce the law.

(b) The number of such voting booths shall not be less than one to every seventy-five voters or fraction thereof, who voted at the last preceding election in the precinct or election district.

(c) No person shall do any electioneering or soliciting of votes on primary day within any polling place or within one hundred feet of any polling place, or, at the option of a church or private school, on any of the property of that church or private school that is a polling place. Election officers shall place 2 or more cones, small United States national flags, or some other marker a distance of 100 horizontal feet from each entrance to the room used by voters to engage in voting, which shall be known as the polling room. If the polling room is located within a building that is a private business, a public or private school, or a church or other organization founded for the purpose of religious worship and the distance of 100 horizontal feet ends within the interior of the building, then the markers shall be placed outside of the building at each entrance used by voters to enter that building on the grounds adjacent to the thoroughfare or walkway. If the polling room is located within a public or private building with 2 or more floors and the polling room is located on the ground floor, then the markers shall be placed 100 horizontal feet from each entrance to the polling room used by voters to engage in voting. If the polling room is located in a public or private building with 2 or more floors and the polling room is located on a floor above or below the ground floor, then the markers shall be placed a distance of 100 feet from the nearest elevator or staircase used by voters on the ground floor to access the floor where the polling room is located. The area within where the markers are placed shall be known as a campaign free zone, and electioneering is prohibited pursuant to this subsection. Notwithstanding any other provision of this Section, a church or private school may choose to apply the campaign free zone to its entire property, and, if so, the markers shall be placed near the boundaries on the grounds adjacent to the thoroughfares or walkways leading to the entrances used by the voters. At or near the door of each polling place, the election judges shall place signage indicating the proper entrance to the polling place. In addition, the

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election judges shall ensure that a sign identifying the location of the polling place is placed on a nearby public roadway. The State Board of Elections shall establish guidelines for the placement of polling place signage.

The area on polling place property beyond the campaign free zone, whether publicly or privately owned, including immediately adjacent sidewalks and parkways, is a public forum for the time that the polls are open on an election day. At the request of election officers any publicly owned building must be made available for use as a polling place. A person shall have the right to congregate and engage in electioneering on any polling place property while the polls are open beyond the campaign free zone, including but not limited to, the placement of temporary signs. This subsection shall be construed liberally in favor of persons engaging in electioneering on all polling place property beyond the campaign free zone for the time that the polls are open on an election day.

(d) The regulation of electioneering on polling place property on an election day, including but not limited to the placement of temporary signs, is an exclusive power and function of the State. A home rule unit may not regulate electioneering and any ordinance or local law contrary to subsection (c) is declared void. This is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 95-699, eff. 11-9-07)."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Harmon, **House Bill No. 363**, 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 52; NAY 1.

The following voted in the affirmative:

Althoff	Harmon	Link	Sandoval
Bivins	Holmes	Luechtefeld	Schmidt
Bomke	Hunter	Maloney	Schoenberg
Brady	Hutchinson	Martinez	Silverstein
Clayborne	Jacobs	McCann	Steans
Collins, A.	Johnson, C.	Mulroe	Sullivan
Collins, J.	Johnson, T.	Muñoz	Syverson
Crotty	Jones, J.	Murphy	Trotter
Dillard	Koehler	Noland	Wilhelmi
Duffy	Kotowski	Radogno	Mr. President
Forby	LaHood	Raoul	
Frerichs	Landek	Rezin	
Garrett	Lauzen	Righter	
Haine	Lightford	Sandack	

The following voted in the negative:

Cultra

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

[May 29, 2011]

LEGISLATIVE MEASURE FILED

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 1716

At the hour of 7:43 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 7:48 o'clock a.m. the Senate resumed consideration of business.
Senator Muñoz, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2011 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

Education: **Motion to Concur in House Amendments 2 and 3 to Senate Bill 1799**

Environment: **Motion to Concur in House Amendment 1 to Senate Bill 2288**

Higher Education: **Motion to Concur in House Amendment 1 to Senate Bill 122**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2011 meeting, reported that the Committee recommends that **House Bill No. 1716** be re-referred from the Committee on Executive to the Committee on Assignments.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2011 meeting, reported that the Committee recommends that **House Bill No. 1262** be re-referred from the Committee on Commerce to the Committee on Assignments.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2011 meeting, reported that the Committee recommends that **House Bills numbered 2109, 2165, 2168 and 3717** be re-referred from the Committee on Appropriations I to the Committee on Assignments.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2011 meeting, reported that the Committee recommends that **House Bills numbered 123, 124, 326, 327, 2167, 2189 and 3700** be re-referred from the Committee on Appropriations II to the Committee on Assignments.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2011 meeting, reported that **House Bill No. 1716** has been re-referred from the Committee on Executive to the Committee on Assignments and has been approved for consideration by the Committee on Assignments.

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

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2011 meeting, reported that **House Bill No. 1262** has been re-referred from the Committee on Commerce to the Committee on Assignments and has been approved for consideration by the Committee on Assignments.

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

[May 29, 2011]

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2011 meeting, reported that **House Bills numbered 2109, 2165, 2168 and 3717** have been re-referred from the Committee on Appropriations I to the Committee on Assignments and have been approved for consideration by the Committee on Assignments.

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

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2011 meeting, reported that **House Bills numbered 123, 124, 326, 327, 2167, 2189 and 3700** have been re-referred from the Committee on Appropriations II to the Committee on Assignments and have been approved for consideration by the Committee on Assignments.

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

Senator Clayborne, Chairperson of the Committee on Assignments, to which was referred **House Bill No. 2107**, during its May 29, 2011 meeting, reported the same back with the recommendation that the bill be placed on the order of second reading without recommendation to committee.

At the hour of 7:50 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 7:51 o'clock p.m. the Senate resumed consideration of business.
Senator Muñoz, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2011 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Floor Amendment No. 1 to House Bill 1716.**

MESSAGES FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

May 29, 2011

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 31, 2011 as the 3rd Reading deadline for HB 1262.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

[May 29, 2011]

cc: Senate Republican Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

May 29, 2011

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 31, 2011 as the 3rd Reading deadline for HB 1716.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

SENATE BILL RECALLED

On motion of Senator Sullivan, **Senate Bill No. 342** was recalled from the order of third reading to the order of second reading.

Senator Sullivan offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 342

AMENDMENT NO. 1. Amend Senate Bill 342 by replacing everything after the enacting clause with the following:

"Section 5. The General Obligation Bond Act is amended by changing Sections 2, 2.5, 9, 11, 12, and 13 and by adding Section 7.6 as follows:

(30 ILCS 330/2) (from Ch. 127, par. 652)

Sec. 2. Authorization for Bonds. The State of Illinois is authorized to issue, sell and provide for the retirement of General Obligation Bonds of the State of Illinois for the categories and specific purposes expressed in Sections 2 through 8 of this Act, in the total amount of \$46,958,125,743 ~~\$41,314,125,743~~ ~~\$41,379,777,443~~.

The bonds authorized in this Section 2 and in Section 16 of this Act are herein called "Bonds".

Of the total amount of Bonds authorized in this Act, up to \$2,200,000,000 in aggregate original principal amount may be issued and sold in accordance with the Baccalaureate Savings Act in the form of General Obligation College Savings Bonds.

Of the total amount of Bonds authorized in this Act, up to \$300,000,000 in aggregate original principal amount may be issued and sold in accordance with the Retirement Savings Act in the form of General Obligation Retirement Savings Bonds.

Of the total amount of Bonds authorized in this Act, the additional \$10,000,000,000 authorized by Public Act 93-2, the \$3,466,000,000 authorized by Public Act 96-43, and the \$4,096,348,300 authorized by Public Act 96-1497 ~~this amendatory Act of the 96th General Assembly~~ shall be used solely as provided in Section 7.2.

Of the total amount of Bonds authorized in this Act, \$1,482,000,000 of the additional amount of

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Bonds authorized by this amendatory Act of the 97th General Assembly shall be used solely as provided in Section 7.6 and shall be issued by September 1, 2011.

The issuance and sale of Bonds pursuant to the General Obligation Bond Act is an economical and efficient method of financing the long-term capital needs of the State. This Act will permit the issuance of a multi-purpose General Obligation Bond with uniform terms and features. This will not only lower the cost of registration but also reduce the overall cost of issuing debt by improving the marketability of Illinois General Obligation Bonds.

(Source: P.A. 95-1026, eff. 1-12-09; 96-5, eff. 4-3-09; 96-36, eff. 7-13-09; 96-43, eff. 7-15-09; 96-885, eff. 3-11-10; 96-1000, eff. 7-2-10; 96-1497, eff. 1-14-11; 96-1554, eff. 3-18-11; revised 4-5-11.)

(30 ILCS 330/2.5)

Sec. 2.5. Limitation on issuance of Bonds.

(a) Except as provided in subsection (b), no Bonds may be issued if, after the issuance, in the next State fiscal year after the issuance of the Bonds, the amount of debt service (including principal, whether payable at maturity or pursuant to mandatory sinking fund installments, and interest) on all then-outstanding Bonds, other than (i) Bonds authorized by this amendatory Act of the 97th General Assembly, (ii) Bonds issued pursuant to authorized by Public Act 96-43, and (iii) ~~other than Bonds issued pursuant to Public Act 96-1497 authorized by this amendatory Act of the 96th General Assembly,~~ would exceed 7% of the aggregate appropriations from the general funds (which consist of the General Revenue Fund, the Common School Fund, the General Revenue Common School Special Account Fund, and the Education Assistance Fund) and the Road Fund for the fiscal year immediately prior to the fiscal year of the issuance.

(b) If the Comptroller and Treasurer each consent in writing, Bonds may be issued even if the issuance does not comply with subsection (a).

(Source: P.A. 96-43, eff. 7-15-09; 96-1497, eff. 1-14-11.)

(30 ILCS 330/7.6 new)

Sec. 7.6. State General Obligation Restructuring Bonds.

(a) As used in this Act, "State General Obligation Restructuring Bonds" means Bonds (i) authorized by this amendatory Act of the 97th General Assembly or any other Public Act of the 97th General Assembly authorizing the issuance of State General Obligation Restructuring Bonds and (ii) used for the payment of unpaid obligations of the State as incurred from time to time and as authorized by the General Assembly.

(b) State General Obligation Restructuring Bonds in the amount of \$1,482,000,000 are hereby authorized to be used for purposes of paying vouchers to non-governmental vendors incurred by the State prior to June 30, 2011. For purposes of this Section, "non-governmental vendors" shall include any entity that is not an agency, commission, body politic, or other instrumentality of the State, or a "governmental unit" as such term is defined in the Local Government Debt Reform Act.

(c) The proceeds of State General Obligation Restructuring Bonds authorized in subsection (b) of this Section, less the amounts authorized in the Bond Sale Order to be deposited directly into the capitalized interest account of the General Obligation Bond Retirement and Interest Fund or otherwise directly paid out for bond sale expenses under Section 8, shall be deposited into the General Revenue Fund, and the Comptroller and the Treasurer shall, as soon as practical, make such payments as contemplated by this Section.

(30 ILCS 330/9) (from Ch. 127, par. 659)

Sec. 9. Conditions for Issuance and Sale of Bonds - Requirements for Bonds.

(a) Except as otherwise provided in this subsection and subsection (h), Bonds shall be issued and sold from time to time, in one or more series, in such amounts and at such prices as may be directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. Bonds shall be in such form (either coupon, registered or book entry), in such denominations, payable within 25 years from their date, subject to such terms of redemption with or without premium, bear interest payable at such times and at such fixed or variable rate or rates, and be dated as shall be fixed and determined by the Director of the Governor's Office of Management and Budget in the order authorizing the issuance and sale of any series of Bonds, which order shall be approved by the Governor and is herein called a "Bond Sale Order"; provided however, that interest payable at fixed or variable rates shall not exceed that permitted in the Bond Authorization Act, as now or hereafter amended. Bonds shall be payable at such place or places, within or without the State of Illinois, and may be made registrable as to either principal or as to both principal and interest, as shall be specified in the Bond Sale Order. Bonds may be callable or subject to purchase and retirement or tender and remarketing as fixed and determined in the Bond Sale Order. Bonds, other than Bonds issued under Section 3 of this Act for the costs associated with the purchase and implementation of information technology, (i) except for

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refunding Bonds satisfying the requirements of Section 16 of this Act and sold during fiscal year 2009, 2010, or 2011, must be issued with principal or mandatory redemption amounts in equal amounts, with the first maturity issued occurring within the fiscal year in which the Bonds are issued or within the next succeeding fiscal year and (ii) must mature or be subject to mandatory redemption each fiscal year thereafter up to 25 years, except for refunding Bonds satisfying the requirements of Section 16 of this Act and sold during fiscal year 2009, 2010, or 2011 which must mature or be subject to mandatory redemption each fiscal year thereafter up to 16 years. Bonds issued under Section 3 of this Act for the costs associated with the purchase and implementation of information technology must be issued with principal or mandatory redemption amounts in equal amounts, with the first maturity issued occurring with the fiscal year in which the respective bonds are issued or with the next succeeding fiscal year, with the respective bonds issued maturing or subject to mandatory redemption each fiscal year thereafter up to 10 years. Notwithstanding any provision of this Act to the contrary, the Bonds authorized by Public Act 96-43 shall be payable within 5 years from their date and must be issued with principal or mandatory redemption amounts in equal amounts, with payment of principal or mandatory redemption beginning in the first fiscal year following the fiscal year in which the Bonds are issued.

Notwithstanding any provision of this Act to the contrary, the Bonds authorized by Public Act 96-1497 ~~this amendatory Act of the 96th General Assembly~~ shall be payable within 8 years from their date and shall be issued with payment of maturing principal or scheduled mandatory redemptions in accordance with the following schedule, except the following amounts shall be prorated if less than the total additional amount of Bonds authorized by Public Act 96-1497 ~~this amendatory Act of the 96th General Assembly~~ are issued:

Fiscal Year After Issuance	Amount
1-2	\$0
3	\$110,712,120
4	\$332,136,360
5	\$664,272,720
6-8	\$996,409,080

Notwithstanding any provision of this Act to the contrary, State General Obligation Restructuring Bonds shall be payable within 7 years from the date of sale and shall be issued with payment of principal or mandatory redemption as set forth in subsection (h) of this Section.

In the case of any series of Bonds bearing interest at a variable interest rate ("Variable Rate Bonds"), in lieu of determining the rate or rates at which such series of Variable Rate Bonds shall bear interest and the price or prices at which such Variable Rate Bonds shall be initially sold or remarketed (in the event of purchase and subsequent resale), the Bond Sale Order may provide that such interest rates and prices may vary from time to time depending on criteria established in such Bond Sale Order, which criteria may include, without limitation, references to indices or variations in interest rates as may, in the judgment of a remarketing agent, be necessary to cause Variable Rate Bonds of such series to be remarketable from time to time at a price equal to their principal amount, and may provide for appointment of a bank, trust company, investment bank, or other financial institution to serve as remarketing agent in that connection. The Bond Sale Order may provide that alternative interest rates or provisions for establishing alternative interest rates, different security or claim priorities, or different call or amortization provisions will apply during such times as Variable Rate Bonds of any series are held by a person providing credit or liquidity enhancement arrangements for such Bonds as authorized in subsection (b) of this Section. The Bond Sale Order may also provide for such variable interest rates to be established pursuant to a process generally known as an auction rate process and may provide for appointment of one or more financial institutions to serve as auction agents and broker-dealers in connection with the establishment of such interest rates and the sale and remarketing of such Bonds.

(b) In connection with the issuance of any series of Bonds, the State may enter into arrangements to provide additional security and liquidity for such Bonds, including, without limitation, bond or interest rate insurance or letters of credit, lines of credit, bond purchase contracts, or other arrangements whereby funds are made available to retire or purchase Bonds, thereby assuring the ability of owners of the Bonds to sell or redeem their Bonds. The State may enter into contracts and may agree to pay fees to persons providing such arrangements, but only under circumstances where the Director of the Governor's Office of Management and Budget certifies that he or she reasonably expects the total interest paid or to be paid on the Bonds, together with the fees for the arrangements (being treated as if interest), would not, taken together, cause the Bonds to bear interest, calculated to their stated maturity, at a rate in excess of the rate that the Bonds would bear in the absence of such arrangements.

The State may, with respect to Bonds issued or anticipated to be issued, participate in and enter into arrangements with respect to interest rate protection or exchange agreements, guarantees, or financial

futures contracts for the purpose of limiting, reducing, or managing interest rate exposure. The authority granted under this paragraph, however, shall not increase the principal amount of Bonds authorized to be issued by law. The arrangements may be executed and delivered by the Director of the Governor's Office of Management and Budget on behalf of the State. Net payments for such arrangements shall constitute interest on the Bonds and shall be paid from the General Obligation Bond Retirement and Interest Fund. The Director of the Governor's Office of Management and Budget shall at least annually certify to the Governor and the State Comptroller his or her estimate of the amounts of such net payments to be included in the calculation of interest required to be paid by the State.

(c) Prior to the issuance of any Variable Rate Bonds pursuant to subsection (a), the Director of the Governor's Office of Management and Budget shall adopt an interest rate risk management policy providing that the amount of the State's variable rate exposure with respect to Bonds shall not exceed 20%. This policy shall remain in effect while any Bonds are outstanding and the issuance of Bonds shall be subject to the terms of such policy. The terms of this policy may be amended from time to time by the Director of the Governor's Office of Management and Budget but in no event shall any amendment cause the permitted level of the State's variable rate exposure with respect to Bonds to exceed 20%.

(d) "Build America Bonds" in this Section means Bonds authorized by Section 54AA of the Internal Revenue Code of 1986, as amended ("Internal Revenue Code"), and bonds issued from time to time to refund or continue to refund "Build America Bonds".

(e) Notwithstanding any other provision of this Section, Qualified School Construction Bonds shall be issued and sold from time to time, in one or more series, in such amounts and at such prices as may be directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. Qualified School Construction Bonds shall be in such form (either coupon, registered or book entry), in such denominations, payable within 25 years from their date, subject to such terms of redemption with or without premium, and if the Qualified School Construction Bonds are issued with a supplemental coupon, bear interest payable at such times and at such fixed or variable rate or rates, and be dated as shall be fixed and determined by the Director of the Governor's Office of Management and Budget in the order authorizing the issuance and sale of any series of Qualified School Construction Bonds, which order shall be approved by the Governor and is herein called a "Bond Sale Order"; except that interest payable at fixed or variable rates, if any, shall not exceed that permitted in the Bond Authorization Act, as now or hereafter amended. Qualified School Construction Bonds shall be payable at such place or places, within or without the State of Illinois, and may be made registrable as to either principal or as to both principal and interest, as shall be specified in the Bond Sale Order. Qualified School Construction Bonds may be callable or subject to purchase and retirement or tender and remarketing as fixed and determined in the Bond Sale Order. Qualified School Construction Bonds must be issued with principal or mandatory redemption amounts or sinking fund payments into the General Obligation Bond Retirement and Interest Fund (or subaccount therefor) in equal amounts, with the first maturity issued, mandatory redemption payment or sinking fund payment occurring within the fiscal year in which the Qualified School Construction Bonds are issued or within the next succeeding fiscal year, with Qualified School Construction Bonds issued maturing or subject to mandatory redemption or with sinking fund payments thereof deposited each fiscal year thereafter up to 25 years. Sinking fund payments set forth in this subsection shall be permitted only to the extent authorized in Section 54F of the Internal Revenue Code or as otherwise determined by the Director of the Governor's Office of Management and Budget. "Qualified School Construction Bonds" in this subsection means Bonds authorized by Section 54F of the Internal Revenue Code and for bonds issued from time to time to refund or continue to refund such "Qualified School Construction Bonds".

(f) Beginning with the next issuance by the Governor's Office of Management and Budget to the Procurement Policy Board of a request for quotation for the purpose of formulating a new pool of qualified underwriting banks list, all entities responding to such a request for quotation for inclusion on that list shall provide a written report to the Governor's Office of Management and Budget and the Illinois Comptroller. The written report submitted to the Comptroller shall (i) be published on the Comptroller's Internet website and (ii) be used by the Governor's Office of Management and Budget for the purposes of scoring such a request for quotation. The written report, at a minimum, shall:

- (1) disclose whether, within the past 3 months, pursuant to its credit default swap market-making activities, the firm has entered into any State of Illinois credit default swaps ("CDS");
- (2) include, in the event of State of Illinois CDS activity, disclosure of the firm's cumulative notional volume of State of Illinois CDS trades and the firm's outstanding gross and net notional amount of State of Illinois CDS, as of the end of the current 3-month period;
- (3) indicate, pursuant to the firm's proprietary trading activities, disclosure of whether the firm, within the past 3 months, has entered into any proprietary trades for its own account

in State of Illinois CDS;

(4) include, in the event of State of Illinois proprietary trades, disclosure of the firm's outstanding gross and net notional amount of proprietary State of Illinois CDS and whether the net position is short or long credit protection, as of the end of the current 3-month period;

(5) list all time periods during the past 3 months during which the firm held net long or net short State of Illinois CDS proprietary credit protection positions, the amount of such positions, and whether those positions were net long or net short credit protection positions; and

(6) indicate whether, within the previous 3 months, the firm released any publicly available research or marketing reports that reference State of Illinois CDS and include those research or marketing reports as attachments.

(g) All entities included on a Governor's Office of Management and Budget's pool of qualified underwriting banks list shall, as soon as possible after March 18, 2011 (the effective date of Public Act 96-1554) ~~this amendatory Act of the 96th General Assembly, but not later than January 21, 2011~~, and on a quarterly fiscal basis thereafter, provide a written report to the Governor's Office of Management and Budget and the Illinois Comptroller. The written reports submitted to the Comptroller shall be published on the Comptroller's Internet website. The written reports, at a minimum, shall:

(1) disclose whether, within the past 3 months, pursuant to its credit default swap market-making activities, the firm has entered into any State of Illinois credit default swaps ("CDS");

(2) include, in the event of State of Illinois CDS activity, disclosure of the firm's cumulative notional volume of State of Illinois CDS trades and the firm's outstanding gross and net notional amount of State of Illinois CDS, as of the end of the current 3-month period;

(3) indicate, pursuant to the firm's proprietary trading activities, disclosure of whether the firm, within the past 3 months, has entered into any proprietary trades for its own account in State of Illinois CDS;

(4) include, in the event of State of Illinois proprietary trades, disclosure of the firm's outstanding gross and net notional amount of proprietary State of Illinois CDS and whether the net position is short or long credit protection, as of the end of the current 3-month period;

(5) list all time periods during the past 3 months during which the firm held net long or net short State of Illinois CDS proprietary credit protection positions, the amount of such positions, and whether those positions were net long or net short credit protection positions; and

(6) indicate whether, within the previous 3 months, the firm released any publicly available research or marketing reports that reference State of Illinois CDS and include those research or marketing reports as attachments.

(h) Notwithstanding any other provision of this Section, for purposes of maximizing market efficiencies and cost savings, State General Obligation Restructuring Bonds may be issued and sold from time to time, in one or more series, in such amounts and at such prices as may be directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. State General Obligation Restructuring Bonds shall be in such form, either coupon, registered or book entry, in such denominations, shall bear interest payable at such times and at such fixed or variable rate or rates, and be dated as shall be fixed and determined by the Director of the Governor's Office of Management and Budget in the order authorizing the issuance and sale of any series of State General Obligation Restructuring Bonds, which order shall be approved by the Governor and is herein called a "Bond Sale Order"; provided however, that interest payable at fixed or variable rates shall not exceed that permitted in the Bond Authorization Act, as now or hereafter amended. State General Obligation Restructuring Bonds shall be payable at such place or places, within or without the State of Illinois, and may be made registrable as to either principal or as to both principal and interest, as shall be specified in the Bond Sale Order. State General Obligation Restructuring Bonds may be callable or subject to purchase and retirement or tender and remarketing as fixed and determined in the Bond Sale Order.

The aggregate principal amount of State General Obligation Restructuring Bonds authorized by and issued pursuant to this amendatory Act of the 97th General Assembly or other such amendatory Acts of the 97th General Assembly authorizing the issuance of State General Obligation Restructuring Bonds shall, in the aggregate, mature or be subject to redemption in the annual percentages set forth in the following schedule:

For fiscal year 2013, 11.417%;

For fiscal year 2014, 13.333%;

For fiscal year 2015, 11.667%;

For fiscal year 2016, 15.417%;

For fiscal year 2017, 17.083%;

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For fiscal year 2018, 15.000%; and

For fiscal year 2019, 16.083%.

Notwithstanding the foregoing, the principal amounts calculated above shall be in increments of \$5,000. Moreover, the foregoing percentages shall be applicable to the aggregate principal amount of State General Obligation Restructuring Bonds authorized by this amendatory Act of the 97th General Assembly and any other amendatory Acts of the 97th General Assembly authorizing State General Obligation Bonds. While individual series of State General Obligation Restructuring Bonds as may be sold from time to time need not be scheduled to mature or be subject to redemption in accordance with the percentages above, redemptions whether by maturity or sinking fund, in any fiscal year for all State General Obligation Bonds, in the aggregate, shall be no less than the percentages shown above. Notwithstanding the foregoing, in the event that fewer than all of the State General Obligation Restructuring Bonds authorized by this amendatory Act of the 97th General Assembly have been issued by September 1, 2011, failure of the then-outstanding State General Obligation Restructuring Bonds to satisfy the repayment schedule set forth above shall not affect the validity of any such outstanding Bonds.

(Source: P.A. 96-18, eff. 6-26-09; 96-37, eff. 7-13-09; 96-43, eff. 7-15-09; 96-828, eff. 12-2-09; 96-1497, eff. 1-14-11; 96-1554, eff. 3-18-11; revised 4-5-11.)

(30 ILCS 330/11) (from Ch. 127, par. 661)

Sec. 11. Sale of Bonds. Except as otherwise provided in this Section, Bonds shall be sold from time to time pursuant to notice of sale and public bid or by negotiated sale in such amounts and at such times as is directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. At least 25%, based on total principal amount, of all Bonds issued each fiscal year shall be sold pursuant to notice of sale and public bid. At all times during each fiscal year, no more than 75%, based on total principal amount, of the Bonds issued each fiscal year, shall have been sold by negotiated sale. Failure to satisfy the requirements in the preceding 2 sentences shall not affect the validity of any previously issued Bonds; provided that all Bonds authorized by Public Act 96-43 and ~~Public Act 96-1497 this amendatory Act of the 96th General Assembly~~ shall not be included in determining compliance for any fiscal year with the requirements of the preceding 2 sentences; and further provided that refunding Bonds satisfying the requirements of Section 16 of this Act and sold during fiscal year 2009, 2010, or 2011 shall not be subject to the requirements in the preceding 2 sentences.

If any Bonds, including refunding Bonds, are to be sold by negotiated sale, the Director of the Governor's Office of Management and Budget shall comply with the competitive request for proposal process set forth in the Illinois Procurement Code and all other applicable requirements of that Code.

If Bonds are to be sold pursuant to notice of sale and public bid, the Director of the Governor's Office of Management and Budget shall, from time to time, as Bonds are to be sold, advertise the sale of the Bonds in at least 2 daily newspapers, one of which is published in the City of Springfield and one in the City of Chicago. The sale of the Bonds shall also be advertised in the volume of the Illinois Procurement Bulletin that is published by the Department of Central Management Services. Each of the advertisements for proposals shall be published once at least 10 days prior to the date fixed for the opening of the bids. The Director of the Governor's Office of Management and Budget may reschedule the date of sale upon the giving of such additional notice as the Director deems adequate to inform prospective bidders of such change; provided, however, that all other conditions of the sale shall continue as originally advertised.

Executed Bonds shall, upon payment therefor, be delivered to the purchaser, and the proceeds of Bonds shall be paid into the State Treasury as directed by Section 12 of this Act.

All State General Obligation Restructuring Bonds shall comply with this Section. Notwithstanding anything to contrary, however, for purposes of complying with this Section, State General Obligation Restructuring Bonds, regardless of the number of series or issuances sold thereunder, shall be considered a single issue or series. Furthermore, for purposes of complying with the competitive bidding requirements of this Section, the words "at all times" shall not apply to any such sale of the State General Obligation Restructuring Bonds. The Director of the Governor's Office of Management and Budget shall determine the time and manner of any competitive sale of the State General Obligation Restructuring Bonds, which sale shall under no circumstances take place later than 60 days after the State closes the sale of 75% of the State General Obligation Restructuring Bonds by negotiated sale.

(Source: P.A. 96-18, eff. 6-26-09; 96-43, eff. 7-15-09; 96-1497, eff. 1-14-11.)

(30 ILCS 330/12) (from Ch. 127, par. 662)

Sec. 12. Allocation of Proceeds from Sale of Bonds.

(a) Proceeds from the sale of Bonds, authorized by Section 3 of this Act, shall be deposited in the

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separate fund known as the Capital Development Fund.

(b) Proceeds from the sale of Bonds, authorized by paragraph (a) of Section 4 of this Act, shall be deposited in the separate fund known as the Transportation Bond, Series A Fund.

(c) Proceeds from the sale of Bonds, authorized by paragraphs (b) and (c) of Section 4 of this Act, shall be deposited in the separate fund known as the Transportation Bond, Series B Fund.

(c-1) Proceeds from the sale of Bonds, authorized by paragraph (d) of Section 4 of this Act, shall be deposited into the Transportation Bond Series D Fund, which is hereby created.

(d) Proceeds from the sale of Bonds, authorized by Section 5 of this Act, shall be deposited in the separate fund known as the School Construction Fund.

(e) Proceeds from the sale of Bonds, authorized by Section 6 of this Act, shall be deposited in the separate fund known as the Anti-Pollution Fund.

(f) Proceeds from the sale of Bonds, authorized by Section 7 of this Act, shall be deposited in the separate fund known as the Coal Development Fund.

(f-2) Proceeds from the sale of Bonds, authorized by Section 7.2 of this Act, shall be deposited as set forth in Section 7.2.

(f-5) Proceeds from the sale of Bonds, authorized by Section 7.5 of this Act, shall be deposited as set forth in Section 7.5.

(f-7) Proceeds from the sale of Bonds, authorized by Section 7.6 of this Act, shall be deposited as set forth in Section 7.6.

(g) Proceeds from the sale of Bonds, authorized by Section 8 of this Act, shall be deposited in the Capital Development Fund.

(h) Subsequent to the issuance of any Bonds for the purposes described in Sections 2 through 8 of this Act, the Governor and the Director of the Governor's Office of Management and Budget may provide for the reallocation of unspent proceeds of such Bonds to any other purposes authorized under said Sections of this Act, subject to the limitations on aggregate principal amounts contained therein. Upon any such reallocation, such unspent proceeds shall be transferred to the appropriate funds as determined by reference to paragraphs (a) through (g) of this Section.

(Source: P.A. 96-36, eff. 7-13-09.)

(30 ILCS 330/13) (from Ch. 127, par. 663)

Sec. 13. Appropriation of Proceeds from Sale of Bonds.

(a) At all times, the proceeds from the sale of Bonds issued pursuant to this Act are subject to appropriation by the General Assembly and, except as provided in Sections ~~Section~~ 7.2 and 7.6, may be obligated or expended only with the written approval of the Governor, in such amounts, at such times, and for such purposes as the respective State agencies, as defined in Section 1-7 of the Illinois State Auditing Act, as amended, deem necessary or desirable for the specific purposes contemplated in Sections 2 through 8 of this Act.

(b) Proceeds from the sale of Bonds for the purpose of development of coal and alternative forms of energy shall be expended in such amounts and at such times as the Department of Commerce and Economic Opportunity, with the advice and recommendation of the Illinois Coal Development Board for coal development projects, may deem necessary and desirable for the specific purpose contemplated by Section 7 of this Act. In considering the approval of projects to be funded, the Department of Commerce and Economic Opportunity shall give special consideration to projects designed to remove sulfur and other pollutants in the preparation and utilization of coal, and in the use and operation of electric utility generating plants and industrial facilities which utilize Illinois coal as their primary source of fuel.

(c) Except as directed in subsection (c-1) or (c-2), any monies received by any officer or employee of the state representing a reimbursement of expenditures previously paid from general obligation bond proceeds shall be deposited into the General Obligation Bond Retirement and Interest Fund authorized in Section 14 of this Act.

(c-1) Any money received by the Department of Transportation as reimbursement for expenditures for high speed rail purposes pursuant to appropriations from the Transportation Bond, Series B Fund for (i) CREATE (Chicago Region Environmental and Transportation Efficiency), (ii) High Speed Rail, or (iii) AMTRAK projects authorized by the federal government under the provisions of the American Recovery and Reinvestment Act of 2009 or the Safe Accountable Flexible Efficient Transportation Equity Act—A Legacy for Users (SAFETEA-LU), or any successor federal transportation authorization Act, shall be deposited into the Federal High Speed Rail Trust Fund.

(c-2) Any money received by the Department of Transportation as reimbursement for expenditures for transit capital purposes pursuant to appropriations from the Transportation Bond, Series B Fund for projects authorized by the federal government under the provisions of the American Recovery and Reinvestment Act of 2009 or the Safe Accountable Flexible Efficient Transportation Equity Act—A

Legacy for Users (SAFETEA-LU), or any successor federal transportation authorization Act, shall be deposited into the Federal Mass Transit Trust Fund.
(Source: P.A. 96-1488, eff. 12-30-10.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

Senator Sullivan offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 342

AMENDMENT NO. 3. Amend Senate Bill 342, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, as follows:

on page 17, line 13, after "Obligation", by inserting "Restructuring"; and

on page 17, line 18, after "Obligation", by inserting "Restructuring"; and

on page 19, line 25, after "to", by inserting "the"; and

on page 20, line 9, after "which", by inserting "such".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Sullivan, **Senate Bill No. 342**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 19; NAYS 23; Present 4.

The following voted in the affirmative:

Collins, A.	Hunter	Mulroe	Sullivan
Crotty	Koehler	Muñoz	Trotter
Frerichs	Link	Noland	Wilhelmi
Haine	Maloney	Raoul	Mr. President
Harmon	Martinez	Schoenberg	

The following voted in the negative:

Althoff	Duffy	Lauzen	Righter
Bivins	Jacobs	Luechtefeld	Sandack
Bomke	Johnson, C.	McCann	Sandoval
Brady	Johnson, T.	Murphy	Schmidt
Cultra	Jones, J.	Radogno	Syverson
Dillard	LaHood	Rezin	

The following voted present:

Clayborne	Landek
Jones, E.	Lightford

This bill, having failed to receive the vote of three-fifths of the members elected, was declared lost, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

At the hour of 8:27 o'clock p.m., Senator Lightford, presiding.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Kotowski, **House Bill No. 123** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Kotowski, **House Bill No. 124** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Kotowski, **House Bill No. 326** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Kotowski, **House Bill No. 327** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Clayborne, **House Bill No. 1262** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1262

AMENDMENT NO. 1. Amend House Bill 1262 on page 1, line 9, by replacing "(a) The" with "(a) Subject to appropriation, the"; and

on page 1, by replacing lines 14 through 16 with the following:

"if applicable, and the location to which the business relocated, (ii) the approximate date when the business was first located in Illinois, and (iii) any incentives that are needed to keep and attract the business."

Senate Committee Amendment No. 2 was postponed in the Committee on Commerce. There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 1716** was taken up, read by title a second time. Senate Floor Amendment No. 1 was referred to the Committee on Executive earlier today. There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Steans, **House Bill No. 2107** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Kotowski, **House Bill No. 2109** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 2165** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 2167** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 2168** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Kotowski, **House Bill No. 2189** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Kotowski, **House Bill No. 3700** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 3717** was taken up, read by title a second time and ordered to a third reading.

COMMITTEE MEETING ANNOUNCEMENT

The Chair announced the following committee to meet tomorrow, May 30, 2011, at 9:00 o'clock a.m.:

Executive Appointments in Room 212

The Chair announced a Democrat caucus to meet tomorrow, May 30, 2011, at 10:00 o'clock a.m. in the President's Office.

The Chair announced a Republican caucus to meet tomorrow, May 30, 2011, at 10:00 o'clock a.m. in Leader Radogno's Office.

At the hour of 8:49 o'clock p.m., the Chair announced the Senate stand adjourned until Monday, May 30, 2011, at 11:00 o'clock a.m.