



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-EIGHTH GENERAL ASSEMBLY

114TH LEGISLATIVE DAY

WEDNESDAY, APRIL 30, 2014

12:05 O'CLOCK P.M.

SENATE
Daily Journal Index
114th Legislative Day

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The Senate met pursuant to adjournment.
 Senator Terry Link, Waukegan, Illinois, presiding.
 Prayer by Imam Matthew Ramadan, Deputy Executive Director of the Council of Islamic Organizations of Greater Chicago, Illinois.
 Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, April 29, 2014, be postponed, pending arrival of the printed Journal.
 The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Illinois Film Office Quarterly Reports, FY2014 Q3 January 1, 2014-March 31, 2014, submitted by the Illinois Film Office.

9-1-1 Services Advisory Board Report, submitted by the Illinois Commerce Commission.

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

LEGISLATIVE MEASURES FILED

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

Senate Floor Amendment No. 3 to Senate Bill 272
 Senate Floor Amendment No. 4 to Senate Bill 3144
 Senate Floor Amendment No. 3 to Senate Bill 3398

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

Senate Committee Amendment No. 1 to House Bill 4264
 Senate Committee Amendment No. 1 to House Bill 4496

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

Senate Floor Amendment No. 1 to House Bill 4462

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

Senate Committee Amendment No. 2 to Senate Resolution 639
 Senate Committee Amendment No. 1 to Senate Joint Resolution 67

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

Senate Floor Amendment No. 2 to Senate Joint Resolution 62

PRESENTATION OF RESOLUTION

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

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SENATE RESOLUTION NO. 1124

WHEREAS, Insurance protects the United States economy from the adverse effects of the risks inherent in economic growth and development while also providing the resources necessary to rebuild physical and economic infrastructure, offer indemnification for business disruption, and provide coverage for medical and liability costs from injuries and loss of life in the event of catastrophic losses to persons or property; and

WHEREAS, The terrorist attack of September 11, 2001 produced insured losses larger than any natural or man-made event in history; claims paid by insurers to their policyholders eventually totaled some \$32.5 billion, making this the second most costly insurance event in United States history; and

WHEREAS, The sheer enormity of the terrorist-induced loss, combined with the possibility of future attacks, produced financial shockwaves that shook insurance markets, causing insurers and reinsurers to exclude coverage arising from acts of terrorism from virtually all commercial property and liability policies; and

WHEREAS, The lack of terrorism risk insurance contributed to a paralysis in the economy, especially in construction, tourism, business travel, and real estate finance; and

WHEREAS, The United States Congress originally passed the Terrorism Risk Insurance Act of 2002, Pub. L. 107-297 (TRIA), in which the federal government agreed to provide terrorism reinsurance to insurers and reauthorized this arrangement via the Terrorism Risk Insurance Extension Act of 2005, Pub. L. 109-144, and the Terrorism Risk Insurance Program Reauthorization Act of 2007, Pub. L. 110-160 (TRIPRA); and

WHEREAS, Under TRIPRA, the federal government provides such reinsurance after industry-wide losses attributable to annual certified terrorism events exceed \$100 million; and

WHEREAS, Coverage under TRIPRA is provided to an individual insurer after the insurer has incurred losses related to terrorism equal to 20% of the insurer's previous year earned premium for property-casualty lines; and

WHEREAS, After an individual insurer has reached such a threshold, the insurer pays 15% of residual losses and the federal government pays the remaining 85%; and

WHEREAS, The Terrorism Risk Insurance Program has an annual cap of \$100 billion of aggregate insured losses, beyond which the federal program does not provide coverage; and

WHEREAS, TRIPRA requires the federal government to recoup 100% of the benefits provided under the program via policy holder surcharges to the extent the aggregate insured losses are less than \$27.5 billion and enables the government to recoup expenditures beyond that mandatory recoupment amount; and

WHEREAS, Without question, TRIA and its successors are the principal reason for the continued stability in the insurance and reinsurance market for terrorism insurance to the benefit of our overall economy; and

WHEREAS, The presence of a robust private/public partnership has provided stability and predictability and has allowed insurers to actively participate in the market in a meaningful way; and

WHEREAS, Without a program such as TRIPRA, many citizens who want and need terrorism coverage to operate their businesses all across the nation would be either unable to get insurance or unable to afford the limited coverage that would be available; and

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WHEREAS, Without federally provided reinsurance, property and casualty insurers will face less availability of terrorism reinsurance and will therefore be severely restricted in their ability to provide sufficient coverage for acts of terrorism to support our economy; and

WHEREAS, Unfortunately, despite the hard work and dedication of this nation's counterterrorism agencies and the bravery of the men and women in uniform who fought and continue to fight battles abroad to keep us safe here at home, the threat from terrorist attacks in the United States is both real and substantial and will remain as such for the foreseeable future; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge Congress and the President of the United States to reauthorize the Terrorism Risk Insurance Program; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President of the United States, the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and the Secretary of the United States Senate, and the members of the Illinois congressional delegation.

REPORTS FROM STANDING COMMITTEES

Senator Hutchinson, Vice-Chairperson of the Committee on Transportation, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2620
 Senate Amendment No. 2 to Senate Bill 2620
 Senate Amendment No. 1 to Senate Bill 3398
 Senate Amendment No. 2 to Senate Bill 3398

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

Senator Hutchinson, Vice-Chairperson of the Committee on Transportation, to which was referred **Senate Resolution No. 1011**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 1011** was placed on the Secretary's Desk.

Senator Hutchinson, Vice-Chairperson of the Committee on Transportation, to which was referred **Senate Joint Resolution No. 62**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolution, as amended, be adopted.

Under the rules, **Senate Joint Resolution No. 62** was placed on the Secretary's Desk.

Senator Hutchinson, Vice-Chairperson of the Committee on Transportation, to which was referred **House Bills Numbered 3659, 3672, 4386, 4395, 4422, 4743 and 5326**, reported the same back with the recommendation that the bills do pass.

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

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred **House Bills Numbered 4093 and 4516**, reported the same back with the recommendation that the bills do pass.

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

Senator E. Jones III, Chairperson of the Committee on Local Government, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 509

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

Senator E. Jones III, Chairperson of the Committee on Local Government, to which was referred **Senate Bills Numbered 3912, 3924, 4185, 4286, 4530, 4597 and 4741**, reported the same back with the recommendation that the bills do pass.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 4691, sponsored by Senator Hastings, was taken up, read by title a first time and referred to the Committee on Assignments.

At the hour of 12:15 o'clock p.m., Senator LaHood, presiding, for the purpose of an introduction.

At the hour of 12:24 o'clock p.m., Senator Syverson, presiding, for the purpose of an introduction.

At the hour of 12:29 o'clock p.m., Senator Link, presiding, and the Senate resumed consideration of business.

SENATE BILL RECALLED

On motion of Senator Jacobs, **Senate Bill No. 2952** was recalled from the order of third reading to the order of second reading.

Senator Jacobs offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2952

AMENDMENT NO. 1. Amend Senate Bill 2952 on page 4, by replacing lines 18 through 22 with the following:

"(D) Any notice made pursuant to this Section shall be presumed delivered when it is deposited with the United States Postal Service, and properly addressed with postage prepaid or sent by electronic mail and the owner receives a receipt of delivery to the occupant's last known address, except if the owner does not receive a receipt of delivery for the notice sent by electronic mail, the notice is presumed delivered when it is sent to the occupant by verified mail to the occupant's last known mailing address;".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Jacobs offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2952

AMENDMENT NO. 2. Amend Senate Bill 2952 by replacing everything after the enacting clause with the following:

"Section 5. The Self-Service Storage Facility Act is amended by changing Section 1 as follows:
(770 ILCS 95/1) (from Ch. 114, par. 801)

Sec. 1. Short title. This Act shall be known and ~~and~~ may be cited as the "Self-Service Storage Facility Act".

(Source: P.A. 83-800.)".

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.

READING BILL OF THE SENATE A THIRD TIME

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On motion of Senator Jacobs, **Senate Bill No. 2952** 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 36; NAYS 11.

The following voted in the affirmative:

| | | | |
|-----------------|------------|--------------|---------------|
| Bertino-Tarrant | Harmon | Lightford | Silverstein |
| Biss | Harris | Link | Steans |
| Bush | Hastings | Manar | Sullivan |
| Clayborne | Holmes | Martinez | Trotter |
| Collins | Hunter | McConnaughay | Van Pelt |
| Cullerton, T. | Hutchinson | McGuire | Mr. President |
| Cunningham | Jacobs | Morrison | |
| Delgado | Jones, E. | Mulroe | |
| Frerichs | Koehler | Muñoz | |
| Haine | Kotowski | Noland | |

The following voted in the negative:

| | | | |
|----------|--------|----------|---------|
| Bivins | Duffy | Oberweis | Righter |
| Brady | LaHood | Radogno | Rose |
| Connelly | Murphy | Rezin | |

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.

SENATE BILL RECALLED

On motion of Senator Delgado, **Senate Bill No. 3092** was recalled from the order of third reading to the order of second reading.

Senator Delgado offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3092

AMENDMENT NO. 1. Amend Senate Bill 3092 by replacing everything after the enacting clause with the following:

"Section 5. The P-20 Longitudinal Education Data System Act is amended by adding Section 32 as follows:

(105 ILCS 13/32 new)

Sec. 32. Personally identifiable information limitations.

(a) In this Section:

"Education records" has the meaning ascribed to that term in 34 CFR 99.3.

"Organization" means not-for-profit organizations, think tanks, or other organizations conducting research studies.

"Personally identifiable information" means (i) any personally identifiable information under the federal Family Educational Rights Act of 1974 (FERPA), other than "directory information" as that term is defined in Section 99.3 of the federal regulations implementing FERPA (34 CFR 99.3), and (ii) the personally identifiable information of teachers, other educators, and school administrators, other than publicly available, school-related information such as the name, school location, and grade levels or subjects taught.

(b) If an audit or evaluation or a compliance or enforcement activity in connection with legal requirements that relate to State-supported or school district-supported educational programs requires or is used as the basis for granting access to personally identifiable information, the State Board or a school

shall designate parties only under their direct control to act as authorized representatives to conduct the audit, evaluation, or activity.

(c) The State Board or schools may not disclose any personally identifiable information, including personally identifiable information from education records of students, to a contractor, consultant, or other party to whom the State Board or school has outsourced services or functions without providing notice to parents, guardians, and eligible students by posting the intent to disclose the information on the Internet website of the school or State Board at least 30 days in advance or as soon as practicable, unless that outside party:

(1) performs an institutional service or function for which the State Board or the school would otherwise use employees;

(2) is under the direct control of the State Board or the school with respect to the use and maintenance of education records;

(3) limits internal access to education records to those individuals who are determined to have legitimate educational interests;

(4) does not use the education records for any purposes other than those authorized in its contract;

(5) does not disclose any personally identifiable information to any other party (i) without the prior notification to the eligible student, parent, or guardian or (ii) unless required by law and the party provides a notice of the disclosure to the State Board or school board that provided the information no later than the time the information is disclosed, to the extent allowed by law or by the terms of a court order;

(6) maintains reasonable administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of personally identifiable information in its custody and conducts regular security audits to confirm the efficacy of those safeguards;

(7) uses appropriate encryption technologies to protect data while in motion or in its custody from unauthorized disclosure;

(8) has sufficient administrative and technical procedures to monitor continuously the security of personally identifiable information in its custody;

(9) maintains a breach remediation plan prior to initial receipts of the personally identifiable information and reports breaches as specified by the Personal Information Protection Act;

(10) reports all actual security breaches to the State Board or the school that provided personally identifiable information and education records as soon as possible, but no later than 72 hours after an actual breach was known or in the most expedient amount of time possible under the circumstances;

(11) agrees, in the event of a security breach or an unauthorized disclosure of personally identifiable information, to pay all costs and liabilities incurred by the State Board or school related to the security breach or unauthorized disclosure, including without limitation the costs of responding to inquiries about the security breach or unauthorized disclosure, of notifying the subjects of personally identifiable information about the breach, of mitigating the effects of the breach for the subjects of personally identifiable information, and of investigating the cause or consequences of the security breach or unauthorized disclosure; and

(12) destroys or returns to the State Board or school all personally identifiable information in its custody upon request and at the termination of the contract.

(d) The State Board or schools may disclose personally identifiable information from an education record of a student without the consent of the eligible student, parent, or guardian to a party conducting studies for or on behalf of the State Board or school to (i) develop, validate, or administer predictive tests, (ii) administer student aid programs, or (iii) improve instruction, provided that the outside party conducting the study meets all of the requirements for contractors set forth in subsection (c) of this Section.

(d-5) The State Board or schools may disclose personally identifiable information from an education record of a student to researchers at an organization or accredited post-secondary educational institution conducting research pursuant to a specific, written agreement with the school or State Board and in accordance with the federal Family Educational Rights and Privacy Act of 1974, provided that:

(1) the nature of the research is first publicly disclosed to parents, guardians, and eligible students on the Internet website of the school or State Board at least 30 days in advance of the research being conducted or as soon as practicable;

(2) the organization or institution and the school or State Board enter into a data use agreement that complies with the federal Family Educational Rights and Privacy Act of 1974 and its accompanying rules and includes, at a minimum, the following:

(A) the purpose, scope, and duration of the study or studies and the information to be disclosed;

(B) provisions requiring the organization or institution to use personally identifiable information from school student records only to meet the purpose or purposes of the study as stated in the written agreement;

(C) provisions requiring the organization or institution to conduct the study in a manner that does not permit personal identification of parents or guardians and students by anyone other than representatives of the organization with legitimate interests;

(D) provisions requiring the organization or institution to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifying the time period in which the information must be destroyed;

(E) provisions requiring the organization or institution to certify that it has the capacity to and will restrict access to the school student records and maintain the security of electronic information; and

(F) provisions requiring the organization or institution to develop, implement, maintain, and use appropriate administrative, technical, and physical security measures to preserve the confidentiality, integrity, and availability of all school student records; and

(3) the organization or institution uses personally identifiable information from school student records only to meet the purpose or purposes of the study as stated in the written agreement.

For purposes of this subsection (d-5), any information by which a student may be individually or personally identified may only be released, transferred, disclosed, or otherwise disseminated as contemplated by the agreement between the parties. The school student records must be redacted prior to analysis by the organization or institution. Any personally identifiable information used to link data sets must be stored in a secure data file or location outside of the secure data storage where redacted information from the school regarding student records is stored. The organization or institution shall implement and adhere to policies and procedures that restrict access to information by which a student may be individually or personally identified. The organization or institution shall designate an individual to act as the custodian of the personally identifiable information who is responsible for restricting access to that information.

Nothing in this subsection (d-5) prohibits or limits the ability of the State Board or any school to provide personally identifiable information about individual students to a school official, organization, or institution for the purposes of developing, administering, scoring, or interpreting results of student assessments or predictive tests if those assessments or tests require individualized development or administration based on the needs of individual students.

(e) The State Board or schools may not disclose any personally identifiable information, including personally identifiable information from education records of students, without the written consent of eligible students, parents, or guardians to any party for a commercial use, including without limitation marketing products or services, compiling lists for sale or rental, developing products or services, or creating individual, household, or group profiles, nor may such disclosure be made for the provision of services other than contracting, studies, and audits or evaluations as authorized and limited by subsections (c), (d), and (d-5) of this Section.

(f) The State Board or schools may not, directly or through contracts with outside parties, maintain personally identifiable information, including personally identifiable information from education records of students, without the proper notification to eligible students, parents, or guardians, unless the maintenance of the information is:

(1) explicitly mandated in federal or State statute;

(2) administratively required for the proper performance of their duties under the law and is relevant to and necessary for the delivery of services; or

(3) designed to support a study of students or former students.

(g) The State Board and schools shall publicly and conspicuously disclose on their Internet websites and through annual electronic notification to the chairperson of the House of Representatives Elementary & Secondary Education Committee and the chairperson of the Senate Education Committee the existence and character of any personally identifiable information that they, directly or through contracts with outside parties, maintain. The disclosure and notification shall include:

(1) the name and location of the data repository where the information is maintained;

(2) the legal authority that authorizes the establishment and existence of the data repository;

(3) the principal purpose or purposes for which the information is intended to be used;

(4) the categories of individuals on whom records are maintained in the data repository;

(5) the categories of records maintained in the data repository;

(6) each expected disclosure of the records contained in the data repository, including the categories of recipients and the purpose of each disclosure;

(7) the policies and practices of the State Board or school regarding storage, retrievability, access controls, retention, and disposal of the records;

(8) the title and business address of the State Board or school official who is responsible for the data repository and the name and business address of any contractor or other outside party maintaining the data repository for or on behalf of the State Board or school;

(9) the procedures whereby eligible students, parents, or guardians can be notified at their request if the data repository contains a record pertaining to the student, parent, or guardian;

(10) the procedures whereby eligible students, parents, or guardians can be notified at their request on how to gain access to any record pertaining to the student, parent, or guardian contained in the data repository and how they can contest its content; and

(11) the categories of sources of records in the data repository.

(h) The State Board and schools may not append education records with personally identifiable information obtained from other federal or State agencies through data matches without the proper notification to eligible students, parents, or guardians unless the data matches are:

(1) explicitly mandated in federal or State statute; or

(2) administratively required for the proper performance of their duties under the law and are relevant to and necessary for the delivery of services.

(i) Each violation of this Section by an organization or entity that is not the State Board or a school is subject to a civil penalty of up to \$1,000 for a first violation, up to \$5,000 for a second violation, and up to \$10,000 for a third or subsequent violation. Each violation involving a different individual's personally identifiable information shall be considered a separate violation for purposes of civil penalties.

(j) The Attorney General shall have the authority to enforce compliance with this Section by investigation and subsequent commencement of a civil action to seek civil penalties for violations of this Section and to seek appropriate injunctive relief, including without limitation a prohibition on obtaining personally identifiable information for an appropriate time period. In carrying out an investigation and in maintaining a civil action, the Attorney General or any deputy or assistant Attorney General is authorized to subpoena witnesses, compel their attendance, examine them under oath, and require that any books, records, documents, papers, or electronic records relevant or material to the inquiry be turned over for inspection, examination, or audit, pursuant to the Civil Practice Law and rules. Subpoenas issued pursuant to this subsection (j) may be enforced pursuant to the Civil Practice Law and rules.

(k) Nothing contained in this Section shall be construed as creating a private right of action against the State Board or a school.

(l) Nothing in this Section shall limit the administrative use of personally identifiable information by a person acting exclusively in the person's capacity as an employee of a school, this State, a court, or the federal government that is otherwise required by law.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Delgado offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3092

AMENDMENT NO. 2. Amend Senate Bill 3092, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, as follows:

by replacing line 25 on page 5 through line 3 on page 7 with the following:
"of 1974 and its accompanying rules; and"; and

on page 10, line 23, by deleting "or"; and

on page 10, line 26, by replacing "services." with "services; or"; and

on page 10, immediately below line 26, by inserting the following:
"(3) designed to support a study of students or former students."; and

on page 11, by replacing lines 1 through 24 with the following:

"(i) Any person aggrieved by any violation of this Section may institute an action for injunctive relief in the circuit court of the county in which the violation has occurred or the circuit court of the county in which the school is located. Any person injured by a willful or negligent violation of this Section may institute an action for damages in the circuit court of the county in which the violation has occurred or the

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circuit court of the county in which the school is located. In the case of any successful action under this paragraph, any person or school found to have willfully or negligently violated any provision of this Section is liable to the plaintiff for the plaintiff's damages, the costs of the action, and reasonable attorney's fees, as determined by the court.

Actions for injunctive relief to secure compliance with this Section may be brought by the State Board, by the State's Attorney of the county in which the alleged violation has occurred or the State's Attorney of the county in which the school is located, in each case in the circuit court of such county.

Willful failure to comply with this Section is a petty offense, except that any person who willfully and maliciously falsifies any school student record, student permanent record, or student temporary record is guilty of a Class A misdemeanor.

Absent proof of malice, no cause of action or claim for relief, civil or criminal, may be maintained against any school, employee or official of a school, or person acting at the direction of a school for any statement made or judgment expressed in any entry to a school student record of a type that does not violate this Section or rules adopted by the State Board, provided that this paragraph does not limit or deny any defense available under existing law."; and

on page 11, line 25, by replacing "(k)" with "(i)"; and

on page 12, line 2, by replacing "(l)" with "(k)".

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.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Delgado, **Senate Bill No. 3092** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS 4.

The following voted in the affirmative:

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

The following voted in the negative:

| | |
|-------------|--------------|
| Duffy | McConnaughay |
| Luechtefeld | 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).

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

At the hour of 1:13 o'clock p.m., Senator Silverstein, presiding, and the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 1:29 o'clock p.m., the Senate resumed consideration of business.
Senator Silverstein, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 30, 2014 meeting, reported the following House Bills have been assigned to the indicated Standing Committee of the Senate:

Agriculture and Conservation: **House Bills Numbered 5514, 5657 and 5940.**

Criminal Law: **House Bills Numbered 5523, 5682, 5858, 5869 and 5922.**

Education: **House Bills Numbered 5333, 5393, 5397, 5431, 5546, 5588, 5707, 5716, 5838, 5892 and 5967.**

Energy: **House Bill No. 5567.**

Executive: **House Bills Numbered 5491, 5584, 5623, 5684, 5755, 5812, 5816, 5824, 5862, 5903, 5911 and 5926.**

Financial Institutions: **House Bills Numbered 5342 and 5685.**

Higher Education: **House Bills Numbered 5678, 5679 and 5681.**

Human Services: **House Bills Numbered 5488, 5598, 5852 and 5990.**

Insurance: **House Bills Numbered 5575, 5665, 5692 and 5925.**

Judiciary: **House Bills Numbered 5415, 5512, 5563, 5686, 5710, 5735, 5895, 5897, 5938, 5949 and 5968.**

Labor and Commerce: **House Bills Numbered 5606 and 5935.**

Licensed Activities and Pensions: **House Bills Numbered 5464, 5592, 5696, 5845 and 5919.**

Local Government: **House Bills Numbered 5503, 5619 and 5709.**

Public Health: **House Bills Numbered 5348, 5354, 5410, 5412, 5689, 5703, 5742, 5828 and 5868.**

Revenue: **House Bills Numbered 5564 and 5613.**

State Government and Veterans Affairs: **House Bills Numbered 5433, 5585, 5697, 5793 and 5853.**

Transportation: **House Bills Numbered 5468, 5475, 5504 and 5664.**

Special Committee on Watercraft Safety: **House Bill No. 5610.**

[April 30, 2014]

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 30, 2014 meeting, reported that the Committee recommends that **Senate Resolution No. 1090** be re-referred from the Committee on Transportation to the Committee on Assignments.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 30, 2014 meeting, to which was referred **House Bills numbered 3829, 4687 and 5899**, reported the same back with the recommendation that the bill be placed on the order of second reading without recommendation to committee.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 30, 2014 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **Senate Floor Amendment No. 4 to Senate Bill 3144.**

State Government and Veterans Affairs: **Senate Committee Amendment No. 1 to House Bill 4264.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 30, 2014 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Floor Amendment No. 3 to Senate Bill 3398

The foregoing floor amendment was placed on the Secretary's Desk.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 30, 2014 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution 1090

The foregoing resolution was placed on the Secretary's Desk.

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 30, 2014 meeting, reported that pursuant to Senate Rule 3-8(b-1), the following amendments will remain in the Committee on Assignments:

Senate Floor Amendment No. 3 to Senate Bill 977, Senate Floor Amendment No. 4 to Senate Bill 977 and Senate Floor Amendment No. 1 to Senate Bill 1009.

MESSAGE 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 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. 5701

A bill for AN ACT concerning employment.

Passed the House, April 30, 2014.

TIMOTHY D. MAPES, Clerk of the House

[April 30, 2014]

The foregoing **House Bill No. 5701** was taken up, ordered printed and placed on first reading.

SENATE BILL RECALLED

On motion of Senator Frerichs, **Senate Bill No. 3033** was recalled from the order of third reading to the order of second reading.

Senator Frerichs offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3033

AMENDMENT NO. 1. Amend Senate Bill 3033 on page 1, line 9, by replacing "The" with "Subject to a separate appropriation for this purpose, the".

The motion prevailed.

And the amendment was adopted and ordered printed.

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 Frerichs, **Senate Bill No. 3033** 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 40; NAYS 11.

The following voted in the affirmative:

| | | | |
|-----------------|------------|----------|---------------|
| Bertino-Tarrant | Harmon | Link | Silverstein |
| Biss | Harris | Manar | Stadelman |
| Bush | Hastings | Martinez | Steans |
| Clayborne | Holmes | McCann | Sullivan |
| Collins | Hunter | McGuire | Trotter |
| Cullerton, T. | Hutchinson | Morrison | Van Pelt |
| Cunningham | Jacobs | Mulroe | Mr. President |
| Delgado | Jones, E. | Muñoz | |
| Dillard | Koehler | Murphy | |
| Frerichs | Kotowski | Noland | |
| Haine | Lightford | Raoul | |

The following voted in the negative:

| | | | |
|---------|-------------|----------|----------|
| Althoff | Luechtefeld | Oberweis | Righter |
| Bivins | McCarter | Radogno | Syverson |
| Duffy | McConaughay | Rezin | |

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 E. Jones III, **Senate Bill No. 3137** 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 30, 2014]

YEAS 52; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------------|------------|-------------|---------------|
| Althoff | Haine | Luechtefeld | Rezin |
| Bertino-Tarrant | Harmon | Manar | Righter |
| Biss | Harris | Martinez | Rose |
| Bivins | Hastings | McCarter | Silverstein |
| Brady | Holmes | McConaughay | Stadelman |
| Bush | Hunter | McGuire | Steans |
| Clayborne | Hutchinson | Morrison | Sullivan |
| Collins | Jacobs | Mulroe | Trotter |
| Connelly | Jones, E. | Muñoz | Van Pelt |
| Cullerton, T. | Koehler | Murphy | Mr. President |
| Cunningham | Kotowski | Noland | |
| Delgado | LaHood | Oberweis | |
| Dillard | Lightford | Radogno | |
| Frerichs | 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 T. Cullerton, **Senate Bill No. 3255** 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 | Haine | Luechtefeld | Raoul |
| Bertino-Tarrant | Harmon | Manar | Rezin |
| Biss | Harris | Martinez | Righter |
| Bivins | Hastings | McCann | Rose |
| Brady | Holmes | McCarter | Silverstein |
| Bush | Hunter | McConaughay | Stadelman |
| Clayborne | Hutchinson | McGuire | Steans |
| Collins | Jacobs | Morrison | Sullivan |
| Connelly | Jones, E. | Mulroe | Trotter |
| Cullerton, T. | Koehler | Muñoz | Van Pelt |
| Cunningham | Kotowski | Murphy | Mr. President |
| Delgado | LaHood | Noland | |
| Dillard | Lightford | Oberweis | |
| Duffy | 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.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Harmon moved that **Senate Joint Resolution No. 68**, on the Secretary's Desk, be taken up for immediate consideration.

[April 30, 2014]

The motion prevailed.

Senator Harmon moved that Senate Joint Resolution No. 68 be adopted.

The motion prevailed.

And the resolution was adopted.

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

READING BILLS OF THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Kotowski, **House Bill No. 3777** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Manar, **House Bill No. 4056** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Righter, **House Bill No. 4083** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Connelly, **House Bill No. 4235** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 4266** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **House Bill No. 4277** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 4336** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 4340** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator T. Cullerton, **House Bill No. 4360** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Syverson, **House Bill No. 4405** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **House Bill No. 4407** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Kotowski, **House Bill No. 4486** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 4505** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 4522** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 4523** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator T. Cullerton, **House Bill No. 4542** was taken up, read by title a second time and ordered to a third reading.

[April 30, 2014]

On motion of Senator Righter, **House Bill No. 4594** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Kotowski, **House Bill No. 4663** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Biss, **House Bill No. 4716** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Biss, **House Bill No. 4767** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 4784** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator T. Cullerton, **House Bill No. 4786** was taken up, read by title a second time and ordered to a third reading.

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

On motion of Senator Brady, **House Bill No. 4590** was taken up, read by title a second time and ordered to a third reading.

MESSAGES 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 30, 2014

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 Pat McGuire to temporarily replace Senator Martin Sandoval as a member of the Senate Licensed Activities Committee. This appointment will automatically expire upon adjournment of the Senate Licensed Activities Committee.

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

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706

[April 30, 2014]

April 30, 2014

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 William Cunningham to temporarily replace Senator Steve Landek as a member of the Senate Revenue Committee. This appointment will automatically expire upon adjournment of the Senate Revenue Committee.

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

cc: Senate Minority Leader Christine Radogno

At the hour of 2:05 o'clock p.m., the Chair announced the Senate stand adjourned until Thursday, May 1, 2014, at 10:00 o'clock a.m.

[April 30, 2014]