



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-EIGHTH GENERAL ASSEMBLY

31ST LEGISLATIVE DAY

WEDNESDAY, APRIL 10, 2013

12:05 O'CLOCK P.M.

SENATE
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31st Legislative Day

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The Senate met pursuant to adjournment.
Senator John M. Sullivan, Rushville, Illinois, presiding.
Prayer by Reverend James Johnson, Monroe Street Christian Church, Springfield, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journals of Thursday, March 21, 2013; Friday, March 22, 2013; and Wednesday, April 3, 2013, be postponed, pending arrival of the printed Journals.

The motion prevailed.

MESSAGE FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

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

April 10, 2013

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Terry Link to temporarily replace Senator Kimberly Lightford, as a member of the Senate Committee on Assignments. This appointment will automatically expire upon adjournment of the Senate Committee on Assignments.

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

cc: Senate Minority Leader Christine Radogno

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 202

Offered by Senator Althoff and all Senators:
Mourns the death of Patricia Anne (Fitzmorris) Floeter of Crystal Lake.

SENATE RESOLUTION NO. 203

Offered by Senator Mulroe and all Senators:
Mourns the death of Edward R. Urquhart, Jr., of Chicago.

SENATE RESOLUTION NO. 204

Offered by Senator Koehler and all Senators:
Mourns the death of Joseph M. Berardi of Pekin.

SENATE RESOLUTION NO. 205

Offered by Senator Hutchinson and all Senators:
Mourns the death of Robbie Jean Mangum Sykes.

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SENATE RESOLUTION NO. 206

Offered by Senator Clayborne and all Senators:
Mourns the death of Odie C. Carpenter, Sr.

SENATE RESOLUTION NO. 207

Offered by Senator Frerichs and all Senators:
Mourns the death of Christopher "Chris" Kanis.

SENATE RESOLUTION NO. 208

Offered by Senator Frerichs and all Senators:
Mourns the death of Renee Schoonover of Fisher.

SENATE RESOLUTION NO. 209

Offered by Senator Frerichs and all Senators:
Mourns the death of Erma Bridgewater of Champaign.

SENATE RESOLUTION NO. 210

Offered by Senator Frerichs and all Senators:
Mourns the death of Robert Dodd.

SENATE RESOLUTION NO. 211

Offered by Senator Haine and all Senators:
Mourns the death of Joseph A. Barron, Jr., of Granite City.

SENATE RESOLUTION NO. 212

Offered by Senator Connelly and all Senators:
Mourns the death of Dennis Dennehy of Oak Lawn.

SENATE RESOLUTION NO. 213

Offered by Senator Link and all Senators:
Mourns the death of Kathryn "Kit" Fulgenzi of Wilmette.

SENATE RESOLUTION NO. 214

Offered by Senator Koehler and all Senators:
Mourns the death of Joel Clayton Johnson, Sr., of Peoria.

SENATE RESOLUTION NO. 215

Offered by Senator Althoff and all Senators:
Mourns the death of Donald J. Musielak of McHenry.

SENATE RESOLUTION NO. 216

Offered by Senator Haine and all Senators:
Mourns the death of Helen Beiser of Alton.

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

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

SENATE RESOLUTION NO. 217

WHEREAS, The United States Congress enacted the Federal Aviation Administration Modernization and Reform Act ("the Act"), which requires the Federal Aviation Administration to develop a plan to accelerate the integration of civil unmanned aircraft into the national airspace system by 2015; and

WHEREAS, An unmanned aircraft is operated without the possibility of direct human intervention or

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control from within or on the aircraft; and

WHEREAS, Unmanned aircraft are commonly referred to as drones; and

WHEREAS, New developments in technology allow the creation of increasingly smaller drones that are undetectable by the naked eye; and

WHEREAS, Following the passage of the Act, the Federal Aviation Administration has begun to issue rules to implement the Act's mandated plan, including rules that allow law enforcement agencies to operate drones; and

WHEREAS, Allowing an increased amount of drones to fly in the national airspace expands aerial surveillance capabilities and has the potential to threaten the protected privacy rights of Illinois citizens; and

WHEREAS, It is imperative for the members of the Senate to thoroughly investigate the ramifications of the use of drones by law enforcement agencies and private parties in the State of Illinois; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that there is created the Drone Task Force, consisting of 17 members appointed as follows:

(1) two members of the Senate, one member appointed by the President of the Senate and one member appointed by the Minority Leader of the Senate; the member appointed by the President of the Senate shall serve as chair of the Task Force;

(2) three members appointed by the Governor; and

(3) twelve members who are not members of the General Assembly, 6 appointed by the Senate President and 6 appointed by the Senate Minority Leader, representing a range of interests, including law enforcement, trial attorneys, the Illinois State Bar Association, judges, business groups, municipalities, and the general public; and be it further

RESOLVED, That all members shall serve without compensation, but may be reimbursed for actual expenses from funds appropriated for that purpose; and be it further

RESOLVED, That the Task Force shall study the various ways in which drones are used, including, but not limited to, the use of drones for surveillance by law enforcement; the use of drones for surveillance by other government entities, including for enforcement of local ordinances and codes; the use of armed drones by law enforcement; the use of armed drones by private citizens or entities; and the use of drones for surveillance by private citizens or entities; and be it further

RESOLVED, That the Task Force shall evaluate whether and how to limit the use of drones by law enforcement, other government entities, and private citizens or entities; and be it further

RESOLVED, That, on or before January 1, 2014, the Task Force shall report to the President of the Senate, the Minority Leader of the Senate, and the Governor concerning its recommendations, which shall include proposed legislation to implement its recommendations, if needed; and be it further

RESOLVED, That the Task Force shall be dissolved upon issuing its report.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mapes, 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. 1515

A bill for AN ACT concerning State government.

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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. 1515

House Amendment No. 2 to SENATE BILL NO. 1515

Passed the House, as amended, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1515

AMENDMENT NO. 1. Amend Senate Bill 1515 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Sections 5 and 8 as follows:

(5 ILCS 375/5) (from Ch. 127, par. 525)

Sec. 5. Employee benefits; declaration of State policy. The General Assembly declares that it is the policy of the State and in the best interest of the State to assure quality benefits to members and their dependents under this Act. The implementation of this policy depends upon, among other things, stability and continuity of coverage, care, and services under benefit programs for members and their dependents. Specifically, but without limitation, members should have continued access, on substantially similar terms and conditions, to trusted family health care providers with whom they have developed long-term relationships through a benefit program under this Act. Therefore, the Director must administer this Act consistent with that State policy, but may consider affordability, cost of coverage and care, and competition among health insurers and providers. All contracts for provision of employee benefits, including those portions of any proposed collective bargaining agreement that would require implementation through contracts entered into under this Act, are subject to the following requirements:

(i) By April 1 of each year, the Director must report and provide information to the

Commission concerning the status of the employee benefits program to be offered for the next fiscal year. Information includes, but is not limited to, documents, reports of negotiations, bid invitations, requests for proposals, specifications, copies of proposed and final contracts or agreements, and any other materials concerning contracts or agreements for the employee benefits program. By the first of each month thereafter, the Director must provide updated, and any new, information to the Commission until the employee benefits program for the next fiscal year is determined. In addition to these monthly reporting requirements, at any time the Commission makes a written request, the Director must promptly, but in no event later than 5 business days after receipt of the request, provide to the Commission any additional requested information in the possession of the Director concerning employee benefits programs. The Commission may waive any of the reporting requirements of this item (i) upon the written request by the Director. Any waiver granted under this item (i) must be in writing. Nothing in this item is intended to abrogate any attorney-client privilege.

(ii) Within 30 days after notice of the awarding or letting of a contract has appeared in the Illinois Procurement Bulletin in accordance with subsection (b) of Section 15-25 of the Illinois Procurement Code, the Commission may request in writing from the Director and the Director shall promptly, but in no event later than 5 business days after receipt of the request, provide to the Commission information in the possession of the Director concerning the proposed contract. Nothing in this item is intended to waive or abrogate any privilege or right of confidentiality authorized by law.

(iii) No contract subject to this Section may be entered into until the 30-day period described in item (ii) has expired, unless the Director requests in writing that the Commission waive the period and the Commission grants the waiver in writing.

(iv) If the Director seeks to make any substantive modification to any provision of a proposed contract after it is submitted to the Commission in accordance with item (ii), the modified contract shall be subject to the requirements of items (ii) and (iii) unless the Commission agrees, in writing, to a waiver of those requirements with respect to the modified contract.

(v) By the date of the beginning of the annual benefit choice period, the Director must transmit to the Commission a copy of each final contract or agreement for the employee benefits program to be offered for the next fiscal year. The annual benefit choice period for an employee benefits program must begin on May 1 of the fiscal year preceding the year for which the program is to be offered. If, however, in any such preceding fiscal year collective bargaining over employee benefit programs for the next fiscal year remains pending on April 15, the beginning date of the annual benefit choice period shall be not later than 15 days after ratification of the collective

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bargaining agreement.

(vi) The Director must provide the reports, information, and contracts required under items (i), (ii), (iv), and (v) by electronic or other means satisfactory to the Commission. Reports, information, and contracts in the possession of the Commission pursuant to items (i), (ii), (iv), and (v) are exempt from disclosure by the Commission and its members and employees under the Freedom of Information Act. Reports, information, and contracts received by the Commission pursuant to items (i), (ii), (iv), and (v) must be kept confidential by and may not be disclosed or used by the Commission or its members or employees if such disclosure or use could compromise the fairness or integrity of the procurement, bidding, or contract process. Commission meetings, or portions of Commission meetings, in which reports, information, and contracts received by the Commission pursuant to items (i), (ii), (iv), and (v) are discussed must be closed if disclosure or use of the report or information could compromise the fairness or integrity of the procurement, bidding, or contract process.

All contracts entered into under this Section are subject to appropriation and shall comply with Section 20-60(b) of the Illinois Procurement Code (30 ILCS 500/20-60(b)).

The Director shall contract or otherwise make available group life insurance, health benefits and other employee benefits to eligible members and, where elected, their eligible dependents. Any contract or, if applicable, contracts or other arrangement for provision of benefits shall be on terms consistent with State policy and based on, but not limited to, such criteria as administrative cost, service capabilities of the carrier or other contractor and premiums, fees or charges as related to benefits.

Notwithstanding any other provisions of this Act, by January 1, 2014, the Department of Central Management Services, in consultation with the Chief Procurement Officer, shall contract or make otherwise available a program of group health benefits for Medicare-primary members and their Medicare-primary dependents. The Director may procure a single contract or multiple contracts that provide a program of group health benefits that is comparable in stability and continuity of coverage, care, and services to the program of health benefits offered to other members and their dependents under this Act. The initial procurement of a contract or contracts under this paragraph is not subject to the provisions of the Illinois Procurement Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and Article 50 of that Code, provided that the Chief Procurement Officer may, in writing with justification, waive any certification required under Article 50. A contract entered into pursuant to this paragraph is not subject to review by the Commission, regardless of any other provision in this Section or Act.

The Director may prepare and issue specifications for group life insurance, health benefits, other employee benefits and administrative services for the purpose of receiving proposals from interested parties.

The Director is authorized to execute a contract, or contracts, for the programs of group life insurance, health benefits, other employee benefits and administrative services authorized by this Act (including, without limitation, prescription drug benefits). All of the benefits provided under this Act may be included in one or more contracts, or the benefits may be classified into different types with each type included under one or more similar contracts with the same or different companies.

The term of any contract may not extend beyond 5 fiscal years. Upon recommendation of the Commission, the Director may exercise renewal options of the same contract for up to a period of 5 years. Any increases in premiums, fees or charges requested by a contractor whose contract may be renewed pursuant to a renewal option contained therein, must be justified on the basis of (1) audited experience data, (2) increases in the costs of health care services provided under the contract, (3) contractor performance, (4) increases in contractor responsibilities, or (5) any combination thereof.

Any contractor shall agree to abide by all requirements of this Act and Rules and Regulations promulgated and adopted thereto; to submit such information and data as may from time to time be deemed necessary by the Director for effective administration of the provisions of this Act and the programs established hereunder, and to fully cooperate in any audit.

(Source: P.A. 93-839, eff. 7-30-04.)

(5 ILCS 375/8) (from Ch. 127, par. 528)

Sec. 8. Eligibility.

(a) Each employee eligible under the provisions of this Act and any rules and regulations promulgated and adopted hereunder by the Director shall become immediately eligible and covered for all benefits available under the programs. Employees electing coverage for eligible dependents shall have the coverage effective immediately, provided that the election is properly filed in accordance with required filing dates and procedures specified by the Director, including the completion and submission of all documentation and forms required by the Director.

(1) Every member originally eligible to elect dependent coverage, but not electing it

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during the original eligibility period, may subsequently obtain dependent coverage only in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period.

(2) Members described above being transferred from previous coverage towards which the State has been contributing shall be transferred regardless of preexisting conditions, waiting periods, or other requirements that might jeopardize claim payments to which they would otherwise have been entitled.

(3) Eligible and covered members that are eligible for coverage as dependents except for the fact of being members shall be transferred to, and covered under, dependent status regardless of preexisting conditions, waiting periods, or other requirements that might jeopardize claim payments to which they would otherwise have been entitled upon cessation of member status and the election of dependent coverage by a member eligible to elect that coverage.

(b) New employees shall be immediately insured for the basic group life insurance and covered by the program of health benefits on the first day of active State service. Optional life insurance coverage one to 4 times the basic amount, if elected during the relevant eligibility period, will become effective on the date of employment. Optional life insurance coverage exceeding 4 times the basic amount and all life insurance amounts applied for after the eligibility period will be effective, subject to satisfactory evidence of insurability when applicable, or other necessary qualifications, pursuant to the requirements of the applicable benefit program, unless there is a change in status that would confer new eligibility for change of enrollment under rules established supplementing this Act, in which event application must be made within the new eligibility period.

(c) As to the group health benefits program contracted to begin or continue after June 30, 1973, each annuitant, survivor, and retired employee shall become immediately eligible for all benefits available under that program. Each annuitant, survivor, and retired employee shall have coverage effective immediately, provided that the election is properly filed in accordance with the required filing dates and procedures specified by the Director, including the completion and submission of all documentation and forms required by the Director. Annuitants, survivors, and retired employees may elect coverage for eligible dependents and shall have the coverage effective immediately, provided that the election is properly filed in accordance with required filing dates and procedures specified by the Director, except that, for a survivor, the dependent sought to be added on or after the effective date of this amendatory Act of the 97th General Assembly must have been eligible for coverage as a dependent under the deceased member upon whom the survivor's annuity is based in order to be eligible for coverage under the survivor.

Except as otherwise provided in this Act, where husband and wife are both eligible members, each shall be enrolled as a member and coverage on their eligible dependent children, if any, may be under the enrollment and election of either.

Regardless of other provisions herein regarding late enrollment or other qualifications, as appropriate, the Director may periodically authorize open enrollment periods for each of the benefit programs at which time each member may elect enrollment or change of enrollment without regard to age, sex, health, or other qualification under the conditions as may be prescribed in rules and regulations supplementing this Act. Special open enrollment periods may be declared by the Director for certain members only when special circumstances occur that affect only those members.

(d) Beginning with fiscal year 2003 and for all subsequent years, eligible members may elect not to participate in the program of health benefits as defined in this Act. The election must be made during the annual benefit choice period, subject to the conditions in this subsection.

(1) Members must furnish proof of health benefit coverage, either comprehensive major medical coverage or comprehensive managed care plan, from a source other than the Department of Central Management Services in order to elect not to participate in the program.

(2) Members may re-enroll in the Department of Central Management Services program of health benefits upon showing a qualifying change in status, as defined in the U.S. Internal Revenue Code, without evidence of insurability and with no limitations on coverage for pre-existing conditions, provided that there was not a break in coverage of more than 63 days.

(3) Members may also re-enroll in the program of health benefits during any annual benefit choice period, without evidence of insurability.

(4) Members who elect not to participate in the program of health benefits shall be furnished a written explanation of the requirements and limitations for the election not to participate in the program and for re-enrolling in the program. The explanation shall also be included in the annual benefit choice options booklets furnished to members.

(d-5) Beginning July 1, 2005, the Director may establish a program of financial incentives to

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encourage annuitants receiving a retirement annuity from the State Employees Retirement System, but who are not eligible for benefits under the federal Medicare health insurance program (Title XVIII of the Social Security Act, as added by Public Law 89-97) to elect not to participate in the program of health benefits provided under this Act. The election by an annuitant not to participate under this program must be made in accordance with the requirements set forth under subsection (d). The financial incentives provided to these annuitants under the program may not exceed \$150 per month for each annuitant electing not to participate in the program of health benefits provided under this Act.

(d-6) Beginning July 1, 2013, the Director may establish a program of financial incentives to encourage annuitants with 20 or more years of creditable service but who are not eligible for benefits under the federal Medicare health insurance program (Title XVIII of the Social Security Act, as added by Public Law 89-97) to elect not to participate in the program of health benefits provided under this Act. The election by an annuitant not to participate under this program must be made in accordance with the requirements set forth under subsection (d). The program established under this subsection (d-6) may include a prorated incentive for annuitants with fewer than 20 years of creditable service, as determined by the Director. The financial incentives provided to these annuitants under this program may not exceed \$500 per month for each annuitant electing not to participate in the program of health benefits provided under this Act.

(e) Notwithstanding any other provision of this Act or the rules adopted under this Act, if a person participating in the program of health benefits as the dependent spouse of an eligible member becomes an annuitant, the person may elect, at the time of becoming an annuitant or during any subsequent annual benefit choice period, to continue participation as a dependent rather than as an eligible member for as long as the person continues to be an eligible dependent. In order to be eligible to make such an election, the person must have been enrolled as a dependent under the program of health benefits for no less than one year prior to becoming an annuitant.

An eligible member who has elected to participate as a dependent may re-enroll in the program of health benefits as an eligible member (i) during any subsequent annual benefit choice period or (ii) upon showing a qualifying change in status, as defined in the U.S. Internal Revenue Code, without evidence of insurability and with no limitations on coverage for pre-existing conditions.

A person who elects to participate in the program of health benefits as a dependent rather than as an eligible member shall be furnished a written explanation of the consequences of electing to participate as a dependent and the conditions and procedures for re-enrolling as an eligible member. The explanation shall also be included in the annual benefit choice options booklet furnished to members.

(Source: P.A. 97-668, eff. 1-13-12.)

Section 10. The Illinois Procurement Code is amended by adding Section 25-205 as follows:
(30 ILCS 500/25-205 new)

Sec. 25-205. Procurement of health benefits for Medicare-primary members and their dependents. The Department of Central Management Services, in consultation with the Chief Procurement Officer, shall contract or make otherwise available a program of group health benefits for Medicare-primary members and their Medicare-primary dependents. The Director may procure a single contract or multiple contracts that provide a program of group health benefits that is comparable in stability and continuity of coverage, care, and services to the program of health benefits offered to other members and their dependents under the State Employees Group Insurance Act of 1971. The Department of Central Management Services shall provide administrative support and provide consultation to assist with the procurement. The initial procurement is not subject to the provisions of this Code, except for Sections 20-60, 20-65, 20-70, and 20-160, and Article 50, provided that the Chief Procurement Officer may, in writing with justification, waive any certification required under Article 50.

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

AMENDMENT NO. 2 TO SENATE BILL 1515

AMENDMENT NO. 2. Amend Senate Bill 1515, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Sections 5 and 8 as follows:

(5 ILCS 375/5) (from Ch. 127, par. 525)

Sec. 5. Employee benefits; declaration of State policy. The General Assembly declares that it is the policy of the State and in the best interest of the State to assure quality benefits to members and their

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dependents under this Act. The implementation of this policy depends upon, among other things, stability and continuity of coverage, care, and services under benefit programs for members and their dependents. Specifically, but without limitation, members should have continued access, on substantially similar terms and conditions, to trusted family health care providers with whom they have developed long-term relationships through a benefit program under this Act. Therefore, the Director must administer this Act consistent with that State policy, but may consider affordability, cost of coverage and care, and competition among health insurers and providers. All contracts for provision of employee benefits, including those portions of any proposed collective bargaining agreement that would require implementation through contracts entered into under this Act, are subject to the following requirements:

(i) By April 1 of each year, the Director must report and provide information to the

Commission concerning the status of the employee benefits program to be offered for the next fiscal year. Information includes, but is not limited to, documents, reports of negotiations, bid invitations, requests for proposals, specifications, copies of proposed and final contracts or agreements, and any other materials concerning contracts or agreements for the employee benefits program. By the first of each month thereafter, the Director must provide updated, and any new, information to the Commission until the employee benefits program for the next fiscal year is determined. In addition to these monthly reporting requirements, at any time the Commission makes a written request, the Director must promptly, but in no event later than 5 business days after receipt of the request, provide to the Commission any additional requested information in the possession of the Director concerning employee benefits programs. The Commission may waive any of the reporting requirements of this item (i) upon the written request by the Director. Any waiver granted under this item (i) must be in writing. Nothing in this item is intended to abrogate any attorney-client privilege.

(ii) Within 30 days after notice of the awarding or letting of a contract has appeared in the Illinois Procurement Bulletin in accordance with subsection (b) of Section 15-25 of the Illinois Procurement Code, the Commission may request in writing from the Director and the Director shall promptly, but in no event later than 5 business days after receipt of the request, provide to the Commission information in the possession of the Director concerning the proposed contract. Nothing in this item is intended to waive or abrogate any privilege or right of confidentiality authorized by law.

(iii) Except as otherwise provided in this item (iii), no ~~no~~ contract subject to this Section may be entered into until the 30-day period described in item (ii) has expired, unless the Director requests in writing that the Commission waive the period and the Commission grants the waiver in writing. This item (iii) does not apply to any contract entered into after the effective date of this amendatory Act of the 98th General Assembly and through January 1, 2014 to provide a program of group health benefits for Medicare-primary members and their Medicare-primary dependents that is comparable in stability and continuity of coverage, care, and services to the program of health benefits offered to other members and their dependents under this Act.

(iv) If the Director seeks to make any substantive modification to any provision of a proposed contract after it is submitted to the Commission in accordance with item (ii), the modified contract shall be subject to the requirements of items (ii) and (iii) unless the Commission agrees, in writing, to a waiver of those requirements with respect to the modified contract.

(v) By the date of the beginning of the annual benefit choice period, the Director must transmit to the Commission a copy of each final contract or agreement for the employee benefits program to be offered for the next fiscal year. The annual benefit choice period for an employee benefits program must begin on May 1 of the fiscal year preceding the year for which the program is to be offered. If, however, in any such preceding fiscal year collective bargaining over employee benefit programs for the next fiscal year remains pending on April 15, the beginning date of the annual benefit choice period shall be not later than 15 days after ratification of the collective bargaining agreement.

(vi) The Director must provide the reports, information, and contracts required under items (i), (ii), (iv), and (v) by electronic or other means satisfactory to the Commission. Reports, information, and contracts in the possession of the Commission pursuant to items (i), (ii), (iv), and (v) are exempt from disclosure by the Commission and its members and employees under the Freedom of Information Act. Reports, information, and contracts received by the Commission pursuant to items (i), (ii), (iv), and (v) must be kept confidential by and may not be disclosed or used by the Commission or its members or employees if such disclosure or use could compromise the fairness or integrity of the procurement, bidding, or contract process. Commission meetings, or portions of Commission meetings, in which reports, information, and contracts received by the Commission pursuant to items (i), (ii), (iv), and (v) are discussed must be closed if disclosure or use of the report or

information could compromise the fairness or integrity of the procurement, bidding, or contract process.

All contracts entered into under this Section are subject to appropriation and shall comply with Section 20-60(b) of the Illinois Procurement Code (30 ILCS 500/20-60(b)).

The Director shall contract or otherwise make available group life insurance, health benefits and other employee benefits to eligible members and, where elected, their eligible dependents. Any contract or, if applicable, contracts or other arrangement for provision of benefits shall be on terms consistent with State policy and based on, but not limited to, such criteria as administrative cost, service capabilities of the carrier or other contractor and premiums, fees or charges as related to benefits.

Notwithstanding any other provisions of this Act, by January 1, 2014, the Department of Central Management Services, in consultation with and subject to the approval of the Chief Procurement Officer, shall contract or make otherwise available a program of group health benefits for Medicare-primary members and their Medicare-primary dependents. The Director may procure a single contract or multiple contracts that provide a program of group health benefits that is comparable in stability and continuity of coverage, care, and services to the program of health benefits offered to other members and their dependents under this Act. The initial procurement of a contract or contracts under this paragraph is not subject to the provisions of the Illinois Procurement Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and Article 50 of that Code, provided that the Chief Procurement Officer may, in writing with justification, waive any certification required under Article 50.

The Director may prepare and issue specifications for group life insurance, health benefits, other employee benefits and administrative services for the purpose of receiving proposals from interested parties.

The Director is authorized to execute a contract, or contracts, for the programs of group life insurance, health benefits, other employee benefits and administrative services authorized by this Act (including, without limitation, prescription drug benefits). All of the benefits provided under this Act may be included in one or more contracts, or the benefits may be classified into different types with each type included under one or more similar contracts with the same or different companies.

The term of any contract may not extend beyond 5 fiscal years. Upon recommendation of the Commission, the Director may exercise renewal options of the same contract for up to a period of 5 years. Any increases in premiums, fees or charges requested by a contractor whose contract may be renewed pursuant to a renewal option contained therein, must be justified on the basis of (1) audited experience data, (2) increases in the costs of health care services provided under the contract, (3) contractor performance, (4) increases in contractor responsibilities, or (5) any combination thereof.

Any contractor shall agree to abide by all requirements of this Act and Rules and Regulations promulgated and adopted thereto; to submit such information and data as may from time to time be deemed necessary by the Director for effective administration of the provisions of this Act and the programs established hereunder, and to fully cooperate in any audit.

(Source: P.A. 93-839, eff. 7-30-04.)

(5 ILCS 375/8) (from Ch. 127, par. 528)

Sec. 8. Eligibility.

(a) Each employee eligible under the provisions of this Act and any rules and regulations promulgated and adopted hereunder by the Director shall become immediately eligible and covered for all benefits available under the programs. Employees electing coverage for eligible dependents shall have the coverage effective immediately, provided that the election is properly filed in accordance with required filing dates and procedures specified by the Director, including the completion and submission of all documentation and forms required by the Director.

(1) Every member originally eligible to elect dependent coverage, but not electing it during the original eligibility period, may subsequently obtain dependent coverage only in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period.

(2) Members described above being transferred from previous coverage towards which the State has been contributing shall be transferred regardless of preexisting conditions, waiting periods, or other requirements that might jeopardize claim payments to which they would otherwise have been entitled.

(3) Eligible and covered members that are eligible for coverage as dependents except for the fact of being members shall be transferred to, and covered under, dependent status regardless of preexisting conditions, waiting periods, or other requirements that might jeopardize claim payments to which they would otherwise have been entitled upon cessation of member status and the election of dependent coverage by a member eligible to elect that coverage.

(b) New employees shall be immediately insured for the basic group life insurance and covered by the program of health benefits on the first day of active State service. Optional life insurance coverage one to 4 times the basic amount, if elected during the relevant eligibility period, will become effective on the date of employment. Optional life insurance coverage exceeding 4 times the basic amount and all life insurance amounts applied for after the eligibility period will be effective, subject to satisfactory evidence of insurability when applicable, or other necessary qualifications, pursuant to the requirements of the applicable benefit program, unless there is a change in status that would confer new eligibility for change of enrollment under rules established supplementing this Act, in which event application must be made within the new eligibility period.

(c) As to the group health benefits program contracted to begin or continue after June 30, 1973, each annuitant, survivor, and retired employee shall become immediately eligible for all benefits available under that program. Each annuitant, survivor, and retired employee shall have coverage effective immediately, provided that the election is properly filed in accordance with the required filing dates and procedures specified by the Director, including the completion and submission of all documentation and forms required by the Director. Annuitants, survivors, and retired employees may elect coverage for eligible dependents and shall have the coverage effective immediately, provided that the election is properly filed in accordance with required filing dates and procedures specified by the Director, except that, for a survivor, the dependent sought to be added on or after the effective date of this amendatory Act of the 97th General Assembly must have been eligible for coverage as a dependent under the deceased member upon whom the survivor's annuity is based in order to be eligible for coverage under the survivor.

Except as otherwise provided in this Act, where husband and wife are both eligible members, each shall be enrolled as a member and coverage on their eligible dependent children, if any, may be under the enrollment and election of either.

Regardless of other provisions herein regarding late enrollment or other qualifications, as appropriate, the Director may periodically authorize open enrollment periods for each of the benefit programs at which time each member may elect enrollment or change of enrollment without regard to age, sex, health, or other qualification under the conditions as may be prescribed in rules and regulations supplementing this Act. Special open enrollment periods may be declared by the Director for certain members only when special circumstances occur that affect only those members.

(d) Beginning with fiscal year 2003 and for all subsequent years, eligible members may elect not to participate in the program of health benefits as defined in this Act. The election must be made during the annual benefit choice period, subject to the conditions in this subsection.

(1) Members must furnish proof of health benefit coverage, either comprehensive major medical coverage or comprehensive managed care plan, from a source other than the Department of Central Management Services in order to elect not to participate in the program.

(2) Members may re-enroll in the Department of Central Management Services program of health benefits upon showing a qualifying change in status, as defined in the U.S. Internal Revenue Code, without evidence of insurability and with no limitations on coverage for pre-existing conditions, provided that there was not a break in coverage of more than 63 days.

(3) Members may also re-enroll in the program of health benefits during any annual benefit choice period, without evidence of insurability.

(4) Members who elect not to participate in the program of health benefits shall be furnished a written explanation of the requirements and limitations for the election not to participate in the program and for re-enrolling in the program. The explanation shall also be included in the annual benefit choice options booklets furnished to members.

(d-5) Beginning July 1, 2005, the Director may establish a program of financial incentives to encourage annuitants receiving a retirement annuity from the State Employees Retirement System, but who are not eligible for benefits under the federal Medicare health insurance program (Title XVIII of the Social Security Act, as added by Public Law 89-97) to elect not to participate in the program of health benefits provided under this Act. The election by an annuitant not to participate under this program must be made in accordance with the requirements set forth under subsection (d). The financial incentives provided to these annuitants under the program may not exceed \$150 per month for each annuitant electing not to participate in the program of health benefits provided under this Act.

(d-6) Beginning July 1, 2013, the Director may establish a program of financial incentives to encourage annuitants with 20 or more years of creditable service but who are not eligible for benefits under the federal Medicare health insurance program (Title XVIII of the Social Security Act, as added by Public Law 89-97) to elect not to participate in the program of health benefits provided under this Act. The election by an annuitant not to participate under this program must be made in accordance with

the requirements set forth under subsection (d). The program established under this subsection (d-6) may include a prorated incentive for annuitants with fewer than 20 years of creditable service, as determined by the Director. The financial incentives provided to these annuitants under this program may not exceed \$500 per month for each annuitant electing not to participate in the program of health benefits provided under this Act.

(e) Notwithstanding any other provision of this Act or the rules adopted under this Act, if a person participating in the program of health benefits as the dependent spouse of an eligible member becomes an annuitant, the person may elect, at the time of becoming an annuitant or during any subsequent annual benefit choice period, to continue participation as a dependent rather than as an eligible member for as long as the person continues to be an eligible dependent. In order to be eligible to make such an election, the person must have been enrolled as a dependent under the program of health benefits for no less than one year prior to becoming an annuitant.

An eligible member who has elected to participate as a dependent may re-enroll in the program of health benefits as an eligible member (i) during any subsequent annual benefit choice period or (ii) upon showing a qualifying change in status, as defined in the U.S. Internal Revenue Code, without evidence of insurability and with no limitations on coverage for pre-existing conditions.

A person who elects to participate in the program of health benefits as a dependent rather than as an eligible member shall be furnished a written explanation of the consequences of electing to participate as a dependent and the conditions and procedures for re-enrolling as an eligible member. The explanation shall also be included in the annual benefit choice options booklet furnished to members.

(Source: P.A. 97-668, eff. 1-13-12.)

Section 10. The State Treasurer Act is amended by changing Section 18 as follows:

(15 ILCS 505/18)

Sec. 18. Banking and automatic teller machine services.

(a) The Treasurer may enter into written agreements with financial institutions for the provision of banking services at the State Capitol and for the provision of automatic teller machine services at State office buildings, State parks, State tourism centers, and State fairs at Springfield and DuQuoin. The Treasurer shall establish competitive procedures for the selection of financial institutions to provide the services authorized under this Section. No State agency may procure services authorized by this Section without the approval of the Treasurer.

(b) The Treasurer shall enter into written agreements with the authorities having jurisdiction of the property where the services are intended to be provided. These agreements shall include, but need not be limited to, the quantity of machines to be located at the property and the exact location of the service or machine and shall establish responsibility for payment of expenses incurred in locating the machine or service.

(c) The Treasurer's agreement with a financial institution may authorize the financial institution to provide any or all of the banking services that the financial institution is otherwise authorized by law to provide to the public.

The Treasurer's agreement with a financial institution shall establish the amount of compensation to be paid by the financial institution. The financial institution shall pay the compensation to the Treasurer in accordance with the terms of the agreement. The Treasurer shall deposit moneys received under this Section into the Treasurer's Rental Fee Fund, a special fund hereby created in the State treasury. The Treasurer shall use the moneys in the Fund for the operation of the program established under this Section. If the Treasurer determines that any moneys in the Treasurer's Rental Fee Fund are in excess of the amount necessary to sustain the operation of the program established under this Section, the Treasurer may transfer any unobligated and unexpended moneys from the Treasurer's Rental Fee Fund into the State Pensions Fund.

(d) This Section does not apply to a State office building in which a currency exchange or a credit union providing financial services located in the building on July 1, 1995 (the effective date of Public Act 88-640) is operating.

(Source: P.A. 94-513, eff. 1-1-06.)

Section 15. The Illinois Procurement Code is amended by adding Section 25-205 as follows:

(30 ILCS 500/25-205 new)

Sec. 25-205. Procurement of health benefits for Medicare-primary members and their dependents. The Department of Central Management Services, in consultation with and subject to the approval of the Chief Procurement Officer, shall contract or make otherwise available a program of group health benefits for Medicare-primary members and their Medicare-primary dependents. The Director may

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procure a single contract or multiple contracts that provide a program of group health benefits that is comparable in stability and continuity of coverage, care, and services to the program of health benefits offered to other members and their dependents under the State Employees Group Insurance Act of 1971. The Department of Central Management Services shall provide administrative support and provide consultation to assist with the procurement. The initial procurement is not subject to the provisions of this Code, except for Sections 20-60, 20-65, 20-70, and 20-160, and Article 50, provided that the Chief Procurement Officer may, in writing with justification, waive any certification required under Article 50.

Section 20. The Uniform Disposition of Unclaimed Property Act is amended by changing Section 18 as follows:

(765 ILCS 1025/18) (from Ch. 141, par. 118)

Sec. 18. Deposit of funds received under the Act.

(a) The State Treasurer shall retain all funds received under this Act, including the proceeds from the sale of abandoned property under Section 17, in a trust fund. The State Treasurer may deposit any amount in the Trust Fund into the State Pensions Fund during the fiscal year at his or her discretion; however, he or she shall, on April 15 and October 15 of each year, deposit any amount in the trust fund exceeding \$2,500,000 into the State Pensions Fund. If on either April 15 or October 15, the State Treasurer determines that a balance of \$2,500,000 is insufficient for the prompt payment of unclaimed property claims authorized under this Act, the Treasurer may retain more than \$2,500,000 in the Unclaimed Property Trust Fund in order to ensure the prompt payment of claims. Beginning in State fiscal year 2014, all amounts ~~in excess of \$2,500,000~~ that are deposited into the State Pensions Fund from the unclaimed Property Trust Fund shall be apportioned to the designated retirement systems as provided in subsection (c-6) of Section 8.12 of the State Finance Act to reduce their actuarial reserve deficiencies. He or she shall make prompt payment of claims he or she duly allows as provided for in this Act for the trust fund. Before making the deposit the State Treasurer shall record the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned property. The record shall be available for public inspection during reasonable business hours.

(b) Before making any deposit to the credit of the State Pensions Fund, the State Treasurer may deduct: (1) any costs in connection with sale of abandoned property, (2) any costs of mailing and publication in connection with any abandoned property, and (3) any costs in connection with the maintenance of records or disposition of claims made pursuant to this Act. The State Treasurer shall semiannually file an itemized report of all such expenses with the Legislative Audit Commission.

(Source: P.A. 96-1000, eff. 7-2-10; 97-732, eff. 6-30-12.)

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

Under the rules, the foregoing **Senate Bill No. 1515**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 3

A bill for AN ACT concerning education.

Passed the House, April 8, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 3** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 1225

A bill for AN ACT concerning education.

Passed the House, April 8, 2013.

[April 10, 2013]

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1225** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 1233

A bill for AN ACT concerning regulation.

Passed the House, April 8, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1233** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2807

A bill for AN ACT concerning transportation.

Passed the House, April 8, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2807** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2820

A bill for AN ACT concerning local government.

Passed the House, April 8, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2820** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2822

A bill for AN ACT concerning transportation.

Passed the House, April 8, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2822** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

[April 10, 2013]

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 189

A bill for AN ACT concerning revenue.

Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 189** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 733

A bill for AN ACT concerning animals.

HOUSE BILL NO. 1138

A bill for AN ACT concerning wildlife.

HOUSE BILL NO. 1375

A bill for AN ACT concerning public employee retirement benefits.

HOUSE BILL NO. 2905

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 2918

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 3063

A bill for AN ACT concerning education.

HOUSE BILL NO. 3067

A bill for AN ACT concerning education.

HOUSE BILL NO. 3175

A bill for AN ACT concerning health.

HOUSE BILL NO. 3190

A bill for AN ACT concerning education.

Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 733, 1138, 1375, 2905, 2918, 3063, 3067, 3175 and 3190** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 772

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 830

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 1192

A bill for AN ACT concerning local government.

HOUSE BILL NO. 2454

A bill for AN ACT concerning local government.

HOUSE BILL NO. 2574

A bill for AN ACT concerning wildlife.

HOUSE BILL NO. 2753

A bill for AN ACT concerning energy.

HOUSE BILL NO. 3075

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A bill for AN ACT concerning health.

HOUSE BILL NO. 3152

A bill for AN ACT concerning education.

Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 772, 830, 1192, 2454, 2574, 2753, 3075 and 3152** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 961

A bill for AN ACT concerning revenue.

Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 961** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 962

A bill for AN ACT concerning State government.

HOUSE BILL NO. 983

A bill for AN ACT concerning local government.

HOUSE BILL NO. 1206

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 2639

A bill for AN ACT concerning State government.

HOUSE BILL NO. 2752

A bill for AN ACT concerning State government.

HOUSE BILL NO. 2761

A bill for AN ACT concerning local government.

HOUSE BILL NO. 2768

A bill for AN ACT concerning education.

HOUSE BILL NO. 3003

A bill for AN ACT concerning State government.

Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 962, 983, 1206, 2639, 2752, 2761, 2768 and 3003** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 973

A bill for AN ACT concerning liquor.

HOUSE BILL NO. 1533

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A bill for AN ACT concerning State government.
HOUSE BILL NO. 2642
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 2643
A bill for AN ACT concerning aging.
HOUSE BILL NO. 2934
A bill for AN ACT concerning business.
HOUSE BILL NO. 3122
A bill for AN ACT concerning finance.
HOUSE BILL NO. 3199
A bill for AN ACT concerning local government.
HOUSE BILL NO. 3233
A bill for AN ACT concerning local government.
Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 973, 1533, 2642, 2643, 2934, 3122, 3199 and 3233** were taken up, ordered printed and placed on first reading.

A message from the House by
Mr. Mapes, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 1516
A bill for AN ACT concerning public aid.
Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1516** was taken up, ordered printed and placed on first reading.

A message from the House by
Mr. Mapes, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 1849
A bill for AN ACT concerning regulation.
Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1849** was taken up, ordered printed and placed on first reading.

A message from the House by
Mr. Mapes, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2250
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 2317
A bill for AN ACT concerning revenue.
HOUSE BILL NO. 2754
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 3128
A bill for AN ACT concerning civil law.

[April 10, 2013]

Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 2250, 2317, 2754 and 3128** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2311

A bill for AN ACT concerning gaming.

Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2311** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2339

A bill for AN ACT concerning civil law.

Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2339** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2408

A bill for AN ACT concerning finance.

Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2408** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2482

A bill for AN ACT concerning local government.

Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2482** was taken up, ordered printed and placed on first reading.

[April 10, 2013]

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2687

A bill for AN ACT concerning State government.
Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2687** was taken up, ordered printed and placed on first reading.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2755

A bill for AN ACT concerning local government.
Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 2755** was taken up, ordered printed and placed on first reading.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 3157

A bill for AN ACT concerning revenue.
Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 3157** was taken up, ordered printed and placed on first reading.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 3370

A bill for AN ACT concerning local government.
Passed the House, April 9, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 3370** was taken up, ordered printed and placed on first reading.

ANNOUNCEMENT ON ATTENDANCE

Senator Koehler announced for the record that Senator Sandoval was absent due to personal injury.

[April 10, 2013]

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 3, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 733, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 772, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 830, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

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

House Bill No. 983, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Assignments.

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

House Bill No. 1192, sponsored by Senator Landek, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1206, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1233, sponsored by Senator Bivins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1375, sponsored by Senator Kotowski, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1455, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1545, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1745, sponsored by Senator Holmes, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2250, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2311, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2317, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2339, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2369, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

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House Bill No. 2382, sponsored by Senator Bertino-Tarrant, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2574, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2639, sponsored by Senator Kotowski, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2643, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2687, sponsored by Senator Kotowski, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2753, sponsored by Senator Biss, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2755, sponsored by Senator Rose, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2761, sponsored by Senator Noland, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2768, sponsored by Senator T. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2778, sponsored by Senator Rose, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2807, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2820, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2822, sponsored by Senator Sandoval, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2829, sponsored by Senator Holmes, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3063, sponsored by Senator Bertino-Tarrant, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3075, sponsored by Senator Silverstein, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3122, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3128, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3152, sponsored by Senator Landek, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3199, sponsored by Senator Hutchinson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3233, sponsored by Senator LaHood, was taken up, read by title a first time and referred to the Committee on Assignments.

MESSAGE FROM THE GOVERNOR

**STATE OF ILLINOIS
EXECUTIVE DEPARTMENT
SPRINGFIELD, ILLINOIS**

EXECUTIVE ORDER

13-05

EXECUTIVE ORDER ELIMINATING AND CONSOLIDATING BOARDS AND COMMISSIONS

WHEREAS, Article V, Section 11 of the Illinois Constitution authorizes the Governor, by an Executive Order, to reassign functions or reorganize executive agencies that are directly responsible to him to simplify the structure of the Executive Branch, to ensure efficiency, and to further achieve effectiveness; and

WHEREAS, under Article V, Section 11 of the Illinois Constitution, such an Executive Order may become effective immediately, either in part or in whole, to the extent it does not contravene a statute; and

WHEREAS, under Article V, Section 11 of the Illinois Constitution, the applicable portions of such an Executive Order that contravene a statute must be delivered to the General Assembly to be considered for up to 60 calendar days; and

WHEREAS, Section 3.2 of the Executive Reorganization Implementation Act, 15 ILCS 1 5/3.2, provides that “Reorganization” includes (i) “the abolition of the whole or any part of any agency which does not have, or upon the taking effect of reorganization will not have, any functions” or (ii) “the consolidation or coordination of the whole or any part of any agency, or of the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof;” and

WHEREAS, this Executive Order abolishes or consolidates those entities directly responsible to the Governor whose functions are now obsolete or duplicative, whose abolition increases agency efficiency, streamlines the executive branch and dissolves inactive entities;

THEREFORE, BE IT ORDERED, pursuant to the power vested in me by Article V, Section 11 of the Illinois Constitution, that the following agency reorganization shall be executed and this Executive Order shall supersede Executive Order 13-04:

I. ABOLITION OF BOARDS AND COMMISSIONS THAT DOES NOT CONTRAVENE STATUTE

The entities listed in this part and all accompanying administrative units, boards, councils, advisory bodies, or related entities of these agencies are abolished, effective immediately. The corresponding terms of appointed members on these entities are also terminated, and their appointed offices are subsequently abolished. Likewise, all prior Executive and Administrative Orders listed in this part are repealed, effective immediately.

- a. Abraham Lincoln Bicentennial Commission, Executive Order 06-04

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- b. Governor's Agriculture Advisory Council of Farmers and Farm Families, Governor's Press Release July 22, 2003
- c. Asian Advisory Council, Governor's Press Release May 15, 2006
- d. Economic Recovery Commission, Executive Order 09-13; Executive Order 09-18
- e. Education Accountability Task Force, Governor's Press Release February 9, 2004
- f. Governor's Audit Committee, Administrative Order 06-2
- g. HIPAA Task Force, Executive Order 03-19
- h. Illinois Reform Commission, Executive Order 09-1
- i. Illinois Parent Leadership Council, Executive Order 06-10
- j. Racial Profiling Task Force, Governor's Press Release July 1, 2005
- k. Safe Games Task Force, Executive Order 04-14
- l. State Government Accountability Council, Executive Order 99-7
- m. Visual Media Task Force, Governor's Press Release May 7, 2003

II. ABOLITION OF BOARDS AND COMMISSIONS THAT CONTRAVENES STATUTE

The entities listed in this Part II are abolished, effective 60 calendar days from delivery of this Executive Order to both houses of the General Assembly, provided neither house disapproves of this Part of the Executive Order, either in whole or in part, by the record vote of a majority of the members elected. The rights, powers, duties, and functions vested by law in these entities, or any office, division, council, committee, bureau, board, commission, officer, employee, or associated individual, person, or entity by the following statutes, or sections of the statutes, and all rights, powers, and duties incidental to these provisions including funding mechanisms, will also be abolished. The corresponding terms of appointed members on these entities will also be terminated, and their appointed offices will be abolished. The affected enabling statutes are listed next to each board or commission:

- a. Agrichemical Facility Response Action Program Board, 415 ILCS 60/19.3
- b. Air Service Commission, 20 ILCS 3958/20
- c. Capital Punishment Reform Study Committee, 20 ILCS 3929/2
- d. Children's Savings Account Task Force, 20 ILCS 4065/15
- e. Chronic Disease Nutrition and Outcomes Advisory Commission, 20 ILCS 2310/2310-77
- f. Chronic Disease Prevention and Health Promotion Task Force, 20 ILCS 2310/2310-76
- g. Condominium Advisory Council, 765 ILCS 610/10
- h. Food Animal Institute Board, 20 ILCS 3931/15
- i. Governor's Regiment of Colonels, 20 ILCS 1805/13.5
- j. Grand Avenue Railroad Relocation Authority, 70 ILCS 1915/15
- k. Health Care Workplace Violence Prevention Task Force, 405 ILCS 90/35
- l. Health Data Task Force, 20 ILCS 2310/2310-367
- m. Illinois Disabilities Services Advisory Committee, 20 ILCS 2407/20
- n. Illinois Global Partnership, Inc. Board, 20 ILCS 3948
- o. Illinois Science and Technology Commission, 20 ILCS 605/605-1000
- p. Innovation, Intervention, and Restructuring Task Force, 105 ILCS 5/2-3.64b
- q. Illinois Local and Organic Food and Farm Task Force, 505 ILCS 84/10
- r. Illinois Thoroughbred Breeder's Program Task Force, 230 ILCS 5/30(o)
- s. Physician Assistant Advisory Committee to Medical Licensing Board, 225 ILCS 95/11
- t. Risks, Assets and Needs Assessment Task Force, 730 ILCS 190/15
- u. West Cook Railroad Relocation and Development Authority, 70 ILCS 1920/10

III. CONSOLIDATION OF BOARDS AND COMMISSIONS THAT CONTRAVENES STATUTES:

The River Councils listed in subpart (a) below, are consolidated into a single "Rivers of Illinois Coordinating Council." The rights, powers, duties, and functions vested by law in these entities, or any office, division, council, committee, bureau, board, commission, officer, employee, or associated individual, person, or entity, and all rights, powers, and duties incidental to these provisions including funding mechanisms, are also consolidated. The

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consolidation detailed in this Part shall be effective 60 calendar days from delivery of this Executive Order to both houses of the General Assembly, provided neither house disapproves of this Part of the Executive Order, either in whole or in part, by the record vote of a majority of the members elected:

- a. Illinois River Coordinating Council, 20 ILCS 3967/15
Mississippi River Coordinating Council, 20 ILCS 4003/10
Wabash and Ohio River Coordinating Council, 20 ILCS 4060/10
- b. There is established the Rivers of Illinois Coordinating Council consisting of 19 voting members to be appointed by the Governor. One member shall be the Lieutenant Governor, who shall serve as a voting member and as Chairperson of the Council. The agency members of the Council shall include the Director, or his or her designee, of each of the following agencies: the Illinois Department of Agriculture, the Illinois Department of Commerce and Economic Opportunity, the Illinois Environmental Protection Agency, the Illinois Department of Natural Resources, the Illinois Department of Transportation and the Illinois Historic Preservation Agency. In addition, the Council shall include: 1) the Director, or his or her designee, of the Army Corp of Engineers, the National Great River Research and Education Center (NGRREC), and the Association of Illinois Soil and Water Conservation Districts (AISWCD), and 2) nine members representing local communities and not-for-profit organizations working to protect the rivers, business, agriculture, recreation, conservation and the environment. The Governor, may, at his or her discretion, appoint individuals to serve as ex-officio, non-voting members.
- c. Members of the Council shall serve two-year terms, except that of the initial appointments; five members shall be appointed to serve two year terms; and four members to serve one-year terms.
- d. Members of the Council shall meet at least quarterly, and meetings may be held in-person, by videoconference or telephone conference at the discretion of the Chair.
- e. The Office of the Lieutenant Governor shall be responsible for the operations of the Council, including, without limitation, funding and oversight of the Council's activities. The Office of the Lieutenant Governor may reimburse members of the Council for travel expenses.
- f. The Council shall:
 - i. Periodically review activities and programs administered by State and federal agencies that directly impact the Illinois River Watershed, Mississippi River and the Wabash and Ohio Rivers;
 - ii. Work with local communities and organizations to encourage partnerships that enhance awareness and capabilities to address watershed and water resource concerns and to encourage strategies that protect, restore, and expand critical habitats and soil conservation and water quality practices;
 - iii. Work with State and federal agencies to optimize the expenditure of funds affecting the rivers and the Illinois River Watershed;
 - iv. Advise and make recommendations to the Governor and State agencies on ways to better coordinate the expenditure of appropriated funds affecting the Illinois River Watershed and rivers;
 - v. Advise and make recommendations to the Governor on funds and the priority of projects;
 - vi. Encourage local communities to develop watershed management plans to address stormwater, erosion, flooding, sedimentation, and pollution problems and shall encourage projects for the natural conveyance and storage of floodwaters, the enhancement of wildlife habitat and outdoor recreation opportunities, the recovery, management, and conservation of the rivers, the preservation of farmland, prairies, and forests, and the use of measurable economic development efforts that are compatible with the ecological health of the State; and
 - vii. Help identify possible sources of additional funding for rivers and watershed management projects.

- g. To the extent practical, the Council shall perform its duties in accordance with the Office of the Lieutenant Governor's Integrated Management Plan for the Illinois River Watershed Technical Report (1997).
- h. State agencies represented on the Council shall provide to the Council, upon request, information concerning agency programs and activities that impact the Illinois River Watershed and the rivers.

IV. **CLARIFICATION AND CONFIRMATION OF ABOLISHED BOARDS**

As a matter of both clarification and confirmation, the following boards and commissions have been abolished, either through statutory action or through the expiration of the General Assembly that created the board or commission by resolution for the term of that particular General Assembly.

- a. Illinois and Midwest High-Speed Rail Commission, Senate Resolution 806 of the 96th General Assembly
- b. Illinois Part C Early Intervention Taskforce, House Joint Resolution 50 of the 97th General Assembly
- c. Illinois Ronald Reagan Centennial Commission, House Resolution 418 of the 96th General Assembly
- d. Interstate Gun Trafficking Task Force, House Joint Resolution 51 of the 96th General Assembly
- e. LEED Certification Task Force, House Joint Resolution 45 of the 96th General Assembly
- f. Medical Supplies Tax Relief Task Force, House Resolution 5 of the 94th General Assembly
- g. Parents and Community Accountability Study Committee, Senate Joint Resolution 5 of the 96th General Assembly
- h. Pension System Modernization Task Force, House Joint Resolution 65 of the 96th General Assembly
- i. School Transportation Task Force, House Joint Resolution 6 of the 96th General Assembly
- j. Task Force on Eliminating Racial Bias in Suspensions and Expulsions, Senate Joint Resolution 53 of the 96th General Assembly
- k. Task Force on Uniform Building Code, House Joint Resolution 26 of the 94th General Assembly
- l. Transatlantic Slave Trade, Commission to Study, Senate Joint Resolution 31 of the 94th General Assembly
- m. Unemployment Insurance for Contingent Academic Workers Task Force, Senate Joint Resolution 29 of the 96th General Assembly
- n. Wooded Land Assessment Task Force, House Joint Resolution 95 of the 94th General Assembly
- o. Alternate Fuels Commission, 415 ILCS 120/23
- p. Assisted Living and Shared Housing Advisory Board, 210 ILCS 9/110, abolished by Public Act 96-975
- q. Bank Examiners' Education Foundation Board of Trustees, 20 ILCS 3210, abolished by Public Act 96-1365
- r. Board of Currency Exchange Advisors, 205 ILCS 405/22.03, abolished by Public Act 97-315
- s. Board of Debt Management Service Advisors, 205 ILCS 665/15, abolished by Public Act 96-1420
- t. Carbon Capture and Sequestration Legislation Commission, 20 ILCS 5005, abolished by Public Act 96-754
- u. Community Senior Services and Resource Center Advisory Committee, 320 ILCS 60/35, abolished by Public Act 97-127
- v. Cross-Agency Medicaid Commission, 305 ILCS 5/12-4.7e
- w. Electronic Records Advisory Board, 20 ILCS 35/30, abolished by Public Act 97-249
- x. Health Care Justice Implementation Task Force, 20 ILCS 4045/15, abolished by Public Act 97-142
- y. Human Services 211 Advisory Panel, 20 ILCS 3956/10.5

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- z. Human Services 211 Collaboration Board, 20 ILCS 3956/10
- aa. Illinois Jobs for Veterans Task Force, 20 ILCS 2805/35
- bb. Instructional Mandates Task Force, 105 ILCS 5/27-1.5
- cc. Mental Health and Developmental Disabilities Medical Review Board, 405 ILCS 5/5-100A, abolished by Public Act 96-1235
- dd. Metropolitan Pier and Exposition Authority Interim Board, 70 ILCS 210/15, abolished by 96-898
- ee. Metropolitan Pier and Exposition Authority Interim Board, 70 ILCS 210/15
- ff. Military and Veterans Court Task Force, 330 ILCS 135/10
- gg. Persian Gulf War Diseases Commission, 20 ILCS 2805/2 (11), abolished by Public Act 97-127
- hh. School District Realignment and Consolidation Commission, 105 ILCS 5/11E-190
- ii. Streamlining Illinois' Educational Delivery Systems Task Force, 105 ILCS 5/3-13.5
- jj. Streamlining Illinois' Regional Offices of Education Commission, 105 ILCS 5/3A-18
- kk. Task Force on Higher Education Private Student Loans, 110 ILCS 982/20, abolished by Public Act 96-880
- ll. Task Force on Servicemember and Veterans Education, 20 ILCS 2805/30, abolished by Public Act 97-297

V. SAVINGS CLAUSE:

- a. The rights, powers, duties, and functions of the entities abolished by this Executive Order shall be vested in and shall continue to be exercised by the Department of Central Management Services or any other appropriate agency to the extent necessary to effectuate the termination or winding down of affected administrative affairs. Each act done in the exercise of these rights, powers and duties shall have the same legal effect as if done by the former entities, and by the officers, members and employees of those entities.
- b. Every person or corporation shall be subject to the same obligations and duties and to the associated penalties, if any, and shall have the same rights arising from the exercise of these obligations and duties as if exercised subject to the former entities or the officers, members and employees of those entities.
- c. Every person shall be subject to the same penalty for offenses as prescribed by existing law for the same offense by any person whose powers or duties were abolished or consolidated under this Executive Order.
- d. Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person or entity, then those requirements shall be waived or, if completed, then those reports and notices shall be delivered, immediately after the effective date of this Executive Order.
- e. This Executive Order shall not affect any act done, ratified, or cancelled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil, or criminal cause, before this Executive Order takes effect, but these actions or proceedings may be prosecuted and continued by the Department of Central Management Services in cooperation with any other agency, if necessary.
- f. This Executive Order shall not affect the legality of any rules in the Illinois Administrative Code that are in force on the effective date of this Executive Order, which rules have been duly adopted by the pertinent agencies. If necessary, however, the affected agencies shall propose, adopt, or repeal rules, rule amendments, and rule recodifications as appropriate to effectuate this Executive Order. These rule modifications shall coincide with, if applicable, the termination and winding down of the abolished entities' affairs.
- g. Whenever any provision of any previous Executive Order, any Act, or any Act's Section transferred by this Executive Order provides for membership of an individual from an abolished entity or their respective designee, on any board, commission, authority, or other entity, the Director of the Department of Central Management

Services or his or her designee shall serve in that place, if necessary. If more than one such individual is required by law to serve on any board, commission, authority, or other entity, then an equivalent number of representatives of the Department of Central Management Services or the Director of the Department of Central Management Services' designees shall so serve, if necessary.

- h. All employees, if any, of the abolished entities are transferred to the Department of Central Management Services. The rights of the employees, the State, and the transferring agencies under the Personnel Code or any collective bargaining agreement, or under any pension, retirement, or annuity plan, shall not be affected by this Executive Order.
- i. All personnel records, documents, books, correspondence, papers, real and personal property, and other associated items in any way pertaining to the rights, powers, duties, and functions of the abolished entities shall be delivered and transferred to the Department of Central Management Services or the State Archives, as appropriate.
- j. All pending business and affairs in any way pertaining to the rights, powers, duties, and functions of the abolished entities shall be transferred to the Department of Central Management Services for continuation, modification, winding down, or termination, as appropriate.
- k. The unexpended balances of any appropriations or funds, grants, donations, or other moneys available for use by the abolished entities shall be transferred to the Department of Central Management Services and shall be expended for similar purposes for which the appropriations, funds, grants, or other moneys were originally made or given to those entities. If those purposes are no longer feasible, then the remaining balances shall be deposited into the General Revenue Fund.

VI. SEVERABILITY:

If any provision of this Executive Order or its application to any person or circumstance is held invalid or disapproved by either house of the General Assembly by the record vote of a majority vote of the members elected, then the invalidity or disapproval of that provision or application does not affect other provisions or applications of this Executive Order that can be given effect without the invalid or disapproved provision or application.

VII. FILING:

This Executive Order shall be filed with Clerk of the House of Representatives and the Secretary of the Senate. In addition, this Executive Order shall be filed with (i) the Secretary of State for publishing in the Illinois Register and (ii) the Legislative Reference Bureau for preparation of a revisory bill effectuating these provisions.

VIII. EFFECTIVE DATE:

This Executive Order shall become effective immediately for those boards and commissions listed in Parts I and IV, above. For those boards and commissions listed in Parts II and III, above, this Executive Order shall become effective 60 calendar days from delivery of this Executive Order to both houses of the General Assembly, provided neither house disapproves of these Parts of the Executive Order, either in whole or in part, by the record vote of a majority of the members elected.

s/Pat Quinn
Pat Quinn,

[April 10, 2013]

Governor

Issued by Governor: March 29, 2013

Filed with Secretary of State: March 29, 2013

The Chair stated that because E.O. 13-05 expressly supersedes E.O. 13-04, E.O. 13-04 is void and cannot have the force and effect of law. Accordingly, the Senate need not take further action on E.O. 13-04.

Under the rules, the foregoing Executive Order was referred to the Committee on Assignments.

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

At the hour of 12:21 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 1:02 o'clock p.m., the Senate resumed consideration of business.
Senator Sullivan, presiding.

MESSAGE FROM THE GOVERNOR

OFFICE OF THE GOVERNOR
CAPITOL BUILDING, 207 STATE HOUSE
SPRINGFIELD, ILLINOIS 62706

PAT QUINN
GOVERNOR

April 8, 2013

To the Honorable
Members of the Senate
Ninety-Eighth General Assembly

Mr. President,

On March 22, 2013, appointment message 127 nominating Roxanne Nava to be Director of the Division of Financial Institutions was delivered to you Honorable Body. Ms. Nava resigned on March 29, 2013. As of the date of this letter, it is my understanding that the Senate has not taken action on this nomination.

Please be advised that, the Appointment Message, for which concurrence in and confirmation of your Honorable Body was sought, is hereby withdrawn, effective immediately.

Sincerely,
s/Pat Quinn
Pat Quinn
GOVERNOR

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Link, **Senate Bill No. 1474** having been printed, was taken up, read by title a second time.

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

[April 10, 2013]

AMENDMENT NO. 1 TO SENATE BILL 1474

AMENDMENT NO. 1. Amend Senate Bill 1474 on page 2, line 3, by inserting "or to facilities owned or operated by a public utility, as that term is defined under Section 3-105 of the Public Utilities Act" immediately after "structures".

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

On motion of Senator Link, **Senate Bill No. 1493** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Connelly, **Senate Bill No. 1519** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 3 TO SENATE BILL 1519

AMENDMENT NO. 3. Amend Senate Bill 1519 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by adding Section 18-184.15 as follows:

(35 ILCS 200/18-184.15 new)

Sec. 18-184.15. Tool and manufacturing abatement. Beginning in taxable year 2014, any county, municipality, village, or township, upon approval of an ordinance or resolution, may abate all or a portion of the taxes levied by that county, municipality, village, or township on the property of a qualified tool and manufacturing business located within that county, municipality, village, or township. Following the approval of such an ordinance or resolution by a county, municipality, village, or township, any taxing district located in whole or in part within that county, municipality, village or township may also abate all or a portion of its taxes levied by the taxing district on the property of the qualified tool and manufacturing business. Such taxing district, upon approval of an ordinance or resolution, abating all or a portion of the taxes levied by the taxing district on the property of the qualified tool and manufacturing business located within the taxing district, shall order the county clerk to abate all or a portion of the taxes levied by the taxing district on the property of the qualified tool and manufacturing business located within the taxing district.

"Qualified tool and manufacturing business" means a business with (i) fewer than 75 full-time employees and (ii) a North American Industrial Classification System (NAICS) subsector classification of:

Plastics and Rubber Products Manufacturing (326);

Primary Metal Manufacturing (331);

Fabricated Metal Product Manufacturing (332);

Machinery Manufacturing (333);

Computer and Electronic Product Manufacturing (334);

Electrical Equipment, Appliance, and Component Manufacturing (335);

Transportation Equipment Manufacturing (336);

Furniture and Related Product Manufacturing (337); or

Miscellaneous Manufacturing (339).

"Qualified tool and manufacturing business property" means property owned by a qualified tool and manufacturing business and used by that business primarily for tool and manufacturing business operations. "Qualified tool and manufacturing business property" also includes property leased by a qualified tool and manufacturing business and used primarily for tool and manufacturing business operations if the qualified tool and manufacturing business is liable for paying real property taxes on the property. Qualified tool and manufacturing business property is considered to be used primarily for tool and manufacturing business operations if 75% or more of the gross revenue of the tool and manufacturing business is generated from tool and manufacturing operations that take place on that property during the taxable year.

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

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Rose, **Senate Bill No. 1532** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1532

AMENDMENT NO. 1. Amend Senate Bill 1532 by replacing everything after the enacting clause with the following:

"Section 5. The Humane Care for Animals Act is amended by adding Section 19 as follows:
(510 ILCS 70/19 new)

Sec. 19. False complaints. If any law enforcement officer, animal control officer, the Department, or an approved humane investigator determines that a complaint made under this Act against a person or entity is knowingly false and not made in good faith and is made with the intent to harass the person or entity, the Department may waive any confidentiality of the complainant and may refer the matter to the State's Attorney for consideration of criminal charges against the complainant.

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

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

On motion of Senator Delgado, **Senate Bill No. 1565** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1565

AMENDMENT NO. 1. Amend Senate Bill 1565 by replacing everything after the enacting clause with the following:

"Section 5. The Probate Act of 1975 is amended by changing Section 11-5.4 as follows:
(755 ILCS 5/11-5.4)

Sec. 11-5.4. Short-term guardian.

(a) A parent, adoptive parent, or adjudicated parent whose parental rights have not been terminated, or the guardian of the person of a minor may appoint in writing, without court approval, a short-term guardian of an unmarried minor or a child likely to be born. The written instrument appointing a short-term guardian shall be dated and shall identify the appointing parent or guardian, the minor, and the person appointed to be the short-term guardian. The written instrument shall be signed by, or at the direction of, the appointing parent in the presence of at least 2 credible witnesses at least 18 years of age, neither of whom is the person appointed as the short-term guardian. The person appointed as the short-term guardian shall also sign the written instrument, but need not sign at the same time as the appointing parent.

(b) A parent or guardian shall not appoint a short-term guardian of a minor if the minor has another living parent, adoptive parent or adjudicated parent, whose parental rights have not been terminated, whose whereabouts are known, and who is willing and able to make and carry out day-to-day child care decisions concerning the minor, unless the nonappointing parent consents to the appointment by signing the written instrument of appointment.

(c) The appointment of the short-term guardian is effective immediately upon the date the written instrument is executed, unless the written instrument provides for the appointment to become effective upon a later specified date or event. Except as provided in subsection (e-5) of this Section, the ~~The~~ short-term guardian shall have authority to act as guardian of the minor as provided in Section 11-13.2 for a period of 365 days from the date the appointment is effective, unless the written instrument provides for the appointment to terminate upon an earlier specified date or event. Only one written instrument appointing a short-term guardian may be in force at any given time.

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(d) Every appointment of a short-term guardian may be amended or revoked by the appointing parent or by the appointing guardian of the person of the minor at any time and in any manner communicated to the short-term guardian or to any other person. Any person other than the short-term guardian to whom a revocation or amendment is communicated or delivered shall make all reasonable efforts to inform the short-term guardian of that fact as promptly as possible.

(e) The appointment of a short-term guardian or successor short-term guardian does not affect the rights of the other parent in the minor.

(e-5) Any time after the appointment of a temporary custodian under Section 2-10, 3-12, 4-9, 5-410, or 5-501 of the Juvenile Court Act of 1987, a court may vacate any short-term guardianship for the minor appointed under this Section, provided the vacation is consistent with the minor's best interests as determined using the factors listed in paragraph (4.05) of Section 1-3 of the Juvenile Court Act of 1987.

(f) The written instrument appointing a short-term guardian may, but need not, be in the following form:

APPOINTMENT OF SHORT-TERM GUARDIAN

[IT IS IMPORTANT TO READ THE FOLLOWING INSTRUCTIONS:

By properly completing this form, a parent or the guardian of the person of the child is appointing a guardian of a child of the parent (or a minor ward of the guardian, as the case may be) for a period of up to 365 days. A separate form should be completed for each child. The person appointed as the guardian must sign the form, but need not do so at the same time as the parent or parents or guardian.

This form may not be used to appoint a guardian if there is a guardian already appointed for the child, except that if a guardian of the person of the child has been appointed, that guardian may use this form to appoint a short-term guardian. Both living parents of a child may together appoint a guardian of the child, or the guardian of the person of the child may appoint a guardian of the child, for a period of up to 365 days through the use of this form. If the short-term guardian is appointed by both living parents of the child, the parents need not sign the form at the same time.]

1. Parent (or guardian) and Child. I, (insert name of appointing parent or guardian), currently residing at (insert address of appointing parent or guardian), am a parent (or the guardian of the person) of the following child (or of a child likely to be born): (insert name and date of birth of child, or insert the words "not yet born" to appoint a short-term guardian for a child likely to be born and the child's expected date of birth).

2. Guardian. I hereby appoint the following person as the short-term guardian for the child: (insert name and address of appointed person).

3. Effective date. This appointment becomes effective: (check one if you wish it to be applicable)

On the date that I state in writing that I am no longer either willing or able to make and carry out day-to-day child care decisions concerning the child.

On the date that a physician familiar with my condition certifies in writing that I am no longer willing or able to make and carry out day-to-day child care decisions concerning the child.

On the date that I am admitted as an in-patient to a hospital or other health care institution.

On the following date: (insert date).

Other: (insert other).

[NOTE: If this item is not completed, the appointment is effective immediately upon the date the form is signed and dated below.]

4. Termination. This appointment shall terminate 365 days after the effective date, unless it terminates sooner as determined by the event or date I have indicated below: (check one if you wish it to be applicable)

On the date that I state in writing that I am willing and able to make and carry out day-to-day child care decisions concerning the child.

On the date that a physician familiar with my condition certifies in writing that I am willing and able to make and carry out day-to-day child care decisions concerning the child.

On the date that I am discharged from the hospital or other health care institution where I was admitted as an in-patient, which established the effective date.

On the date which is (state a number of days, but no more than 365 days) days after the effective date.

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() Other: (insert other).

[NOTE: If this item is not completed, the appointment will be effective for a period of 365 days, beginning on the effective date.]

5. Date and signature of appointing parent or guardian. This appointment is made this (insert day) day of (insert month and year).

Signed: (appointing parent)

6. Witnesses. I saw the parent (or the guardian of the person of the child) sign this instrument or I saw the parent (or the guardian of the person of the child) direct someone to sign this instrument for the parent (or the guardian). Then I signed this instrument as a witness in the presence of the parent (or the guardian). I am not appointed in this instrument to act as the short-term guardian for the child. (Insert space for names, addresses, and signatures of 2 witnesses)

7. Acceptance of short-term guardian. I accept this appointment as short-term guardian on this (insert day) day of (insert month and year).

Signed: (short-term guardian)

8. Consent of child's other parent. I, (insert name of the child's other living parent), currently residing at (insert address of child's other living parent), hereby consent to this appointment on this (insert day) day of (insert month and year).

Signed: (consenting parent)

[NOTE: The signature of a consenting parent is not necessary if one of the following applies: (i) the child's other parent has died; or (ii) the whereabouts of the child's other parent are not known; or (iii) the child's other parent is not willing or able to make and carry out day-to-day child care decisions concerning the child; or (iv) the child's parents were never married and no court has issued an order establishing parentage.]

(Source: P.A. 95-568, eff. 6-1-08.)"

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

On motion of Senator Link, **Senate Bill No. 1594** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1594

AMENDMENT NO. 1. Amend Senate Bill 1594 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Transportation Modernization Act.

Section 5. Purpose. The General Assembly declares and determines that a streamlined governance structure that integrates regional comprehensive planning and transit system oversight is necessary to conserve public resources and achieve the most effective public and private transportation investments that are vital to making the northeastern Illinois region competitive in the global economy. It is the intent of the General Assembly to merge, through an orderly transition, the operations and governance of the Regional Transportation Authority (RTA) and the Chicago Metropolitan Agency for Planning (CMAP) in order to most efficiently and effectively address the region's development and transportation challenges. It is intended that the new board and agency resulting from this merger eliminate unnecessary and duplicative functions and provide the most cost-effective means to ensure that transit services are fast, well-planned, coordinated, well-maintained, efficient, convenient, safe, and attractive and achieve a doubling of transit use in 25 years.

Section 10. Transition Committee.

(a) Promptly after the effective date of this Act, the RTA and CMAP shall establish a Transition Committee that includes eight members, as follows:

- (1) The Executive Directors of both RTA and CMAP;
- (2) The board chairpersons of both RTA and CMAP; and
- (3) Two other board members selected by the RTA's and CMAP's respective board chairpersons.

CMAP shall provide staffing support for the Transition Committee.

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(b) Within 6 months of the effective date of this Act, the Executive Director of CMAP, in consultation with the other members of the Transition Committee, shall develop a detailed staff and operations integration plan to merge the staffs and operations of the RTA and CMAP to the fullest extent permissible by law. The members of the Transition Committee shall consult with the appointing authorities of the RTA and CMAP governing boards during the development of the staff and operations integration plan. The staff and operations integration plan must address, without limitation:

- (1) Labor and employment matters, including employee pensions and benefits;
- (2) Operational and administrative matters relating to the merging of staff and operations, including equipment and technology, leases and contracts, and office space;
- (3) The alignment of functions and responsibilities of the RTA and CMAP; and
- (4) The alignment of fiscal, budgeting, and planning processes of the RTA and CMAP.

(c) Within 8 months of the effective date of this Act, the Executive Director of CMAP, in consultation with the other members of Transition Committee and subject to applicable governing board authority, shall oversee the merger of the staff and operations of RTA into CMAP and implement those portions of the staff and operations integration plan that do not require further legislative action to effectuate.

Section 15. The Regional Planning Act is amended by changing Sections 10, 15, 25, 30, and 35 and by adding Sections 25a and 25b as follows:

(70 ILCS 1707/10)

Sec. 10. Definitions.

"Board" means the Board of the Chicago Metropolitan Agency for Planning.

"Board Transition Date" means January 1, 2014 or the first day of the sixth full calendar month following the effective date of this amendatory Act of the 98th General Assembly, whichever is later.

"CMAP" means the Chicago Metropolitan Agency for Planning.

"Chief elected county official" means the Board Chairman in DuPage, Kane, Kendall, Lake, and McHenry Counties and the County Executive in Will County.

"Fiscal year" means the fiscal year of the State.

"IDOT" means the Illinois Department of Transportation.

"MPO" means the metropolitan planning organization designated under 23 U.S.C. 134.

"Members" means the members of the Board.

"Person" means an individual, partnership, firm, public or private corporation, State agency, transportation agency, or unit of local government.

"Policy Committee" means the decision-making body of the MPO.

"Region" or "northeastern Illinois region" means Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will Counties.

"Service Boards" means the Board of the Commuter Rail Division of the Regional Transportation Authority, the Board of the Suburban Bus Division of the Regional Transportation Authority, and the Board of the Chicago Transit Authority established under the "Metropolitan Transit Authority Act", approved April 12, 1945, as now or hereafter amended.

"State agency" means "agency" as defined in Section 1-20 of the Illinois Administrative Procedure Act.

"Transportation agency" means the Regional Transportation Authority and its Service Boards; the Illinois Toll Highway Authority; the Illinois Department of Transportation; and the transportation functions of units of local government.

"Unit of local government" means a unit of local government, as defined in Section 1 of Article VII of the Illinois Constitution, that is located within the jurisdiction and area of operation of the Board.

"USDOT" means the United States Department of Transportation.

(Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

(70 ILCS 1707/15)

Sec. 15. Chicago Metropolitan Agency for Planning; structure.

(a) The Chicago Metropolitan Agency for Planning is established as a political subdivision, body politic, and municipal corporation. The Board shall be responsible for developing and adopting a funding and implementation strategy for an integrated land use and transportation planning process for the northeastern Illinois region.

(b) (Blank.)

(c) Prior to the Board Transition Date, the Board shall consist of 15 voting members as follows:

- (1) One member from DuPage County appointed cooperatively by the mayors of DuPage County and the chief elected county official of DuPage County.
- (2) One member representing both Kane and Kendall Counties appointed cooperatively by

the mayors of Kane County and Kendall County and the chief elected county officials of Kane County and Kendall County.

(3) One member from Lake County appointed cooperatively by the mayors of Lake County and the chief elected county official of Lake County.

(4) One member from McHenry County appointed cooperatively by the mayors of McHenry County and the chief elected county official of McHenry County.

(5) One member from Will County appointed cooperatively by the mayors of Will County and the chief elected county official of Will County.

(6) Five members from the City of Chicago appointed by the Mayor of the City of Chicago.

(7) One member from that portion of Cook County outside of the City of Chicago appointed by the President of the Cook County Board of Commissioners.

(8) Four members from that portion of Cook County outside of the City of Chicago appointed, with the consent of the President of the Cook County Board of Commissioners, as follows:

(i) One by the mayors representing those communities in Cook County that are outside of the City of Chicago and north of Devon Avenue.

(ii) One by the mayors representing those communities in Cook County that are outside of the City of Chicago, south of Devon Avenue, and north of Interstate 55, and in addition the Village of Summit.

(iii) One by the mayors representing those communities in Cook County that are outside of the City of Chicago, south of Interstate 55, and west of Interstate 57, excluding the communities of Summit, Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and Tinley Park.

(iv) One by the mayors representing those communities in Cook County that are outside of the City of Chicago and east of Interstate 57, and, in addition, the communities of Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and Tinley Park.

The terms of the members initially appointed to the Board shall begin within 60 days after this Act takes effect.

(c-5) On and after the Board Transition Date, the Board shall consist of 18 voting members as follows:

(1) Five members appointed by the Mayor of the City of Chicago. Each of these members shall reside in the City of Chicago.

(2) Five members appointed by the President of the Cook County Board, with the advice and consent of the members of the Cook County Board elected from districts where a majority of the electors reside outside of Chicago. Each member appointed under this paragraph shall reside in that part of Cook County outside the City of Chicago.

(3) Five members appointed as follows:

(i) One member appointed by the Chairman of the Kane County Board with the advice and consent of the Kane County Board, and in consultation with the Chairman of the Kendall County Board. That member shall reside in Kane County.

(ii) One member appointed by the County Executive of Will County with the advice and consent of the Will County Board. That member shall reside in Will County.

(iii) One member appointed by the Chairman of the DuPage County Board with the advice and consent of the DuPage County Board. That member shall reside in DuPage County.

(iv) One member appointed by the Chairman of the Lake County Board with the advice and consent of the Lake County Board. That member shall reside in Lake County.

(v) One member appointed by the Chairman of the McHenry County Board with the advice and consent of the McHenry County Board. That member shall reside in McHenry County.

(4) Three members appointed by the Governor, selected after consultation with the Senate President, the Speaker of the House of Representatives, the Senate Minority Leader, and the House of Representatives Minority Leader. No more than two members may be from the same political party as the Governor holding office at the time the appointments are made. Party membership is defined as having voted in the primary of the party in the last primary before appointment. The residency of those members shall be as follows:

(i) one member who resides in the City of Chicago;

(ii) one member who resides in Cook County outside the City of Chicago; and

(iii) one member who resides in DuPage, Kane, Lake, McHenry, or Will County.

The members appointed under this subsection may be appointed from among the members of the governing bodies of the Chicago Metropolitan Agency for Planning and the Regional Transportation Authority serving prior to the Board Transition Date. A member of the Board appointed under this subsection shall not also serve on a Service Board, as defined in Section 1.03 of the Regional

Transportation Authority Act. The terms of the members appointed to the Board under this subsection shall begin upon their appointment.

(d) The CMAP Board may appoint non-voting members of the Board. On and after the Board Transition Date, the Board shall include a non-voting member appointed by the Chairman of the Kendall County Board. A non-voting member shall reside in Kendall County.

(e) (1) The CMAP Board shall create a Wastewater Committee with the responsibility of recommending directly to the Illinois Environmental Protection Agency (IEPA) the appropriateness of proposed requests for modifications and amendments to the established boundaries of wastewater facility planning areas, requests for the creation of new wastewater facility planning areas, requests for the elimination of existing wastewater facility planning areas, requests for new or expanded sewage treatment facilities, or any other amendments to the State of Illinois Water Quality Management Plan required under the federal Clean Water Act. The Chairmanship of the Wastewater Committee shall rotate every 24 months between the individuals described in subsections (e)(2)(iv) and (e)(2)(v) with the individual identified in subsection (e)(2)(v) serving as chairman for the initial 24-month period commencing on the effective date of this amendatory Act of the 95th General Assembly.

(2) The Wastewater Committee shall consist of 5 members of the CMAP Board designated as follows:

(i) One member of the Wastewater Committee shall, prior to the Board Transition Date, be one of the CMAP Board members

designated in subsection (c)(1) through (c)(5) and, on and after the Board Transition Date, one of the Board members designated in subsection (c-5)(3).

(ii) One member of the Wastewater Committee shall, prior to the Board Transition Date, be one of the CMAP Board members

designated in subsection (c)(6) and, on and after the Board Transition Date, one of the Board members designated in subsection (c-5)(1).

(iii) One member of the Wastewater Committee shall, prior to the Board Transition Date, be one of the CMAP Board members

designated in subsection (c)(7) or (c)(8) and, on and after the Board Transition Date, one of the Board members designated in subsection (c-5)(2).

(iv) One member of the Wastewater Committee shall be a person appointed by the President of the Metropolitan Water Reclamation District of Greater Chicago (and who does not need to serve on the CMAP Board).

(v) One member of the Wastewater Committee shall be a person appointed by the President of the largest statewide association of wastewater agencies (and who does not need to serve on the CMAP Board).

(3) Terms of the members of the Wastewater Committee shall be consistent with those identified in Section 25, except that the term of the member of the Wastewater Committee appointed by the President of the Metropolitan Water Reclamation District of Greater Chicago shall expire on July 1, 2009, and the term of the member of the Wastewater Committee appointed by the President of the largest statewide association of wastewater agencies shall expire on July 1, 2009.

(f) With the exception of matters considered and recommended by the Wastewater Committee directly to the IEPA, which shall require only a concurrence of a simple majority of the Wastewater Committee members in office, the following affirmative vote requirements shall apply to actions of the Board:

(1) Prior to the Board Transition Date, concurrence of four-fifths of the Board members in office is necessary for the Board to

take any action; and

(2) On and after the Board Transition Date, the affirmative vote of three-fifths of the Board members in office is necessary for the Board to take any action.

(Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

(70 ILCS 1707/25)

Sec. 25. Operations.

(a) Each appointing authority shall give notice of its Board appointments to each other appointing authority, to the Board, and to the Secretary of State. Within 30 days after his or her appointment and before entering upon the duties of the office, each Board member shall take and subscribe to the constitutional oath of office and file it with the Secretary of State. Board members shall hold office for a term of 4 years or until successors are appointed and qualified; provided, however, that the terms of all members of the Board then in office shall expire one day before the Board Transition Date, and the terms of Board members appointed under subsection (c-5) of Section 15 of this Act shall expire as set

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forth in subsection (a-5) of this Section. On and after the Board Transition Date, the Board may meet and take action when 12 members have been appointed and are qualified to enter upon the duties of the office under this subsection.

The terms of the initial Board members shall expire as follows:

(1) The terms of the member from DuPage County and the member representing both Kane and Kendall Counties shall expire on July 1, 2007.

(2) The terms of those members from Lake, McHenry, and Will Counties shall expire on July 1, 2009.

(3) As designated at the time of appointment, the terms of 2 members from the City of Chicago shall expire on July 1, 2007 and the terms of 3 members from the City of Chicago shall expire on July 1, 2009.

(4) The term of the member appointed by the President of the Cook County Board of Commissioners shall expire on July 1, 2007.

(5) The terms of those members appointed, with the consent of the President of the Cook County Board of Commissioners, by the mayors representing those communities in Cook County that are outside of the City of Chicago and north of Devon Avenue shall expire on July 1, 2007.

(6) The terms of those members appointed, with the consent of the President of the Cook County Board of Commissioners, by the mayors representing those communities in Cook County that are outside of the City of Chicago, south of Interstate 55, and west of Interstate 57, excluding the communities of Summit, Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and Tinley Park, shall expire on July 1, 2007.

(7) The terms of those members appointed, with the consent of the President of the Cook County Board of Commissioners, by the mayor representing those communities in Cook County that are outside of the City of Chicago, south of Devon Avenue, and north of Interstate 55, and, in addition, the Village of Summit, shall expire on July 1, 2009.

(8) The terms of those members appointed, with the consent of the President of the Cook County Board of Commissioners, by the mayors representing those communities in Cook County that are outside of the City of Chicago and east of Interstate 57, and, in addition, the communities of Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and Tinley Park, shall expire on July 1, 2009.

(a-5) The terms of the Board members appointed under subsection (c-5) of Section 15 of this Act shall expire as follows:

(1) the terms of the members appointed by the Chairmen of the County Boards of DuPage and Kane Counties shall expire on July 1, 2016;

(2) the terms of the members appointed by the Chairmen of the County Boards of Lake and McHenry Counties and the member appointed by the County Executive of Will County shall expire on July 1, 2018;

(3) as designated at the time of appointment, the terms of 2 members appointed by the Mayor of the City of Chicago shall expire on July 1, 2016 and the terms of 3 members appointed by the Mayor of the City of Chicago shall expire on July 1, 2018;

(4) as designated at the time of appointment, the terms of 3 of the members appointed by the President of the Cook County Board shall expire on July 1, 2016 and the terms of 2 of the members appointed by the President of the Cook County Board shall expire on July 1, 2018; and

(5) as designated at the time of appointment, the terms of 2 of the members appointed by the Governor shall expire on July 1, 2016 and the terms of 1 member appointed by the Governor shall expire on July 1, 2018.

(b) If a vacancy occurs, the appropriate appointing authority shall fill the vacancy by an appointment for the unexpired term. Board members shall receive no compensation, but shall be reimbursed for expenses incurred in the performance of their duties.

(c) The Board shall be so appointed as to represent the City of Chicago, that part of Cook County outside the City of Chicago, and that part of the metropolitan region outside of Cook County on a one man one vote basis. Within 6 months after the release of each certified federal decennial census, the Board shall review its composition and, if a change is necessary in order to comply with the representation requirements of this subsection (c), shall recommend the necessary revision for approval by the General Assembly. Notwithstanding the foregoing, Board composition shall not be revised to establish a voting member from any county that is not within the metropolitan region as defined in Section 1.03 of the Regional Transportation Authority Act.

(d) Regular meetings of the Board shall be held at least once in each calendar quarter. The time and place of Board meetings shall be fixed by resolution of the Board. Special meetings of the Board may be called by the chairman or a majority of the Board members. A written notice of the time and place of any

special meeting shall be provided to all Board members at least 3 days prior to the date fixed for the meeting, except that if the time and place of a special meeting is fixed at a regular meeting at which all Board members are present, no such written notice is required. A majority of the Board members in office constitutes a quorum for the purpose of convening a meeting of the Board.

(e) The meetings of the Board shall be held in compliance with the Open Meetings Act. The Board shall maintain records in accordance with the provisions of the State Records Act.

(f) At its initial meeting and its first regular meeting after July 1 of each year thereafter, the Board from its membership shall appoint a chairman and may appoint vice chairmen and shall provide the term and duties of those officers pursuant to its bylaws. On and after the Board Transition Date, the appointment of the chairman shall require the affirmative vote of at least 13 of the then members. Before entering upon duties of office, the chairman shall execute a bond with corporate sureties to be approved by the Board and shall file it with the principal office of the Board. The bond shall be payable to the Board in whatever penal sum may be directed and shall be conditioned upon the faithful performance of the duties of office and the payment of all money received by the chairman according to law and the orders of the Board. The Board may appoint, from time to time, an executive committee and standing and ad hoc committees to assist in carrying out its responsibilities.

(Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

(70 ILCS 1707/25a new)

Sec. 25a. Recommended legislation to complete the merger of the Regional Transportation Authority and Chicago Metropolitan Agency for Planning.

(a) Within 9 months of the Board Transition Date, the Board shall prepare and recommend for enactment by the General Assembly legislation that meets the requirements of subsection (b) of this Section. Prior to submitting its recommended legislation to the General Assembly, the Board shall consult with the appointing authorities of the Board and conduct at least 3 public hearings in Cook County and at least one public hearing in each of the following counties: DuPage County, Kane County, Kendall County, Lake County, McHenry County, and Will County. Through the consultation and public hearing process, the Board shall develop goals, objectives, and principles to charge and guide the governance structure for regional comprehensive planning and transit oversight. These goals, objectives, and principles shall be in addition to the responsibilities of the Board and agency set forth in this Act and shall address and be generally consistent with the following:

- (i) double the use of public transit in the northeastern Illinois region by 2040;
- (ii) ensure that transit services are well coordinated, easy to use, safe, reliable, attractive, well maintained, and efficient;
- (iii) identify and eliminate unnecessary functions of RTA, CMAP, and the Service Boards;
- (iv) eliminate duplication of functions among RTA, CMAP, and the Service Boards;
- (v) ensure that methods of raising revenue and allocating funds are based on sound criteria, will reward efficiency and coordinated performance, are fair, and are adequate to meet the northeastern Illinois region's changing needs; and
- (vi) ensure that transit investments are consistent with the regional comprehensive plan developed under Section 45 of this Act.

(b) The legislation prepared by the Board under subsection (a) of this Section shall, without limitation:

- (i) designate the name of the new agency resulting from the merger of the Regional Transportation Authority and CMAP;
- (ii) merge the powers and authorities contained within this Act and the Regional Transportation Authority Act;
- (iii) address the assumption of bonds and other indebtedness of the Regional Transportation Authority and CMAP by the new agency resulting from their merger;
- (iv) address the transfer of assets, liabilities, and obligations to the new agency;
- (v) address the ability of employees to transfer creditable service to the pension system utilized by the new agency;
- (vi) establish methods for allocating operating subsidies to the Service Boards that will replace those methods in effect as of the effective date of this amendatory Act, further the goals identified in subsection (a) of this Section, and be consistent with the strategic planning requirements contained in Sections 2.01 and 2.01a of the Regional Transportation Authority Act;
- (vii) establish methods for allocating capital funding to the Service Boards that will replace those methods in effect as of the effective date of this amendatory Act of the 98th General Assembly, further the goals identified in subsection (a) of this Section, and be consistent with the strategic planning processes and Five Year Capital Program requirements contained in Sections 2.01, 2.01a, and 2.01b of the Regional Transportation Authority Act; and

(viii) include all other provisions needed to effectuate the merger of the staff, operations, and functions of the RTA and CMAP into the new agency.

(c) Within 12 months of the Board Transition Date, the Board shall, in cooperation with Illinois Department of Transportation, the Illinois Toll Highway Authority, and the Service Boards, develop, adopt, and commence implementation of a plan to double the use of public transit in the northeastern Illinois region by 2040. The Board shall ensure that the plan is cost-effective and financially sound. Upon adoption, the plan must be submitted to the Governor, the Illinois Senate President, the Speaker of the Illinois House of Representatives, the Illinois Senate Minority Leader, and the Illinois House of Representatives Minority Leader.

(70 ILCS 1707/25b new)

Sec. 25b. Coordination of Service Boards.

(a) By no later than July 1, 2015, the Board shall:

(i) develop and commence implementation of a process through which the Service Boards shall engage in joint procurement and purchasing of insurance, risk management services, energy, fuel, and other services or commodities as the Board may determine are appropriate for joint purchasing for the purpose of obtaining best pricing and overall value; and

(ii) develop and commence implementation of a system under which each Service Board shall sell tickets or fare cards for the fixed-route transportation services operated by each of the other Service Boards, unless the Service Boards operate under a unified fare payment system. The ticket agents employed by each Service Board shall make tickets and fare cards available to consumers for purchase and shall be trained to assist consumers in accessing the transportation services operated by each of the other Service Boards.

(70 ILCS 1707/30)

Sec. 30. Jurisdiction and area of operation. The jurisdiction and area of operation of the Board includes Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will Counties. The Board may enter into agreements with units of local government located outside of, but contiguous to, its jurisdiction and area of operation in order to include those areas in plans for the region. For activities related to the MPO, the jurisdiction of the MPO shall be that area defined by federal requirements.

On and after the Board Transition Date, for the exercise of authority under the Regional Transportation Authority Act, the jurisdiction and area of operation of the Board includes only the metropolitan region as defined in Section 1.03 of the Regional Transportation Authority Act.

(Source: P.A. 94-510, eff. 8-9-05.)

(70 ILCS 1707/35)

Sec. 35. General powers and authority. In addition to any other rights, powers, duties, or obligations granted to the Board under this Act or specifically granted to the Board under any other law, the Board has all of the following general powers and authority:

(1) To sue and be sued in its official name.

(2) To enter into agreements with units of local government, transportation agencies, State agencies, federal agencies, and persons in order to implement any of the provisions of this Act, including agreements for specialized planning services.

(3) To accept and expend, for purposes consistent with the purposes of this Act, funds and moneys from any source, including gifts, bequests, grants, appropriations, loans, or contributions made by any person, unit of local government, the State, or the federal government.

(4) To enter into contracts or other transactions with any unit of local government, transportation agency, State agency, public or private organization, or any other source in furtherance of the purpose of this Act, and to take any necessary action in order to avail itself of such aid and cooperation.

(5) To purchase, receive, take by grant, gift, devise, or bequest, lease, or otherwise acquire, own, hold, improve, employ, use, and otherwise deal in and with real or personal property, or any interest therein, wherever situated.

(6) To adopt, alter, or repeal its own bylaws and any rules that the Board deems necessary in governing the exercise of its authority and the performance of its duties under this Act.

(7) To make purchases under this Act in compliance with the Local Government Prompt Payment Act.

(8) To adopt an annual operating budget and work program for each fiscal year and make appropriations in accordance with the Illinois Municipal Budget Law and to have the power to expend such budgeted moneys.

(9) To exercise any other implied powers that are necessary or convenient for the Board to accomplish its purposes and that are not inconsistent with its expressed powers.

(10) To cooperate with any planning agency of a state contiguous to the region in order to integrate and coordinate plans for development of urban areas in that state with the regional comprehensive plan developed under this Act.

(11) On and after the Board Transition Date, to serve as the corporate authorities and governing body of the Regional Transportation Authority under the Regional Transportation Authority Act and to assume all powers and duties of the Board of the Regional Transportation Authority, as provided in the Regional Transportation Authority Act.

(12) On and after the Board Transition Date, to manage the operations of CMAP and the Regional Transportation Authority until the time when the powers and authorities of those agencies are merged, including without limitation, determining the appropriate designation of all programs and functions under the authority of the Board.

(13) On and after the Board Transition Date, to manage the operating and capital plans and expenditures of CMAP and the Regional Transportation Authority in accordance with the continuing evaluation, review, and audit processes provided in Section 2.01(b) of the Regional Transportation Authority Act.

(Source: P.A. 94-510, eff. 8-9-05.)

Section 35. The Regional Transportation Authority Act is amended by changing Sections 1.03, 2.14, 3.01, 3.02, 3.03, and 3.04 as follows:

(70 ILCS 3615/1.03) (from Ch. 111 2/3, par. 701.03)

Sec. 1.03. Definitions. As used in this Act:

"Authority" means the Regional Transportation Authority;

"Board" means the Board of Directors of the Regional Transportation Authority;

"Board Transition Date" means January 1, 2014 or the first day of the sixth full calendar month following the effective date of this amendatory Act of the 98th General Assembly, whichever is later.

"Construct or acquire" means plan, design, construct, reconstruct, improve, modify, extend, landscape, expand or acquire;

"Metropolitan Region" means all territory included within the territory of the Authority as provided in this Act, and such territory as may be annexed to the Authority;

"Municipality", "County" and "Unit of Local Government" have the meanings given to such terms in Section 1 of Article VII of the Illinois Constitution;

"Operate" means operate, maintain, administer, repair, promote and any other acts necessary or proper with regard to such matters;

"Public Transportation" means the transportation or conveyance of persons within the metropolitan region by means available to the general public, including groups of the general public with special needs, except for transportation by automobiles not used for conveyance of the general public as passengers;

"Public Transportation Facilities" means all equipment or property, real or personal, or rights therein, useful or necessary for providing, maintaining or administering public transportation within the metropolitan region or otherwise useful for carrying out or meeting the purposes or powers of the Authority, except it shall not include roads, streets, highways or bridges or toll highways or toll bridges for general public use; and

"Service Boards" means the Board of the Commuter Rail Division of the Authority, the Board of the Suburban Bus Division of the Authority and the Board of the Chicago Transit Authority established pursuant to the "Metropolitan Transit Authority Act", approved April 12, 1945, as now or hereafter amended.

"Transportation Agency" means any individual, firm, partnership, corporation, association, body politic, municipal corporation, public authority, unit of local government or other person, other than the Authority and the Service Boards, which provides public transportation, any local mass transit district created pursuant to the "Local Mass Transit District Act", as now or hereafter amended, and any urban transportation district created pursuant to the "Urban Transportation District Act", as now or hereafter amended, which districts are located in whole or in part within the metropolitan region.

(Source: P.A. 83-885; 83-886.)

(70 ILCS 3615/2.14) (from Ch. 111 2/3, par. 702.14)

Sec. 2.14. Appointment of Officers and Employees. The Authority may appoint, retain and employ officers, attorneys, agents, engineers and employees. The officers shall include an Executive Director, who shall be the chief executive officer of the Authority. Prior to the Board Transition Date, the Executive Director shall be appointed by the Chairman with the concurrence of 11 of the other then Directors of the Board. On and after the Board Transition Date, the executive director hired under

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Section 20 of the Regional Planning Act shall also be the Executive Director of the Authority. The Executive Director shall organize the staff of the Authority, shall allocate their functions and duties, shall transfer such staff to the Suburban Bus Division and the Commuter Rail Division as is sufficient to meet their purposes, shall fix compensation and conditions of employment of the staff of the Authority, and consistent with the policies of and direction from the Board, take all actions necessary to achieve its purposes, fulfill its responsibilities and carry out its powers, and shall have such other powers and responsibilities as the Board shall determine. The Executive Director must be an individual of proven transportation and management skills and may not be a member of the Board. The Authority may employ its own professional management personnel to provide professional and technical expertise concerning its purposes and powers and to assist it in assessing the performance of the Service Boards in the metropolitan region.

No unlawful discrimination, as defined and prohibited in the Illinois Human Rights Act, shall be made in any term or aspect of employment nor shall there be discrimination based upon political reasons or factors. The Authority shall establish regulations to insure that its discharges shall not be arbitrary and that hiring and promotion are based on merit.

The Authority shall be subject to the "Illinois Human Rights Act", as now or hereafter amended, and the remedies and procedure established thereunder. The Authority shall file an affirmative action program for employment by it with the Department of Human Rights to ensure that applicants are employed and that employees are treated during employment, without regard to unlawful discrimination. Such affirmative action program shall include provisions relating to hiring, upgrading, demotion, transfer, recruitment, recruitment advertising, selection for training and rates of pay or other forms of compensation.

(Source: P.A. 95-708, eff. 1-18-08.)

(70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

Sec. 3.01. Board of Directors. Prior to the Board Transition Date, the ~~The~~ corporate authorities and governing body of the Authority shall be a Board consisting of 13 Directors until April 1, 2008, and 16 Directors thereafter, appointed as follows:

(a) Four Directors appointed by the Mayor of the City of Chicago, with the advice and consent of the City Council of the City of Chicago, and, only until April 1, 2008, a fifth director who shall be the Chairman of the Chicago Transit Authority. After April 1, 2008, the Mayor of the City of Chicago, with the advice and consent of the City Council of the City of Chicago, shall appoint a fifth Director. The Directors appointed by the Mayor of the City of Chicago shall not be the Chairman or a Director of the Chicago Transit Authority. Each such Director shall reside in the City of Chicago.

(b) Four Directors appointed by the votes of a majority of the members of the Cook County Board elected from districts, a majority of the electors of which reside outside Chicago. After April 1, 2008, a fifth Director appointed by the President of the Cook County Board with the advice and consent of the members of the Cook County Board. Each Director appointed under this subparagraph shall reside in that part of Cook County outside Chicago.

(c) Until April 1, 2008, 3 Directors appointed by the Chairmen of the County Boards of DuPage, Kane, Lake, McHenry, and Will Counties, as follows:

(i) Two Directors appointed by the Chairmen of the county boards of Kane, Lake, McHenry and Will Counties, with the concurrence of not less than a majority of the Chairmen from such counties, from nominees by the Chairmen. Each such Chairman may nominate not more than 2 persons for each position. Each such Director shall reside in a county in the metropolitan region other than Cook or DuPage Counties.

(ii) One Director appointed by the Chairman of the DuPage County Board with the advice and consent of the DuPage County Board. Such Director shall reside in DuPage County.

(d) After April 1, 2008, 5 Directors appointed by the Chairmen of the County Boards of DuPage, Kane, Lake and McHenry Counties and the County Executive of Will County, as follows:

(i) One Director appointed by the Chairman of the Kane County Board with the advice and consent of the Kane County Board. Such Director shall reside in Kane County.

(ii) One Director appointed by the County Executive of Will County with the advice and consent of the Will County Board. Such Director shall reside in Will County.

(iii) One Director appointed by the Chairman of the DuPage County Board with the advice and consent of the DuPage County Board. Such Director shall reside in DuPage County.

(iv) One Director appointed by the Chairman of the Lake County Board with the advice and consent of the Lake County Board. Such Director shall reside in Lake County.

(v) One Director appointed by the Chairman of the McHenry County Board with the advice and consent of the McHenry County Board. Such Director shall reside in McHenry County.

(vi) To implement the changes in appointing authority under this subparagraph (d) the three Directors appointed under subparagraph (c) and residing in Lake County, DuPage County, and Kane County respectively shall each continue to serve as Director until the expiration of their respective term of office and until his or her successor is appointed and qualified or a vacancy occurs in the office. Thereupon, the appointment shall be made by the officials given appointing authority with respect to the Director whose term has expired or office has become vacant.

(d-5) On and after the Board Transition Date, the corporate authorities and governing body of the Authority shall be the board appointed under subsection (c-5) of Section 15 of the Regional Planning Act. All references in this Act on or after the Board Transition Date to the Board shall mean the board appointed under subsection (c-5) of Section 15 of the Regional Planning Act. All references in this Act on or after the Board Transition Date to the Directors of the Authority shall mean the voting members of the board appointed under subsection (c-5) of Section 15 of the Regional Planning Act. Notwithstanding anything to the contrary contained in this Act, any action or approval that requires the affirmative vote of the Directors of the Authority under this Act on and after the Board Transition Date may be authorized by the affirmative vote of three-fifths of the members of the board appointed under subsection (c-5) of Section 15 of the Regional Planning Act then holding office.

(e) The Chairman serving on the effective date of this amendatory Act of the 95th General Assembly shall continue to serve as Chairman until the expiration of his or her term of office and until his or her successor is appointed and qualified or a vacancy occurs in the office. Upon the expiration or vacancy of the term of the Chairman then serving upon the effective date of this amendatory Act of the 95th General Assembly, and until the Board Transition Date, the Chairman shall be appointed by the other Directors, by the affirmative vote of at least 11 of the then Directors with at least 2 affirmative votes from Directors who reside in the City of Chicago, at least 2 affirmative votes from Directors who reside in Cook County outside the City of Chicago, and at least 2 affirmative votes from Directors who reside in the Counties of DuPage, Lake, Will, Kane, or McHenry. Until the Board Transition Date, the Chairman shall not be appointed from among the other Directors. The chairman shall be a resident of the metropolitan region. On and after the Board Transition Date, the chairman of the Authority shall mean the Chairman appointed under subsection (f) of Section 25 of the Regional Planning Act.

(f) Except as otherwise provided by this Act no Director shall, while serving as such, be an officer, a member of the Board of Directors or Trustees or an employee of any Service Board or transportation agency, or be an employee of the State of Illinois or any department or agency thereof, or of any unit of local government or receive any compensation from any elected or appointed office under the Constitution and laws of Illinois; except that a Director may be a member of a school board.

(g) Each appointment made under this Section and under Section 3.03 shall be certified by the appointing authority to the Board, which shall maintain the certifications as part of the official records of the Authority.

(h) (Blank).

(Source: P.A. 95-708, eff. 1-18-08.)

(70 ILCS 3615/3.02) (from Ch. 111 2/3, par. 703.02)

Sec. 3.02. Chairman and Other Officers. The Chairman shall preside at meetings of the Board, and shall be entitled to vote on all matters. The Board shall select a Secretary and a Treasurer and may select persons to fill such other offices of the Authority and to perform such duties as it shall from time to time determine. The Secretary, Treasurer and other officers of the Authority may, but need not be, members of the Board.

This Section 3.02 is repealed on the Board Transition Date.

(Source: P.A. 83-886.)

(70 ILCS 3615/3.03) (from Ch. 111 2/3, par. 703.03)

Sec. 3.03. Terms, vacancies. Each Director shall hold office for a term of 5 years, and until his successor has been appointed and has qualified. A vacancy shall occur upon resignation, death, conviction of a felony, or removal from office of a Director. Any Director may be removed from office (i) upon concurrence of not less than 11 Directors, on a formal finding of incompetence, neglect of duty, or malfeasance in office or (ii) by the Governor in response to a summary report received from the Executive Inspector General in accordance with Section 20-50 of the State Officials and Employees Ethics Act, provided he or she has an opportunity to be publicly heard in person or by counsel prior to removal. Within 30 days after the office of any member becomes vacant for any reason, the appointing authorities of such member shall make an appointment to fill the vacancy. A vacancy shall be filled for the unexpired term.

Whenever a vacancy for a Director, except as to the Chairman or those Directors appointed by the Mayor of the City of Chicago, exists for longer than 4 months, the new Director shall be chosen by

election by all legislative members in the General Assembly representing the affected area. In order to qualify as a voting legislative member in this matter, the affected area must be more than 50% of the geographic area of the legislative district.

This Section 3.03 is repealed as of the Board Transition Date.

(Source: P.A. 95-708, eff. 1-18-08; 96-1528, eff. 7-1-11.)

(70 ILCS 3615/3.04) (from Ch. 111 2/3, par. 703.04)

Sec. 3.04. Compensation. Each Director including the Chairman, except for the Chairman of the Chicago Transit Authority who shall not be compensated by the Authority, shall be compensated at the rate of \$25,000 per year.

Officers of the Authority shall not be required to comply with the requirements of "An Act requiring certain custodians of public moneys to file and publish statements of the receipts and disbursements thereof", approved June 24, 1919, as now or hereafter amended.

This Section 3.04 is repealed as of the Board Transition Date.

(Source: P.A. 83-885; 83-886.)

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

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

On motion of Senator LaHood, **Senate Bill No. 1686** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Muñoz, **Senate Bill No. 1693** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1693

AMENDMENT NO. 1. Amend Senate Bill 1693 as follows:

on page 2, line 24, after the period, by inserting "For the purposes of this subsection (a-10), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations."; and

on page 8, line 22, after the period, by inserting "For the purposes of this subsection (a), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations."; and

on page 11, line 9, after the period, by inserting "For the purposes of this subsection (b), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.".

AMENDMENT NO. 2 TO SENATE BILL 1693

AMENDMENT NO. 2. Amend Senate Bill 1693 as follows:

on page 9, line 23, by replacing "Section 6-106" with "Sections 6-106 and 6-110"; and

on page 13, after line 5 by inserting the following:

"(625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

Sec. 6-110. Licenses issued to drivers.

(a) The Secretary of State shall issue to every qualifying applicant a driver's license as applied for, which license shall bear a distinguishing number assigned to the licensee, the legal name, signature, zip code, date of birth, residence address, and a brief description of the licensee.

Licenses issued shall also indicate the classification and the restrictions under Section 6-104 of this Code. The Secretary may adopt rules to establish informational restrictions that can be placed on the

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driver's license regarding specific conditions of the licensee.

A driver's license issued may, in the discretion of the Secretary, include a suitable photograph of a type prescribed by the Secretary.

(a-1) If the licensee is less than 18 years of age, unless one of the exceptions in subsection (a-2) apply, the license shall, as a matter of law, be invalid for the operation of any motor vehicle during the following times:

- (A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;
- (B) Between 11:00 p.m. Saturday and 6:00 a.m. on Sunday; and
- (C) Between 10:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day.

(a-2) The driver's license of a person under the age of 18 shall not be invalid as described in subsection (a-1) of this Section if the licensee under the age of 18 was:

- (1) accompanied by the licensee's parent or guardian or other person in custody or control of the minor;
- (2) on an errand at the direction of the minor's parent or guardian, without any detour or stop;
- (3) in a motor vehicle involved in interstate travel;
- (4) going to or returning home from an employment activity, without any detour or stop;
- (5) involved in an emergency;
- (6) going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the licensee, without any detour or stop;
- (7) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
- (8) married or had been married or is an emancipated minor under the Emancipation of Minors Act.

(a-2.5) The driver's license of a person who is 17 years of age and has been licensed for at least 12 months is not invalid as described in subsection (a-1) of this Section while the licensee is participating as an assigned driver in a Safe Rides program that meets the following criteria:

- (1) the program is sponsored by the Boy Scouts of America or another national public service organization; and
- (2) the sponsoring organization carries liability insurance covering the program.

(a-3) If a graduated driver's license holder over the age of 18 committed an offense against traffic regulations governing the movement of vehicles or any violation of Section 6-107 or Section 12-603.1 of this Code in the 6 months prior to the graduated driver's license holder's 18th birthday, and was subsequently convicted of the offense, the provisions of subsection (a-1) shall continue to apply until such time as a period of 6 consecutive months has elapsed without an additional violation and subsequent conviction of an offense against traffic regulations governing the movement of vehicles or Section 6-107 or Section 12-603.1 of this Code.

(a-4) If an applicant for a driver's license or instruction permit has a current identification card issued by the Secretary of State, the Secretary may require the applicant to utilize the same residence address and name on the identification card, driver's license, and instruction permit records maintained by the Secretary. The Secretary may promulgate rules to implement this provision.

(a-5) If an applicant for a driver's license is a judicial officer or a peace officer, the applicant may elect to have his or her office or work address listed on the license instead of the applicant's residence or mailing address. The Secretary of State shall adopt rules to implement this subsection (a-5). For the purposes of this subsection (a-5), "peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for a violation of any penal statute of this State, whether that duty extends to all violations or is limited to specific violations.

(b) Until the Secretary of State establishes a First Person Consent organ and tissue donor registry under Section 6-117 of this Code, the Secretary of State shall provide a format on the reverse of each driver's license issued which the licensee may use to execute a document of gift conforming to the provisions of the Illinois Anatomical Gift Act. The format shall allow the licensee to indicate the gift intended, whether specific organs, any organ, or the entire body, and shall accommodate the signatures of the donor and 2 witnesses. The Secretary shall also inform each applicant or licensee of this format, describe the procedure for its execution, and may offer the necessary witnesses; provided that in so doing, the Secretary shall advise the applicant or licensee that he or she is under no compulsion to

execute a document of gift. A brochure explaining this method of executing an anatomical gift document shall be given to each applicant or licensee. The brochure shall advise the applicant or licensee that he or she is under no compulsion to execute a document of gift, and that he or she may wish to consult with family, friends or clergy before doing so. The Secretary of State may undertake additional efforts, including education and awareness activities, to promote organ and tissue donation.

(c) The Secretary of State shall designate on each driver's license issued a space where the licensee may place a sticker or decal of the uniform size as the Secretary may specify, which sticker or decal may indicate in appropriate language that the owner of the license carries an Emergency Medical Information Card.

The sticker may be provided by any person, hospital, school, medical group, or association interested in assisting in implementing the Emergency Medical Information Card, but shall meet the specifications as the Secretary may by rule or regulation require.

(d) The Secretary of State shall designate on each driver's license issued a space where the licensee may indicate his blood type and RH factor.

(e) The Secretary of State shall provide that each original or renewal driver's license issued to a licensee under 21 years of age shall be of a distinct nature from those driver's licenses issued to individuals 21 years of age and older. The color designated for driver's licenses for licensees under 21 years of age shall be at the discretion of the Secretary of State.

(e-1) The Secretary shall provide that each driver's license issued to a person under the age of 21 displays the date upon which the person becomes 18 years of age and the date upon which the person becomes 21 years of age.

(e-3) The General Assembly recognizes the need to identify military veterans living in this State for the purpose of ensuring that they receive all of the services and benefits to which they are legally entitled, including healthcare, education assistance, and job placement. To assist the State in identifying these veterans and delivering these vital services and benefits, the Secretary of State is authorized to issue drivers' licenses with the word "veteran" appearing on the face of the licenses. This authorization is predicated on the unique status of veterans. The Secretary may not issue any other driver's license which identifies an occupation, status, affiliation, hobby, or other unique characteristics of the license holder which is unrelated to the purpose of the driver's license.

(e-5) Beginning on or before July 1, 2015, the Secretary of State shall designate a space on each original or renewal driver's license where, at the request of the applicant, the word "veteran" shall be placed. The veteran designation shall be available to a person identified as a veteran under subsection (e) of ~~Section paragraph~~ 6-106 of this ~~Code Chapter~~ who was discharged or separated under honorable conditions.

(f) The Secretary of State shall inform all Illinois licensed commercial motor vehicle operators of the requirements of the Uniform Commercial Driver License Act, Article V of this Chapter, and shall make provisions to insure that all drivers, seeking to obtain a commercial driver's license, be afforded an opportunity prior to April 1, 1992, to obtain the license. The Secretary is authorized to extend driver's license expiration dates, and assign specific times, dates and locations where these commercial driver's tests shall be conducted. Any applicant, regardless of the current expiration date of the applicant's driver's license, may be subject to any assignment by the Secretary. Failure to comply with the Secretary's assignment may result in the applicant's forfeiture of an opportunity to receive a commercial driver's license prior to April 1, 1992.

(g) The Secretary of State shall designate on a driver's license issued, a space where the licensee may indicate that he or she has drafted a living will in accordance with the Illinois Living Will Act or a durable power of attorney for health care in accordance with the Illinois Power of Attorney Act.

(g-1) The Secretary of State, in his or her discretion, may designate on each driver's license issued a space where the licensee may place a sticker or decal, issued by the Secretary of State, of uniform size as the Secretary may specify, that shall indicate in appropriate language that the owner of the license has renewed his or her driver's license.

(h) A person who acts in good faith in accordance with the terms of this Section is not liable for damages in any civil action or subject to prosecution in any criminal proceeding for his or her act.

(Source: P.A. 96-607, eff. 8-24-09; 96-1231, eff. 7-23-10; 97-263, eff. 8-5-11; 97-739, eff. 1-1-13; 97-847, eff. 1-1-13; 97-1127, eff. 1-1-13; revised 8-3-12.)"

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

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On motion of Senator Silverstein, **Senate Bill No. 1708** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1708

AMENDMENT NO. 1. Amend Senate Bill 1708 on page 3, line 4 by inserting after "(iii)" the following:

"personal care attendants and personal assistants working under the Home Services Program under Section 3 of the Disabled Persons Rehabilitation Act; (iv)"; and

on page 3, line 10 by changing "(iv)" to "(v)".

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

On motion of Senator Silverstein, **Senate Bill No. 1718** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1718

AMENDMENT NO. 1. Amend Senate Bill 1718 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 26 as follows:

(215 ILCS 5/26) (from Ch. 73, par. 638)

(Section scheduled to be repealed on January 1, 2017)

Sec. 26. Deposit.

(a) A company subject to the provisions of this Article shall make and maintain with the Director for the protection of all creditors, policyholders and policy obligations of the company, a deposit of securities which are authorized investments under Section 126.11A(1), 126.11A(2), 126.24A(1), or 126.24A(2) having a fair market value equal to the minimum capital and surplus required to be maintained under Section 13. The Director may release the required deposit of securities upon receipt of an order of a court having proper jurisdiction or upon: (i) certification by the company that it has no outstanding creditors, policyholders, or policy obligations in effect and no plans to engage in the business of insurance; (ii) receipt of a lawful resolution of the company's board of directors effecting the surrender of its articles of incorporation for administrative dissolution by the Director; and (iii) receipt of the name and forwarding address for each of the final officers and directors of the company, together with a plan of dissolution approved by the Director.

(b) All deposits by insurers subject to this Article must be limited to the following types:

(1) United States government bonds, notes, and bills for which the full faith and credit of the government of the United States is pledged for the payment of principal and interest.

(2) United States public bonds and notes of any state or of the District of Columbia, or Canadian public bonds and notes of any province thereof, for which the full faith and credit of the issuer has been pledged for the payment of principal and interest.

(3) United States and Canadian county, provincial, municipal, and district bonds and notes for which the issuer has lawful authority to levy taxes or make assessments for the payment of principal and interest.

(4) Bonds and notes of any federal agency that are guaranteed as to payment of principal and interest by the United States.

(5) International development bank bonds, bonds issued by the State of Israel and sold through the Development Corporation for Israel or its successor entities, and notes issued, assumed, and guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, or the International Finance Corporation.

(6) Corporate bonds and notes of any private corporations that are not affiliates or subsidiaries of the insurer, which corporations are organized under the laws of the United States, Canada, any state, the District of Columbia, any territory or possession of the United States, or any province of Canada.

(7) Certificates of deposit.

(c) To be eligible for deposit under subsection (b), any bond or note must have the following characteristics:

(1) The bond or note must be interest-bearing or interest-accruing, and the insurer must be the exclusive owner of the interest accruing thereon and entitled to receive the interest for its account.

(2) The issuer must be in a solvent financial condition and the bond or note must not be in default.

(3) The bond, note, or debt of the issuing country must be rated in one of the 4 highest classifications by an established, nationally recognized investment rating service or must have been given a rating of 1 by the Securities Valuation Office of the National Association of Insurance Commissioners.

(4) The market value of the bond or note must be readily ascertainable or the value of the bond or note must be obtainable by the insurer or its custodian from the issuer's fiscal agent.

(5) The bond or note must be the direct obligation of the issuer.

(6) The bond or note must be stated in United States dollar denominations.

(7) The bond or note must be eligible for book-entry form on the books of the Federal Reserve's book-entry system or in a depository trust clearing system or on the books of the issuer's transfer agent or evidenced by a certificate delivered to the insurer or its custodian.

(d) To be eligible for deposit under item (7) of subsection (b), a certificate of deposit must have the following characteristics:

(1) The certificate of deposit must be issued by a bank, savings bank, or savings association that is organized under the laws of the United States, of this State, or of any other state and that has a principal office or branch office in this State that is authorized to receive deposits in this State.

(2) The certificate of deposit must be interest-bearing and may not be issued in discounted form.

(3) The certificate of deposit must be issued for a period of not less than one year.

(4) The issuing bank, savings bank, or savings association must agree to the terms and conditions of the Director regarding the rights to the certificate of deposit and must have executed a written certificate of deposit agreement with the Director. The terms and conditions of the agreement shall include, but need not be limited to:

(A) Exclusive authorized signature authority for the chief financial officer.

(B) An agreement to pay, without protest, the proceeds of its certificate of deposit to the Director within 30 business days after presentation.

(C) A prohibition against levies, setoffs, survivorship, or other conditions that might hinder the Director's ability to recover the full face value of a certificate of deposit.

(D) Instructions regarding interest payments, renewals, taxpayer identification, and early withdrawal penalties.

(E) An agreement to be subject to the jurisdiction of the courts of this State, or those of the United States that are located in this State, for the purposes of any litigation arising out of this Section.

(F) Such other conditions as the Director requires.

(e) The Director may refuse to accept certain securities or refuse to accept the reported market value of certain securities offered pursuant to this Section in order to ensure that sufficient cash and securities are on hand to meet the purposes of the deposit. In making a refusal under this subsection (e), the guidelines for use of the Director may include, but need not be limited to, whether the market value of the securities cannot be readily ascertained and the lack of liquidity of the securities. Securities refused under this subsection (e) are not acceptable as deposits.

(f) All deposits required of a domestic insurer pursuant to the laws of another state, province, or country must be comprised of securities of the kinds required under subsection (b), having the characteristics required under subsections (c) and (d), and permitted by the laws of the other state, province, or country, except common stocks, mortgages or loans of any kind, real estate investment trust funds or programs, commercial paper, and letters of credit.

(Source: P.A. 92-75, eff. 7-12-01.)"

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

On motion of Senator Link, **Senate Bill No. 1738** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 1775** having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Stadelman, **Senate Bill No. 1859** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 1937** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1937

AMENDMENT NO. 1. Amend Senate Bill 1937 on page 3, by replacing lines 3 through 8 with the following:

"Person with a disability" means a person unable to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months."; and

on page 3, by replacing lines 16 through 18 with the following:

"year. Household income does not include the income of any person with a disability who is a member of the applicant's household, as defined in this Section, and is a dependent of the applicant."; and

on page 10, by replacing lines 7 through 19 with the following:

"If any applicant's household contains a person with a disability who is a dependent of the applicant, and if that person's income is not reported as part of the applicant's household income on an application for an exemption under this Section, then that applicant shall submit proof of the disability in such form and manner as the Department shall by rule and regulation prescribe. Proof that the person with a disability is eligible to receive disability benefits under the Federal Social Security Act shall constitute proof of disability for purposes of this Act. Issuance of an Illinois Person with a Disability Identification Card stating that the person with a disability is under a Class 2 disability, as defined in Section 4A of the Illinois Identification Card Act, shall constitute proof that the person named thereon is a disabled person for purposes of this Act. A disabled person not covered under the Federal Social Security Act and not presenting an Illinois Person with a Disability Identification Card stating that the claimant is under a Class 2 disability shall be examined by a physician designated by the Department, and his status as a disabled person determined using the same standards as used by the Social Security Administration. The costs of any required examination shall be borne by the applicant."

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

On motion of Senator Link, **Senate Bill No. 1953** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1953

AMENDMENT NO. 1. Amend Senate Bill 1953 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 10-365, 10-370, and 10-380 as follows:

(35 ILCS 200/10-365)

Sec. 10-365. U.S. Military Public/Private Residential Developments. PPV Leases must be classified and valued as set forth in Sections 10-370 through 10-380 during the period beginning January 1, 2006 and ending ~~January 1, 2016~~ with the earlier of the year 50 years after January 1, 2006 or the year in which a PPV Lease terminates.

(Source: P.A. 94-974, eff. 6-30-06.)

(35 ILCS 200/10-370)

Sec. 10-370. Definitions. For the purposes of this Division 14:

(a) "PPV Lease" means a leasehold interest in property that is exempt from taxation under Section 15-50 of this Code and that is leased, pursuant to authority set forth in Chapter 10 of the United States Code, to another whose property is not exempt for the purpose of, after January 1, 2006, the design, finance,

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construction, renovation, management, operation, and maintenance of rental housing units and associated improvements at military training facilities, military bases, and related military support facilities in the State of Illinois. All interests enjoyed pursuant to the authority set forth in Chapter 159 or Chapter 169 of Title 10 of the United States Code are considered leaseholds for the purposes of this Division. The changes to this Section made by this amendatory Act of the 97th General Assembly apply beginning on January 1, 2006.

(b) "Net operating income" means all revenues received minus the lesser of (i) 62% ~~42%~~ of all revenues or (ii) actual expenses before interest, taxes, depreciation, and amortization.

(c) "Tax load factor" means the level of assessment, as set forth under item (b) of Section 9-145 or under Section 9-150, multiplied by the cumulative tax rate for the current taxable year.
(Source: P.A. 97-942, eff. 8-10-12.)
(35 ILCS 200/10-380)

Sec. 10-380. For the taxable years 2006 through 2015 ~~and thereafter~~, the chief county assessment officer in the county in which property subject to a PPV Lease is located shall apply the provisions of Sections 10-370(b)(i) and 10-375(c)(i) of this Division 14 in assessing and determining the value of any PPV Lease for purposes of the property tax laws of this State.

(Source: P.A. 97-942, eff. 8-10-12; revised 10-10-12.).

Senator Link offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1953

AMENDMENT NO. 2. Amend Senate Bill 1953, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 2, by replacing lines 17 through 20 with the following:

"(b) For naval training facilities, naval bases, and naval support facilities, "net "Net operating income" means all revenues received minus the lesser of (i) 62% ~~42%~~ of all revenues or (ii) actual expenses before interest, taxes, depreciation, and amortization. For all other military training facilities, military bases, and related military support facilities, "net operating income" means all revenues received minus the lesser of (i) 42% of all revenues or (ii) actual expenses before interest, taxes, depreciation, and amortization.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Link, **Senate Bill No. 1954** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1954

AMENDMENT NO. 1. Amend Senate Bill 1954 on page 17, line 1, by replacing "\$600,000" with "\$350,000".

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

On motion of Senator Link, **Senate Bill No. 1955** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1955

AMENDMENT NO. 1. Amend Senate Bill 1955 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Lottery Law is amended by changing Sections 3 and 7.12 as follows:
(20 ILCS 1605/3) (from Ch. 120, par. 1153)

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Sec. 3. For the purposes of this Act:

a. "Lottery" or "State Lottery" means the lottery or lotteries established and operated pursuant to this Act.

b. "Board" means the Lottery Control Board created by this Act.

c. "Department" means the Department of the Lottery.

d. (Blank).

e. "Chairman" means the Chairman of the Lottery Control Board.

f. "Multi-state game directors" means such persons, including the Superintendent, as may be designated by an agreement between the Department and one or more additional lotteries operated under the laws of another state or states.

g. (Blank).

h. "Superintendent" means the Superintendent of the Department of the Lottery.

i. "Management agreement" means an agreement or contract between the Department on behalf of the State with a private manager, as an independent contractor, whereby the private manager provides management services to the Lottery in exchange for compensation that may consist of, among other things, a fee for services and a performance-based bonus of no more than 5% of Lottery profits so long as the Department continues to exercise actual control over all significant business decisions made by the private manager as set forth in Section 9.1.

j. "Person" means any individual, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, or other legal entity, group, or combination.

k. "Private manager" means a person that provides management services to the Lottery on behalf of the Department under a management agreement.

l. "Profits" means total revenues accruing from the sale of lottery tickets or shares and related proceeds minus (1) the payment of prizes and retailer bonuses and (2) the payment of costs incurred in the operation and administration of the lottery, excluding costs of services directly rendered by a private manager.

m. "Chief Procurement Officer" means the Chief Procurement Officer provided for under paragraph (4) of subsection (a) of Section 10-20 of the Illinois Procurement Code.

n. "Draw-based games" means games where a series of numbers or characters are determined to be the winning numbers or characters by a mechanical or computerized random number generator at a drawing time specified by the Department.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-840, eff. 12-23-09; 97-464, eff. 8-19-11.)
(20 ILCS 1605/7.12)

Sec. 7.12. Internet pilot program.

(a) The General Assembly finds that:

(1) the consumer market in Illinois has changed since the creation of the Illinois State Lottery in 1974;

(2) the Internet has become an integral part of everyday life for a significant number of Illinois residents not only in regards to their professional life, but also in regards to personal business and communication; and

(3) the current practices of selling lottery tickets does not appeal to the new form of market participants who prefer to make purchases on the Internet at their own convenience.

It is the intent of the General Assembly to create an Internet pilot program for the sale of lottery tickets to capture this new form of market participant.

(b) The Department shall create a pilot program that allows an individual 18 years of age or older to purchase lottery tickets or shares on the Internet without using a Lottery retailer with on-line status, as those terms are defined by rule. The Department shall restrict the sale of lottery tickets on the Internet to transactions initiated and received or otherwise made exclusively within the State of Illinois. The Department shall adopt rules necessary for the administration of this program. These rules shall include, among other things, requirements for marketing of the Lottery to infrequent players, as well as limitations on the purchases that may be made through any one individual's lottery account. The provisions of this Act and the rules adopted under this Act shall apply to the sale of lottery tickets or shares under this program.

Before beginning the pilot program, the Department of the Lottery must submit a request to the United States Department of Justice for review of the State's plan to implement a pilot program for the sale of lottery tickets on the Internet and its propriety under federal law. The Department shall implement the Internet pilot program only if the Department of Justice does not object to the implementation of the program within a reasonable period of time after its review.

The Department is obligated to implement the pilot program set forth in this Section and Sections 7.15

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and 7.16 only at such time, and to such extent, that the Department of Justice does not object to the implementation of the program within a reasonable period of time after its review. While the Illinois Lottery may only offer ~~draw-based Lotto, Mega Millions, and Powerball~~ games through the pilot program, the Department shall request review from the federal Department of Justice for the Illinois Lottery to sell lottery tickets on the Internet on behalf of the State of Illinois that are not limited to just these games.

The Department shall authorize the private manager to implement and administer the program pursuant to the management agreement entered into under Section 9.1 and in a manner consistent with the provisions of this Section. If a private manager has not been selected pursuant to Section 9.1 at the time the Department is obligated to implement the pilot program, then the Department shall not proceed with the pilot program until after the selection of the private manager, at which time the Department shall authorize the private manager to implement and administer the program pursuant to the management agreement entered into under Section 9.1 and in a manner consistent with the provisions of this Section.

The pilot program shall last for not less than 36 months, but not more than 48 months from the date of its initial operation.

Nothing in this Section shall be construed as prohibiting the Department from implementing and operating a website portal whereby individuals who are 18 years of age or older with an Illinois mailing address may apply to purchase lottery tickets via subscription. Nothing in this Section shall also be construed as prohibiting the sale of ~~draw-based Lotto, Mega Millions, and Powerball~~ games by a lottery licensee pursuant to the Department's rules.

(c) There is created the Internet Lottery Study Committee as an advisory body within the Department. The Department shall conduct a study to determine the impact of the Internet pilot program on lottery licensees. The Department shall also determine the feasibility of the sale of stored value cards by lottery licensees as a non-exclusive option for use by individuals 18 years of age or older who purchase tickets for authorized lottery games in the Internet pilot program. For the purposes of this study, it is anticipated that the stored value cards will have, but need not be limited to, the following characteristics: (1) the cards will be available only to individuals 18 years of age and older; (2) the cards will be rechargeable, closed-loop cards that can only be loaded with cash; (3) the cards will have unique identifying numbers to be used for on-line play; (4) the cards will have on-line play subtracted from the card's value; (5) the cards may have on-line winnings added to them; (6) the cards will be used at Lottery retailers to cash out winnings of up to \$600; and (7) the cards will meet all technological, programming, and security requirements mandated by the Department and the governing bodies of both Mega Millions and Powerball.

To the fullest extent possible, but subject to available resources, the Department shall ensure that the study evaluates and analyzes at least the following issues:

- (1) economic benefits to the State from Internet Lottery sales from stored value cards and from resulting sales taxes;
- (2) economic benefits to local governments from sales taxes generated from Internet Lottery sales through stored value cards;
- (3) economic benefits to Lottery retailers from Internet Lottery sales and from ancillary retail product sales in connection with the same;
- (4) enhanced player age verification from face-to-face interaction;
- (5) enhanced control of gambling addiction from face-to-face interaction;
- (6) elimination of credit card overspending through the use of stored value cards and resulting reduced debt issues;
- (7) the feasibility of the utilization of existing Lottery machines to dispense stored value cards;
- (8) the technological, programming, and security requirements to make stored value cards an appropriate sales alternative; and
- (9) the cost and project time estimates for implementation, including adaptation of existing Lottery machines, programming, and technology enhancements and impact to operations.

The Study Committee shall consist of the Superintendent or his or her designee; the chief executive officer of the Lottery's private manager or his or her designee; a representative appointed by the Governor's Office; 2 representatives of the lottery licensee community appointed by the Superintendent; one representative of a statewide association representing food retailers appointed by the Superintendent; and one representative of a statewide association representing retail merchants appointed by the Superintendent.

Members of the Study Committee shall be appointed within 30 days after the effective date of this

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amendatory Act of the 97th General Assembly. No later than 6 months after the effective date of this amendatory Act of the 97th General Assembly, the Department shall provide to the members of the Study Committee the proposed findings and recommendations of the study in order to solicit input from the Study Committee. Within 30 calendar days thereafter, the Study Committee shall convene a meeting of the members to discuss the proposed findings and recommendations of the study. No later than 15 calendar days after meeting, the Study Committee shall submit to the Department any written changes, additions, or corrections the Study Committee wishes the Department to make to the study. The Department shall consider the propriety of and respond to each change, addition, or correction offered by the Study Committee in the study. The Department shall also set forth any such change, addition, or correction offered by members of the Study Committee and the Department's responses thereto in the appendix to the study. No later than 15 calendar days after receiving the changes, additions, or corrections offered by the Study Committee, the Department shall deliver copies of the final study and appendices, if any, to the Governor, President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives, and each of the members of the Study Committee.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-840, eff. 12-23-09; 97-464, eff. 10-15-11; 97-1121, eff. 8-27-12.)"

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

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Althoff, **Senate Bill No. 1497** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Luechtefeld	Raoul
Barickman	Haine	Manar	Rezin
Bertino-Tarrant	Harmon	Martinez	Righter
Biss	Harris	McCann	Rose
Bivins	Hastings	McCarter	Silverstein
Brady	Holmes	McConnaughay	Steans
Bush	Hunter	McGuire	Sullivan
Clayborne	Hutchinson	Morrison	Trotter
Collins	Jones, E.	Mulroe	Van Pelt
Connelly	Koehler	Muñoz	Mr. President
Cunningham	Kotowski	Murphy	
Delgado	LaHood	Noland	
Dillard	Landek	Oberweis	
Forby	Link	Radogno	

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

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

On motion of Senator Haine, **Senate Bill No. 1322** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

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YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Link	Radogno
Barickman	Frerichs	Luechtefeld	Raoul
Bertino-Tarrant	Haine	Manar	Rezin
Biss	Harmon	Martinez	Righter
Bivins	Harris	McCann	Rose
Brady	Hastings	McCarter	Silverstein
Bush	Holmes	McConnaughay	Stadelman
Clayborne	Hunter	McGuire	Steans
Collins	Hutchinson	Morrison	Sullivan
Connelly	Jones, E.	Mulroe	Trotter
Cullerton, T.	Koehler	Muñoz	Van Pelt
Cunningham	Kotowski	Murphy	Mr. President
Delgado	LaHood	Noland	
Dillard	Landek	Oberweis	

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

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

On motion of Senator Althoff, **Senate Bill No. 1498** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Landek	Raoul
Barickman	Frerichs	Link	Rezin
Bertino-Tarrant	Haine	Luechtefeld	Righter
Biss	Harmon	Manar	Rose
Bivins	Harris	Martinez	Silverstein
Brady	Hastings	McCann	Stadelman
Bush	Holmes	McConnaughay	Steans
Clayborne	Hunter	McGuire	Sullivan
Collins	Hutchinson	Morrison	Syverson
Connelly	Jacobs	Mulroe	Trotter
Cullerton, T.	Jones, E.	Muñoz	Van Pelt
Cunningham	Koehler	Murphy	Mr. President
Delgado	Kotowski	Noland	
Dillard	LaHood	Radogno	

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

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

On motion of Senator Murphy, **Senate Bill No. 1524** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Landek	Oberweis
Barickman	Frerichs	Link	Radogno
Bertino-Tarrant	Haine	Luechtefeld	Raoul
Biss	Harmon	Manar	Rezin
Bivins	Harris	Martinez	Righter
Brady	Hastings	McCann	Rose
Bush	Holmes	McCarter	Silverstein
Clayborne	Hunter	McConnaughay	Stadelman
Collins	Hutchinson	McGuire	Steans
Connelly	Jacobs	Morrison	Sullivan
Cullerton, T.	Jones, E.	Mulroe	Trotter
Cunningham	Koehler	Muñoz	Van Pelt
Delgado	Kotowski	Murphy	Mr. President
Dillard	LaHood	Noland	

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

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

On motion of Senator McConnaughay, **Senate Bill No. 1530** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Manar	Rezin
Bertino-Tarrant	Haine	Martinez	Righter
Biss	Harmon	McCann	Rose
Bivins	Harris	McCarter	Silverstein
Brady	Holmes	McConnaughay	Stadelman
Bush	Hunter	McGuire	Steans
Clayborne	Hutchinson	Morrison	Sullivan
Collins	Jacobs	Mulroe	Syverson
Connelly	Jones, E.	Muñoz	Trotter
Cullerton, T.	Koehler	Murphy	Van Pelt
Cunningham	Kotowski	Noland	Mr. President
Delgado	LaHood	Oberweis	
Dillard	Link	Radogno	
Forby	Luechtefeld	Raoul	

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

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

Senator Barickman asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 1530**.

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 1 to Senate Bill 105
 Senate Committee Amendment No. 3 to Senate Bill 1354
 Senate Committee Amendment No. 1 to Senate Bill 1368
 Senate Committee Amendment No. 1 to Senate Bill 1411
 Senate Committee Amendment No. 2 to Senate Bill 1454
 Senate Committee Amendment No. 2 to Senate Bill 1477
 Senate Committee Amendment No. 1 to Senate Bill 1479
 Senate Committee Amendment No. 1 to Senate Bill 1606
 Senate Committee Amendment No. 1 to Senate Bill 1618
 Senate Committee Amendment No. 2 to Senate Bill 1635
 Senate Committee Amendment No. 1 to Senate Bill 1643
 Senate Committee Amendment No. 1 to Senate Bill 1743
 Senate Committee Amendment No. 2 to Senate Bill 1831
 Senate Committee Amendment No. 2 to Senate Bill 1900
 Senate Committee Amendment No. 1 to Senate Bill 2231

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. 2 to Senate Bill 31
 Senate Floor Amendment No. 1 to Senate Bill 1004
 Senate Floor Amendment No. 1 to Senate Bill 1147
 Senate Floor Amendment No. 5 to Senate Bill 1207
 Senate Floor Amendment No. 2 to Senate Bill 1229
 Senate Floor Amendment No. 2 to Senate Bill 1587
 Senate Floor Amendment No. 2 to Senate Bill 1718
 Senate Floor Amendment No. 2 to Senate Bill 1779
 Senate Floor Amendment No. 1 to Senate Bill 1792
 Senate Floor Amendment No. 1 to Senate Bill 1820
 Senate Floor Amendment No. 1 to Senate Bill 1822
 Senate Floor Amendment No. 1 to Senate Bill 1841
 Senate Floor Amendment No. 2 to Senate Bill 1847
 Senate Floor Amendment No. 1 to Senate Bill 1951
 Senate Floor Amendment No. 2 to Senate Bill 1955
 Senate Floor Amendment No. 1 to Senate Bill 1967
 Senate Floor Amendment No. 1 to Senate Bill 1988
 Senate Floor Amendment No. 1 to Senate Bill 2026
 Senate Floor Amendment No. 1 to Senate Bill 2071
 Senate Floor Amendment No. 2 to Senate Bill 2226
 Senate Floor Amendment No. 2 to Senate Bill 2235

JOINT ACTION MOTION FILED

The following Joint Action Motion to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendments 1 and 2 to Senate Bill 1515

At the hour of 2:00 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

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At the hour of 2:10 o'clock p.m., the Senate resumed consideration of business.
 Senator Sullivan, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 10, 2013 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Appropriations I: **Senate Committee Amendment No. 1 to Senate Bill 1368.**

Criminal Law: **Senate Bills 1598 and 1948; Senate Committee Amendment No. 1 to Senate Bill 1643.**

Education: **Senate Bills 1572 and 1573.**

Energy: **Senate Committee Amendment No. 1 to Senate Bill 105.**

Executive: **Senate Floor Amendment No. 2 to Senate Bill 1585; Senate Floor Amendment No. 2 to Senate Bill 1955; Senate Floor Amendment No. 1 to Senate Bill 2071.**

Higher Education: **Senate Bill 2305.**

Insurance: **Senate Committee Amendment No. 1 to Senate Bill 1411.**

Judiciary: **Senate Committee Amendment No. 1 to Senate Bill 1606; Senate Floor Amendment No. 2 to Senate Bill 2235.**

Labor and Commerce: **Senate Bill 2184.**

Licensed Activities and Pensions: **Senate Floor Amendment No. 2 to Senate Bill 1229; Senate Floor Amendment No. 1 to Senate Bill 1792; Senate Floor Amendment No. 1 to Senate Bill 1841.**

State Government and Veterans Affairs: **Senate Floor Amendment No. 1 to Senate Bill 1147.**

Transportation: **Senate Bill 1479.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 10, 2013 meeting, reported the following Joint Action Motion has been assigned to the indicated Standing Committee of the Senate:

Executive: **Motion to Concur in House Amendments 1 and 2 to Senate Bill 1515**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 10, 2013 meeting, reported that the Committee recommends that **Senate Bill No. 1739** be re-referred from the order of third reading to the Committee on Executive.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet at 3:15 o'clock p.m.:

Executive in Room 212
 Licensed Activities and Pensions in Room 400
 State Government and Veterans Affairs in Room 409

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The Chair announced the following committee to meet at 4:30 o'clock p.m.:

Judiciary in Room 212

The Chair announced the following committee to meet at 5:30 o'clock p.m.:

Transportation in Room 212

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Rose, **Senate Bill No. 1534** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Luechtefeld	Rezin
Barickman	Haine	Manar	Righter
Biss	Harmon	Martinez	Rose
Bivins	Harris	McCann	Silverstein
Brady	Hastings	McCarter	Stadelman
Bush	Holmes	McConnaughay	Stears
Clayborne	Hunter	McGuire	Sullivan
Collins	Hutchinson	Morrison	Syverson
Connelly	Jacobs	Mulroe	Trotter
Cullerton, T.	Jones, E.	Muñoz	Van Pelt
Cunningham	Koehler	Murphy	Mr. President
Delgado	Kotowski	Oberweis	
Dillard	LaHood	Radogno	
Forby	Link	Raoul	

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

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

Senator Noland asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 1534**.

On motion of Senator Rose, **Senate Bill No. 1538** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Luechtefeld	Rezin
Barickman	Frerichs	Manar	Righter
Bertino-Tarrant	Haine	Martinez	Rose
Biss	Harmon	McCann	Silverstein
Bivins	Harris	McCarter	Stadelman
Brady	Hastings	McConnaughay	Stears

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Bush	Holmes	McGuire	Sullivan
Clayborne	Hunter	Morrison	Syverson
Collins	Hutchinson	Mulroe	Trotter
Connelly	Jacobs	Muñoz	Van Pelt
Cullerton, T.	Jones, E.	Murphy	Mr. President
Cunningham	Koehler	Noland	
Delgado	Kotowski	Oberweis	
Dillard	LaHood	Radogno	
Duffy	Link	Raoul	

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

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

On motion of Senator Rose, **Senate Bill No. 1539** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Luechtefeld	Rezin
Barickman	Haine	Manar	Righter
Bertino-Tarrant	Harmon	Martinez	Rose
Biss	Harris	McCarter	Silverstein
Bivins	Hastings	McConnaughay	Stadelman
Brady	Holmes	McGuire	Steans
Bush	Hunter	Morrison	Sullivan
Clayborne	Hutchinson	Mulroe	Syverson
Collins	Jacobs	Muñoz	Trotter
Connelly	Jones, E.	Murphy	Van Pelt
Cunningham	Koehler	Noland	Mr. President
Delgado	Kotowski	Oberweis	
Dillard	LaHood	Radogno	
Forby	Link	Raoul	

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

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

On motion of Senator Haine, **Senate Bill No. 1547** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Link	Radogno
Barickman	Frerichs	Luechtefeld	Raoul
Bertino-Tarrant	Haine	Manar	Rezin
Biss	Harmon	Martinez	Righter

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Bivins	Harris	McCann	Rose
Brady	Hastings	McCarter	Silverstein
Bush	Holmes	McConnaughay	Stadelman
Clayborne	Hunter	McGuire	Stears
Collins	Hutchinson	Morrison	Sullivan
Connelly	Jacobs	Mulroe	Syverson
Cullerton, T.	Jones, E.	Muñoz	Trotter
Delgado	Koehler	Murphy	Van Pelt
Dillard	Kotowski	Noland	Mr. President
Duffy	LaHood	Oberweis	

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

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

On motion of Senator Mulroe, **Senate Bill No. 1584** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	Link	Radogno
Barickman	Forby	Luechtefeld	Raoul
Bertino-Tarrant	Frerichs	Manar	Rezin
Biss	Harmon	Martinez	Righter
Bivins	Harris	McCann	Rose
Brady	Hastings	McCarter	Silverstein
Bush	Holmes	McConnaughay	Stadelman
Clayborne	Hunter	McGuire	Stears
Collins	Hutchinson	Morrison	Sullivan
Connelly	Jacobs	Mulroe	Syverson
Cullerton, T.	Jones, E.	Muñoz	Trotter
Cunningham	Koehler	Murphy	Van Pelt
Delgado	Kotowski	Noland	Mr. President
Dillard	LaHood	Oberweis	

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

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

On motion of Senator Frerichs, **Senate Bill No. 1589** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	Link	Radogno
Barickman	Forby	Luechtefeld	Raoul
Bertino-Tarrant	Frerichs	Manar	Rezin

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Biss	Haine	Martinez	Righter
Bivins	Harris	McCann	Rose
Brady	Hastings	McCarter	Silverstein
Bush	Holmes	McConaughay	Stadelman
Clayborne	Hunter	McGuire	Steans
Collins	Hutchinson	Morrison	Sullivan
Connelly	Jacobs	Mulroe	Syverson
Cullerton, T.	Jones, E.	Muñoz	Trotter
Cunningham	Koehler	Murphy	Van Pelt
Delgado	Kotowski	Noland	Mr. President
Dillard	LaHood	Oberweis	

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

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

On motion of Senator Koehler, **Senate Bill No. 1620** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Luechtefeld	Rezin
Barickman	Frerichs	Manar	Righter
Bertino-Tarrant	Haine	Martinez	Rose
Biss	Harmon	McCann	Silverstein
Bivins	Harris	McCarter	Stadelman
Brady	Hastings	McConaughay	Steans
Bush	Holmes	McGuire	Sullivan
Clayborne	Hunter	Morrison	Syverson
Collins	Hutchinson	Mulroe	Trotter
Connelly	Jacobs	Muñoz	Van Pelt
Cullerton, T.	Jones, E.	Murphy	Mr. President
Cunningham	Koehler	Noland	
Delgado	Kotowski	Oberweis	
Dillard	LaHood	Radogno	
Duffy	Link	Raoul	

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

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

On motion of Senator Manar, **Senate Bill No. 1623** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Luechtefeld	Rezin
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Barickman	Frerichs	Manar	Righter
Bertino-Tarrant	Haine	Martinez	Rose
Biss	Harmon	McCann	Silverstein
Bivins	Harris	McCarter	Stadelman
Brady	Hastings	McConnaughay	Steans
Bush	Holmes	McGuire	Sullivan
Clayborne	Hunter	Morrison	Syverson
Collins	Hutchinson	Mulroe	Trotter
Connelly	Jacobs	Muñoz	Van Pelt
Cullerton, T.	Jones, E.	Murphy	Mr. President
Cunningham	Koehler	Noland	
Delgado	Kotowski	Oberweis	
Dillard	LaHood	Radogno	
Duffy	Link	Raoul	

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

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

On motion of Senator Hastings, **Senate Bill No. 1653** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	LaHood	Radogno
Barickman	Forby	Link	Raoul
Bertino-Tarrant	Frerichs	Luechtefeld	Rezin
Biss	Haine	Manar	Righter
Bivins	Harmon	Martinez	Rose
Brady	Harris	McCann	Silverstein
Bush	Hastings	McCarter	Stadelman
Clayborne	Holmes	McGuire	Steans
Collins	Hunter	Morrison	Sullivan
Connelly	Hutchinson	Mulroe	Syverson
Cullerton, T.	Jacobs	Muñoz	Van Pelt
Cunningham	Jones, E.	Murphy	Mr. President
Delgado	Koehler	Noland	
Dillard	Kotowski	Oberweis	

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

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

Senator McConnaughay asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 1653**.

On motion of Senator Brady, **Senate Bill No. 1670** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

[April 10, 2013]

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	Link	Radogno
Barickman	Forby	Luechtefeld	Raoul
Bertino-Tarrant	Frerichs	Manar	Rezin
Biss	Haine	Martinez	Righter
Bivins	Harmon	McCann	Rose
Brady	Harris	McCarter	Silverstein
Bush	Holmes	McConnaughay	Stadelman
Clayborne	Hunter	McGuire	Steans
Collins	Hutchinson	Morrison	Sullivan
Connelly	Jacobs	Mulroe	Syverson
Cullerton, T.	Jones, E.	Muñoz	Van Pelt
Cunningham	Koehler	Murphy	
Delgado	Kotowski	Noland	
Dillard	LaHood	Oberweis	

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

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

On motion of Senator Collins, **Senate Bill No. 1674** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	LaHood	Oberweis
Barickman	Forby	Link	Radogno
Bertino-Tarrant	Frerichs	Luechtefeld	Raoul
Biss	Haine	Manar	Rezin
Bivins	Harmon	Martinez	Righter
Brady	Harris	McCann	Rose
Bush	Hastings	McCarter	Silverstein
Clayborne	Holmes	McConnaughay	Stadelman
Collins	Hunter	McGuire	Steans
Connelly	Hutchinson	Morrison	Sullivan
Cullerton, T.	Jacobs	Mulroe	Syverson
Cunningham	Jones, E.	Muñoz	Van Pelt
Delgado	Koehler	Murphy	Mr. President
Dillard	Kotowski	Noland	

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

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

On motion of Senator Biss, **Senate Bill No. 1688** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

[April 10, 2013]

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	LaHood	Oberweis
Barickman	Forby	Link	Radogno
Bertino-Tarrant	Frerichs	Luechtefeld	Raoul
Biss	Haine	Manar	Rezin
Bivins	Harmon	Martinez	Righter
Brady	Harris	McCann	Rose
Bush	Hastings	McCarter	Silverstein
Clayborne	Holmes	McConnaughay	Stadelman
Collins	Hunter	McGuire	Steans
Connelly	Hutchinson	Morrison	Sullivan
Cullerton, T.	Jacobs	Mulroe	Syverson
Cunningham	Jones, E.	Muñoz	Van Pelt
Delgado	Koehler	Murphy	Mr. President
Dillard	Kotowski	Noland	

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

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

On motion of Senator Murphy, **Senate Bill No. 1691** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	LaHood	Oberweis
Barickman	Forby	Link	Radogno
Bertino-Tarrant	Frerichs	Luechtefeld	Raoul
Biss	Haine	Manar	Rezin
Bivins	Harmon	Martinez	Righter
Brady	Harris	McCann	Rose
Bush	Hastings	McCarter	Silverstein
Clayborne	Holmes	McConnaughay	Stadelman
Collins	Hunter	McGuire	Steans
Connelly	Hutchinson	Morrison	Sullivan
Cullerton, T.	Jacobs	Mulroe	Syverson
Cunningham	Jones, E.	Muñoz	Van Pelt
Delgado	Koehler	Murphy	Mr. President
Dillard	Kotowski	Noland	

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

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

On motion of Senator Haine, **Senate Bill No. 1703** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

[April 10, 2013]

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	LaHood	Oberweis
Barickman	Forby	Link	Radogno
Bertino-Tarrant	Frerichs	Luechtefeld	Raoul
Biss	Haine	Manar	Rezin
Bivins	Harmon	Martinez	Righter
Brady	Harris	McCann	Rose
Bush	Hastings	McCarter	Silverstein
Clayborne	Holmes	McConnaughay	Stadelman
Collins	Hunter	McGuire	Steans
Connelly	Hutchinson	Morrison	Sullivan
Cullerton, T.	Jacobs	Mulroe	Syverson
Cunningham	Jones, E.	Muñoz	Van Pelt
Delgado	Koehler	Murphy	Mr. President
Dillard	Kotowski	Noland	

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

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

On motion of Senator Haine, **Senate Bill No. 1729** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	Link	Raoul
Barickman	Forby	Luechtefeld	Rezin
Bertino-Tarrant	Frerichs	Manar	Righter
Biss	Haine	Martinez	Rose
Bivins	Harmon	McCann	Silverstein
Brady	Harris	McCarter	Stadelman
Bush	Hastings	McConnaughay	Steans
Clayborne	Holmes	McGuire	Sullivan
Collins	Hunter	Morrison	Syverson
Connelly	Hutchinson	Mulroe	Van Pelt
Cullerton, T.	Jones, E.	Murphy	
Cunningham	Koehler	Noland	
Delgado	Kotowski	Oberweis	
Dillard	LaHood	Radogno	

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

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

On motion of Senator Haine, **Senate Bill No. 1730** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	LaHood	Oberweis
Barickman	Forby	Link	Radogno
Bertino-Tarrant	Frerichs	Luechtefeld	Raoul
Biss	Haine	Manar	Rezin
Bivins	Harmon	Martinez	Righter
Brady	Harris	McCann	Rose
Bush	Hastings	McCarter	Silverstein
Clayborne	Holmes	McConnaughay	Stadelman
Collins	Hunter	McGuire	Stears
Connelly	Hutchinson	Morrison	Sullivan
Cullerton, T.	Jacobs	Mulroe	Syverson
Cunningham	Jones, E.	Muñoz	Van Pelt
Delgado	Koehler	Murphy	Mr. President
Dillard	Kotowski	Noland	

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

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

On motion of Senator Rose, **Senate Bill No. 1737** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	LaHood	Oberweis
Barickman	Forby	Link	Radogno
Bertino-Tarrant	Frerichs	Luechtefeld	Raoul
Biss	Haine	Manar	Rezin
Bivins	Harmon	Martinez	Righter
Brady	Harris	McCann	Rose
Bush	Hastings	McCarter	Silverstein
Clayborne	Holmes	McConnaughay	Stadelman
Collins	Hunter	McGuire	Stears
Connelly	Hutchinson	Morrison	Sullivan
Cullerton, T.	Jacobs	Mulroe	Syverson
Cunningham	Jones, E.	Muñoz	Van Pelt
Delgado	Koehler	Murphy	Mr. President
Dillard	Kotowski	Noland	

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

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

[April 10, 2013]

On motion of Senator Dillard, **Senate Bill No. 1746** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Barickman	Frerichs	Luechtefeld	Raoul
Bertino-Tarrant	Haine	Manar	Rezin
Biss	Harmon	Martinez	Righter
Bivins	Harris	McCann	Rose
Brady	Hastings	McCarter	Silverstein
Bush	Holmes	McConnaughay	Stadelman
Clayborne	Hunter	McGuire	Steans
Collins	Hutchinson	Morrison	Sullivan
Connelly	Jacobs	Mulroe	Syerson
Cullerton, T.	Jones, E.	Muñoz	Van Pelt
Cunningham	Koehler	Murphy	Mr. President
Delgado	Kotowski	Noland	
Dillard	LaHood	Oberweis	
Forby	Link	Radogno	

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

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

On motion of Senator Noland, **Senate Bill No. 1748** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Link	Radogno
Barickman	Frerichs	Luechtefeld	Raoul
Bertino-Tarrant	Haine	Manar	Rezin
Biss	Harmon	Martinez	Righter
Bivins	Harris	McCann	Rose
Brady	Hastings	McCarter	Silverstein
Bush	Holmes	McConnaughay	Stadelman
Clayborne	Hunter	McGuire	Steans
Collins	Hutchinson	Morrison	Sullivan
Connelly	Jacobs	Mulroe	Syerson
Cullerton, T.	Jones, E.	Muñoz	Van Pelt
Cunningham	Koehler	Murphy	Mr. President
Delgado	Kotowski	Noland	
Dillard	LaHood	Oberweis	

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

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

[April 10, 2013]

On motion of Senator Haine, **Senate Bill No. 1758** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	LaHood	Oberweis
Barickman	Forby	Link	Radogno
Bertino-Tarrant	Frerichs	Luechtefeld	Raoul
Biss	Haine	Manar	Rezin
Bivins	Harmon	Martinez	Righter
Brady	Harris	McCann	Rose
Bush	Hastings	McCarter	Silverstein
Clayborne	Holmes	McConnaughay	Stadelman
Collins	Hunter	McGuire	Steans
Connelly	Hutchinson	Morrison	Sullivan
Cullerton, T.	Jacobs	Mulroe	Syverson
Cunningham	Jones, E.	Muñoz	Van Pelt
Delgado	Koehler	Murphy	Mr. President
Dillard	Kotowski	Noland	

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

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

On motion of Senator Frerichs, **Senate Bill No. 1763** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	LaHood	Oberweis
Barickman	Forby	Link	Radogno
Bertino-Tarrant	Frerichs	Luechtefeld	Raoul
Biss	Haine	Manar	Rezin
Bivins	Harmon	Martinez	Righter
Brady	Harris	McCann	Rose
Bush	Hastings	McCarter	Silverstein
Clayborne	Holmes	McConnaughay	Stadelman
Collins	Hunter	McGuire	Steans
Connelly	Hutchinson	Morrison	Sullivan
Cullerton, T.	Jacobs	Mulroe	Syverson
Cunningham	Jones, E.	Muñoz	Van Pelt
Delgado	Koehler	Murphy	Mr. President
Dillard	Kotowski	Noland	

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

[April 10, 2013]

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

On motion of Senator Frerichs, **Senate Bill No. 1778** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	LaHood	Raoul
Barickman	Forby	Link	Rezin
Bertino-Tarrant	Frerichs	Manar	Righter
Biss	Haine	Martinez	Rose
Bivins	Harmon	McCann	Silverstein
Brady	Harris	McCarter	Stadelman
Bush	Hastings	McConnaughay	Steans
Clayborne	Holmes	McGuire	Sullivan
Collins	Hunter	Morrison	Syverson
Connelly	Hutchinson	Mulroe	Van Pelt
Cullerton, T.	Jacobs	Muñoz	Mr. President
Cunningham	Jones, E.	Murphy	
Delgado	Koehler	Noland	
Dillard	Kotowski	Radogno	

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

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

On motion of Senator Muñoz, **Senate Bill No. 1784** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None; Present 1.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Noland
Barickman	Forby	LaHood	Oberweis
Bertino-Tarrant	Frerichs	Link	Radogno
Biss	Haine	Manar	Raoul
Bivins	Harmon	Martinez	Rezin
Brady	Harris	McCann	Rose
Bush	Hastings	McCarter	Silverstein
Clayborne	Holmes	McConnaughay	Stadelman
Collins	Hunter	McGuire	Steans
Connelly	Hutchinson	Morrison	Sullivan
Cullerton, T.	Jacobs	Mulroe	Syverson
Cunningham	Jones, E.	Muñoz	Van Pelt
Delgado	Koehler	Murphy	

The following voted present:

Mr. President

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

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

MESSAGE FROM THE PRESIDENT
OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

April 10, 2013

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Kwame Raoul to temporarily replace Senator Kimberly Lightford, as a member of the Senate Executive Committee. This appointment will automatically expire upon adjournment of the Senate Executive Committee.

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

cc: Senate Minority Leader Christine Radogno

At the hour of 3:16 o'clock p.m., the Chair announced the Senate stand adjourned until Thursday, April 11, 2013, at 12:00 o'clock noon.

[April 10, 2013]