



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-NINTH GENERAL ASSEMBLY

16TH LEGISLATIVE DAY

TUESDAY, MARCH 10, 2015

12:27 O'CLOCK P.M.

SENATE
Daily Journal Index
16th Legislative Day

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The Senate met pursuant to adjournment.
Senator Ira I. Silverstein, Chicago, Illinois, presiding.
Prayer by Pastor Shaun Lewis, Civil Servant Ministries, Springfield, Illinois.
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Thursday, March 5, 2015, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Reporting Requirement of Public Act 98-1142 (Eavesdropping), submitted by the Livingston County State's Attorney.

Reporting Requirement of Public Act 98-1142 (Eavesdropping), submitted by the Mason County State's Attorney.

Reporting Requirement of Public Act 98-1142 (Eavesdropping), submitted by the McLean County State's Attorney.

Reporting Requirement of Public Act 98-1142 (Eavesdropping), submitted by the White County State's Attorney.

Report Pursuant to Public Act 87-552 (Flex time), submitted by the Department of Commerce and Economic Opportunity.

Report Pursuant to Public Act 87-552 (Flex time), submitted by the Illinois Criminal Justice Information Authority.

Reporting Requirement of Public Act 98-1142 (Eavesdropping), submitted by the Kendall County State's Attorney.

Illinois Tollway 2015 Annual Budget, submitted by the Illinois Tollway.

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

COMMUNICATION FROM THE MINORITY LEADER

CHRISTINE RADOGNO
SENATE REPUBLICAN LEADER · 41st DISTRICT

March 9, 2015

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

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Nybo to temporarily replace Senator Oberweis as a member of the Senate Appropriations II Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Appropriations II Committee.

Sincerely,

[March 10, 2015]

s/Christine Radogno
Christine Radogno
Senate Republican Leader

cc: Senate President John Cullerton
Assistant Secretary of the Senate Scott Kaiser

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 205

Offered by Senator Bennett and all Senators:
Mourns the death of Alfred Bott.

SENATE RESOLUTION NO. 206

Offered by Senator Koehler and all Senators:
Mourns the death of Alfonse "Al" Zuccarini of Brimfield.

SENATE RESOLUTION NO. 207

Offered by Senator McConnaughay and all Senators:
Mourns the death of Dr. John Dickens of St. Charles.

SENATE RESOLUTION NO. 208

Offered by Senator Haine and all Senators:
Mourns the death of Donald Leo Wendle of Godfrey.

SENATE RESOLUTION NO. 209

Offered by Senator Manar and all Senators:
Mourns the death of Charlotte Marie Wright of Bunker Hill.

SENATE RESOLUTION NO. 210

Offered by Senator Hunter and all Senators:
Mourns the death of Johnnie Horton Jackson.

SENATE RESOLUTION NO. 211

Offered by Senator Hunter and all Senators:
Mourns the death of Larry "Buster" Reed.

SENATE RESOLUTION NO. 212

Offered by Senator Bennett and all Senators:
Mourns the death of the Reverend Keith Johnson of New York, New York.

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

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

SENATE RESOLUTION NO. 213

WHEREAS, The Barack Obama Foundation is currently in the process of selecting a location for construction of the President Barack Obama Presidential Library and Museum; and

WHEREAS, The final 4 locations being considered are one location in New York, one in Hawaii, and 2 within the City of Chicago - one on the West Side at the University of Illinois at Chicago and one on the South Side at the University of Chicago; and

[March 10, 2015]

WHEREAS, Chicago is the largest city in the State of Illinois and Illinois is the State where President Obama served in the Senate from 1997 through 2004, representing the 13th Legislative District; and

WHEREAS, The City of Chicago is President Obama's hometown; it is where he started both his career in public service and his family, and it is where his family still calls home; Chicago has seen its profile as a global city grow and has seen increased economic and cultural development by having the President of the United States hail from within its borders; and

WHEREAS, In support of Chicago's 2 bids, the 98th Illinois General Assembly passed Public Act 98-1005, which provides for the loan or donation to a presidential library or museum any books, items, furniture, equipment, or other materials or property of former Illinois State Senator Barack Obama in the possession or control of the Senate; and

WHEREAS, The Barack Obama Foundation is scheduled to select the final site by the end of March of 2015; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Barack Obama Foundation to select one of the 2 Chicago bids as the location to build the President Barack Obama Presidential Library and Museum; and be it further

RESOLVED, That suitable copies of this resolution be delivered to President Barack Obama, First Lady Michelle Obama, and the Barack Obama Foundation board members.

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

SENATE JOINT RESOLUTION NO. 18

WHEREAS, The centennial of the Armenian Genocide is before us, and Armenians throughout the world resound with a powerful call for justice and truth that will not be silenced; and

WHEREAS, Each day of 2015 is a day of devotion for the Armenian people, a spiritual journey to memorials of their martyrs in the homeland and in the diaspora; and

WHEREAS, The Armenian people kneel humbly before those memorials in prayer for the souls of the innocent who rest in unmarked graves, having accepted death rather than reject their faith and nation; and

WHEREAS, In 1915, and in the years that followed, Ottoman Turkey committed genocide against the Armenian people; and

WHEREAS, In the historic homeland of Western Armenia and in Armenian communities throughout other parts of the Ottoman Empire, one and a half million sons and daughters of the Armenian nation were subjected to slaughter, famine, and disease, as they were deported and forced to march to their deaths; and

WHEREAS, A centuries-old inheritance was pillaged as thousands of monasteries and churches were desecrated and destroyed, national institutions and schools were razed to the ground, and their spiritual and national values were uprooted; and

WHEREAS, Western Armenia, where the Armenian people had lived since the time of Noah, where they forged an identity and shaped a distinctive culture, was savagely wrested from the native population; and

WHEREAS, Eastern Armenia, the birthplace of the Church of Armenia and from where the Armenian people received the light of St. Gregory the Illuminator, was threatened out of existence; and

WHEREAS, In this time of darkness, when Armenia was splintered, when its fragments were scattered the world over, it was hard to believe that a new day would come; and

[March 10, 2015]

WHEREAS, The Armenian people persevered by the Lord's grace, rose up from the ashes and began to build anew; and

WHEREAS, In Eastern Armenia, a country was built out of ruins, a homeland of light and hope, where Armenians once again harnessed their creative forces in education, in the sciences, and the arts; and

WHEREAS, Today, though they still face hardships, the Armenian people continue to strengthen their independent homeland, where they live in freedom, and look with hope to the future; and

WHEREAS, The Armenian spirit also flourished in far-flung lands, where the exiled people set down roots, built schools and churches, and gave generously of their talents in these new places they called home; and

WHEREAS, By placing their hope in the Lord, the Armenian people were illuminated and empowered; His light kindled the ingenuity of their spirit; and His might propelled them to victories in the face of destruction and in the face of annihilation; and

WHEREAS, It was the Will of the Lord that the Armenian nation should live and rise again, so that they might seek justice where there has been oppression, concern where there has been indifference, and truth where there has been denial; and

WHEREAS, The Armenian people in their native homeland and in the diaspora will continue their fight without retreat, working together in unity until justice triumphs over darkness; and

WHEREAS, The innocent martyrs cry out for justice; the destroyed shrines and the falsification and distortion of history cry out for justice; and

WHEREAS, We believe that the states and nation states and individuals who have recognized the Armenian Genocide will be joined by others who believe that the affirmation of truth will lead to a world free of hostility and violence; and

WHEREAS, We express our gratitude to all those states and nation states who had the courage and conviction, to recognize and condemn the Armenian Genocide, and also to the countries and individuals who gave a new home to the Armenian people for we know that these acts of justice and compassion are glimpses of humanity at its best, and they are lessons we can pass on from one generation to the next, to guide our world toward peace and harmony; and

WHEREAS, In spiritual consolation, His Holiness Karekin II, Supreme Patriarch and Catholicos of All Armenians issued a Patriarchal encyclical on December 28, 2014 announcing that during the Divine Liturgy on April 23, 2015, the Church of Armenia will perform a special ceremony canonizing as saints its sons and daughters who became Martyrs for their faith and for their homeland; and

WHEREAS, His Holiness pronounced April 24, 2015 as the Day of Remembrance of the Holy Martyrs of the Armenian Genocide of 1915; and

WHEREAS, The People of Illinois, as represented by the General Assembly and the Governor, should remain mindful of these tragic events, and should act in a spirit of justice and humanity to designate April 24, 2015 as the Day of Remembrance of the Holy Martyrs of the Armenian Genocide of 1915; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we commemorate April 24, 2015 as the Day of Remembrance of the Holy Martyrs of the Armenian Genocide of 1915; and be it further

RESOLVED, That we request Governor Bruce Rauner to proclaim April 24, 2015, as the Day of Remembrance of the Holy Martyrs of the Armenian Genocide of 1915; and be it further

[March 10, 2015]

RESOLVED, That we call upon the people of Illinois to observe that Day of Remembrance and to draw strength from the firm determination of the Armenian people, who trampled death and rose again to rebuild, to renew, and to reassert the spirit of their ancestors; and be it further

RESOLVED, That this be the lesson we teach our children and our grandchildren, so that they, too, will realize that the affirmation of truth will lead to a world free of hostility and violence; and be it further

RESOLVED, That suitable copy of this resolution be presented to Governor Bruce Rauner.

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 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. 175

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1336

A bill for AN ACT concerning liquor.

Passed the House, March 5, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 175 and 1336** 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 adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 10

WHEREAS, The Veterans of Foreign Wars of the United States is a veterans' service organization chartered by the government of the United States; it was organized in 1914 by veterans of the Spanish-American War, the Cuban and Puerto Rican occupations, the Boxer Rebellion, and the Philippine Insurrection; and

WHEREAS, On March 21, 1925, 26 World War I veterans and one Spanish-American War veteran came together and chartered St. Juvin Post 1336 of the Veterans of Foreign Wars of the United States; and

WHEREAS, St. Juvin Post 1336 was named for a small village in north-eastern France; it was the scene of many battles during the Meuse-Argonne Offensive in October of 1918 and some of the members served in and around the village; and

WHEREAS, St. Juvin Post 1336 has continually and faithfully worked to honor the dead by helping the living through veteran service, community service, and strong national defense; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we recognize the members of St. Juvin Post 1336 Veterans of Foreign Wars for the Post's 90 years of service and dedication to the United States of America, its veterans, and their community; and be it further

RESOLVED, That a suitable copy of this resolution be presented to St. Juvin Post 1336 as a symbol of our esteem and respect.

[March 10, 2015]

Adopted by the House, March 3, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 10 was referred to the Committee on Assignments.

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

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

HOUSE JOINT RESOLUTION NO. 21

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who gave their lives in the line of duty; and

WHEREAS, Illinois State Trooper Bernard Delano "Bernie" Skeeters's last watch occurred on May 20, 1982 when his patrol car was struck from behind by a tractor trailer on Interstate 55 near Williamsville; and

WHEREAS, Trooper Skeeters was working a safety detail patrolling on southbound Interstate 55 behind a paint truck when a semi-trailer slammed into his squad car from behind forcing his car into the paint truck in front of him; the 3-vehicle accident instantly killed Trooper Skeeters; and

WHEREAS, Trooper Skeeters became an Illinois State Trooper on March 9, 1970 and served for 12 years; he was assigned to District 9 in Springfield; he was the youngest of 15 children to Joseph Edward and Grace Rosalie (nee Whitcomb) Skeeters; he was survived by his wife, Marie, and their 3 sons, Tom, Ron, and the late Andy; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the Stuttle Road overpass over Interstate 55 in Williamsville as the "Trooper Bernard D. Skeeters Memorial Overpass"; and be it further

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

RESOLVED, That suitable copies of this resolution be presented to the family of Trooper Skeeters and the Secretary of the Illinois Department of Transportation.

Adopted by the House, March 5, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 21 was referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 175, sponsored by Senator Duffy, was taken up, read by title a first time and referred to the Committee on Assignments.

[March 10, 2015]

House Bill No. 1336, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

APPOINTMENT MESSAGES

Appointment Message No. 990091

To the Honorable Members of the Senate, Ninety-Ninth General Assembly:

I, Bruce Rauner, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Medical Disciplinary Board

Start Date: March 2, 2015

End Date: January 1, 2019

Name: Dr. Frank Nicolosi

Residence: 244 Stonehedge Lane, Rockford, IL 61107

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Steve Stadelman

Most Recent Holder of Office: Tariq Butt

Superseded Appointment Message: Appointment Message 90 of the 99th General Assembly

Appointment Message No. 990092

To the Honorable Members of the Senate, Ninety-Ninth General Assembly:

I, Bruce Rauner, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Chicago Transit Authority Board

Start Date: March 9, 2015

End Date: September 1, 2021

Name: Arabel Alva Rosales

Residence: 642 W. Schubert Ave., Chicago IL 60614

Annual Compensation: \$25,000

Per diem: Not Applicable

[March 10, 2015]

Nominee's Senator: Senator John J. Cullerton

Most Recent Holder of Office: Jacquelyne Grimshaw

Superseded Appointment Message: Not Applicable

Appointment Message No. 990093

To the Honorable Members of the Senate, Ninety-Ninth General Assembly:

I, Bruce Rauner, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Chicago Transit Authority Board

Start Date: March 9, 2015

End Date: September 1, 2018

Name: Andre Youngblood

Residence: 16927 Langley Ave., South Holland, IL 60473

Annual Compensation: \$25,000

Per diem: Not Applicable

Nominee's Senator: Senator Napoleon Harris, III

Most Recent Holder of Office: Robert Lewis

Superseded Appointment Message: Not Applicable

Appointment Message No. 990094

To the Honorable Members of the Senate, Ninety-Ninth General Assembly:

I, Bruce Rauner, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member and Chair

Agency or Other Body: Civil Service Commission

Start Date: March 9, 2015

End Date: March 1, 2021

Name: Fredrick Bates

Residence: 8633 S. Prairie Ave., Chicago, IL 60619

Annual Compensation: \$30,404

[March 10, 2015]

Per diem: Not Applicable

Nominee's Senator: Senator Donne E. Trotter

Most Recent Holder of Office: Garrett Fitzgerald

Superseded Appointment Message: Not Applicable

Appointment Message No. 990095

To the Honorable Members of the Senate, Ninety-Ninth General Assembly:

I, Bruce Rauner, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Civil Service Commission

Start Date: March 9, 2015

End Date: March 1, 2019

Name: Garrett Fitzgerald

Residence: 3653 N. Sacramento Ave., Chicago, IL 60618

Annual Compensation: \$25,320

Per diem: Not Applicable

Nominee's Senator: Senator Iris Y. Martinez

Most Recent Holder of Office: James Anderson

Superseded Appointment Message: Not Applicable

Appointment Message No. 990096

To the Honorable Members of the Senate, Ninety-Ninth General Assembly:

I, Bruce Rauner, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member and Chair

Agency or Other Body: Concealed Carry Licensing Review Board

Start Date: March 9, 2015

End Date: January 14, 2019

Name: Jeremy Margolis

Residence: 312 N. Clark St., Suite 2300, Chicago, IL 60654

Annual Compensation: \$37,571

[March 10, 2015]

Per diem: Not Applicable

Nominee's Senator: Senator Mattie Hunter

Most Recent Holder of Office: Robinzina Bryant

Superseded Appointment Message: Not Applicable

Appointment Message No. 990097

To the Honorable Members of the Senate, Ninety-Ninth General Assembly:

I, Bruce Rauner, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Concealed Carry Licensing Review Board

Start Date: March 9, 2015

End Date: January 14, 2019

Name: Jon Johnson

Residence: P.O. Box 804, Orion, IL 61273

Annual Compensation: \$37,571

Per diem: Not Applicable

Nominee's Senator: Senator Darin M. LaHood

Most Recent Holder of Office: John Diwik

Superseded Appointment Message: Not Applicable

Appointment Message No. 990098

To the Honorable Members of the Senate, Ninety-Ninth General Assembly:

I, Bruce Rauner, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Concealed Carry Licensing Review Board

Start Date: March 9, 2015

End Date: January 14, 2019

Name: Joseph Vaughn

Residence: 3315 Maryville Rd., Granite City, IL 62040

[March 10, 2015]

Annual Compensation: \$37,571

Per diem: Not Applicable

Nominee's Senator: Senator William R. Haine

Most Recent Holder of Office: G. Patrick Murphy

Superseded Appointment Message: Not Applicable

Appointment Message No. 990099

To the Honorable Members of the Senate, Ninety-Ninth General Assembly:

I, Bruce Rauner, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Concealed Carry Licensing Review Board

Start Date: March 9, 2015

End Date: January 14, 2019

Name: Frank Wright

Residence: 301 E. Colorado Ave., Urbana, IL 61801

Annual Compensation: \$37,571

Per diem: Not Applicable

Nominee's Senator: Senator Scott M. Bennett

Most Recent Holder of Office: Patrick John Chesley

Superseded Appointment Message: Not Applicable

Appointment Message No. 990100

To the Honorable Members of the Senate, Ninety-Ninth General Assembly:

I, Bruce Rauner, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Judge

Agency or Other Body: Court of Claims

Start Date: March 9, 2015

End Date: January 18, 2021

Name: Mary Patricia Burns

Residence: 415 E. North Water St., Apt. 2504, Chicago IL 60611

[March 10, 2015]

Annual Compensation: \$59,918

Per diem: Not Applicable

Nominee's Senator: Senator Kwame Raoul

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 990101

To the Honorable Members of the Senate, Ninety-Ninth General Assembly:

I, Bruce Rauner, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Health Facilities and Services Review Board

Start Date: March 9, 2015

End Date: July 1, 2017

Name: Richard Burrow

Residence: 1308 Pinehurst Dr., O'Fallon, IL 62269

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator James F. Clayborne, Jr.

Most Recent Holder of Office: David Penn

Superseded Appointment Message: Not Applicable

Appointment Message No. 990102

To the Honorable Members of the Senate, Ninety-Ninth General Assembly:

I, Bruce Rauner, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member and Chair

Agency or Other Body: Illinois Community College Board

Start Date: March 9, 2015

End Date: June 30, 2019

Name: Lazaro Lopez

[March 10, 2015]

Residence: 3855 Moulin Lane, Hoffman Estates, IL 60192

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Matt Murphy

Most Recent Holder of Office: Terry Bruce

Superseded Appointment Message: Not Applicable

Under the rules, the foregoing Appointment Messages were referred to the Committee on Assignments.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Harmon, **Senate Bill No. 718** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 718

AMENDMENT NO. 1. Amend Senate Bill 718 by replacing everything after the enacting clause with the following:

"Section 5. The Elevator Safety and Regulation Act is amended by changing Sections 15, 35, 105, 120, and 140 as follows:

(225 ILCS 312/15)

(Section scheduled to be repealed on January 1, 2023)

Sec. 15. Definitions. For the purpose of this Act:

"Administrator" means the Office of the State Fire Marshal.

"Alteration" means any change to equipment, including its parts, components, or subsystems, other than maintenance, repair, or replacement of the equipment, including its parts, components, or subsystems.

"ANSI A10.4" means the safety requirements for personnel hoists, an American National Standard.

"ASCE 21" means the American Society of Civil Engineers Automated People Mover Standards.

"ASME A17.1" means the Safety Code for Elevators and Escalators, an American National Standard, and CSA B44, the National Standard of Canada.

"ASME A17.3" means the Safety Code for Existing Elevators and Escalators, an American National Standard.

"ASME A17.7" means the Performance-Based Safety Code for Elevators and Escalators, an American National Standard, and CSA B44.7, the National Standard of Canada.

"ASME A18.1" means the Safety Standard for Platform Lifts and Stairway Chairlifts, an American National Standard.

"Automated people mover" means an installation as defined as an "automated people mover" in ASCE 21.

"Board" means the Elevator Safety Review Board.

"Certificate of operation" means a certificate issued by the Administrator or the Local Administrator that indicates that the conveyance has passed the required safety inspection and tests and fees have been paid as set forth in this Act.

"Conveyance" means any elevator, dumbwaiter, escalator, moving sidewalk, platform lifts, stairway chairlifts and automated people movers.

"Elevator" means an installation defined as an "elevator" in ASME A17.1.

"Elevator contractor" means any person, firm, or corporation who possesses an elevator contractor's license in accordance with the provisions of Sections 40 and 55 of this Act and who is engaged in the business of erecting, constructing, installing, altering, servicing, repairing, or maintaining elevators or related conveyance covered by this Act.

[March 10, 2015]

"Elevator contractor's license" means a license issued to an elevator contractor who has proven his or her qualifications and ability and has been authorized by the ~~Administrator Elevator Safety Review Board~~ to work on conveyance equipment. It shall entitle the holder thereof to engage in the business of constructing, installing, altering, servicing, testing, repairing, or maintaining and performing electrical work on elevators or related conveyances covered by this Act within any building or structure, including, but not limited to, private residences. The Administrator may issue a limited elevator contractor's license authorizing a firm or company that employs individuals to carry on a business of erecting, constructing, installing, altering, servicing, repairing, or maintaining a specific type of conveyance within any building or structure, excluding private residences.

"Elevator helper" means an individual registered with the Administrator who works under the general direction of a licensed elevator mechanic. Licensure is not required for an elevator helper.

"Elevator industry apprentice" means an individual who is enrolled in an apprenticeship program approved by the Bureau of Apprenticeship and Training of the U.S. Department of Labor and who is registered by the Administrator and works under the general direction of a licensed elevator mechanic. Licensure is not required for an elevator industry apprentice.

"Elevator inspector" means any inspector, as that term is defined in ASME QEI, who possesses an elevator inspector's license in accordance with the provisions of this Act.

"Elevator mechanic" means any person who possesses an elevator mechanic's license in accordance with the provisions of Sections 40 and 45 of this Act and who is engaged in erecting, constructing, installing, altering, servicing, repairing, or maintaining elevators or related conveyance covered by this Act.

"Elevator mechanic's license" means a license issued to a person who has proven his or her qualifications and ability and has been authorized by the ~~Administrator Elevator Safety Review Board~~ to work on conveyance equipment. It shall entitle the holder thereof to install, construct, alter, service, repair, test, maintain, and perform electrical work on elevators or related conveyance covered by this Act. The Administrator may issue a limited elevator mechanic's license authorizing an individual to carry on a business of erecting, constructing, installing, altering, servicing, repairing, or maintaining a specific type of conveyance within any building or structure.

"Escalator" means an installation defined as an "escalator" in ASME A17.1.

"Existing installation" means an installation defined as an "installation, existing" in ASME A17.1.

"Inspector's license" or "inspection company license" means a license issued to an ASME QEI certified elevator inspector or inspection company that has proven the inspector's or the company's qualifications and ability and has been authorized by the ~~Administrator Elevator Safety Review Board~~ to possess this type of license. It shall entitle the holder thereof to engage in the business of inspecting elevators or related conveyance covered by this Act.

"License" means a written license, duly issued by the Administrator, authorizing a person, firm, or company to carry on the business of erecting, constructing, installing, altering, servicing, repairing, maintaining, or performing inspections of elevators or related conveyance covered by this Act. New and renewed licenses issued after January 1, 2010 will include a photo of the licensee.

"Local Administrator" means the municipality or municipalities or county or counties that entered into a local elevator agreement with the Administrator to operate its own elevator safety program in accordance with this Act and the adopted administrative rules.

"Material alteration" means an "alteration", as defined in the referenced standards.

"Moving walk" means an installation defined as a "moving walk" in ASME A17.1.

"Owner" means the owner of the conveyance, which could be an individual, a group of individuals, an association, trust, partnership, corporation, or person doing business under an assumed name. The owner may delegate his, her, or its authority to manage the day-to-day operations of the conveyance to another party, but may not delegate his, her, or its responsibilities and duties under this Act and the administrative rules.

"Private residence" means a separate dwelling or a separate apartment or condominium unit in a multiple-family dwelling that is occupied by members of a single-family unit.

"Repair" has the meaning set forth in the referenced standards. "Repair" does not require a permit.

"Temporarily dormant" means an elevator, dumbwaiter, or escalator:

- (1) with a power supply that has been disconnected by removing fuses and placing a padlock on the mainline disconnect switch in the "off" position;
- (2) with a car that is parked and hoistway doors that are in the closed and latched position;
- (3) with a wire seal on the mainline disconnect switch installed by a licensed elevator inspector;

(4) that shall not be used again until it has been put in safe running order and is in condition for use;

(5) requiring annual inspections for the duration of the temporarily dormant status by a licensed elevator inspector;

(6) that has a "temporarily dormant" status that is renewable on an annual basis, not to exceed a 5-year period;

(7) requiring the inspector to file a report with the Administrator describing the current conditions; and

(8) with a wire seal and padlock that shall not be removed for any purpose without permission from the elevator inspector.

"Temporary certificate of operation" means a temporary certificate of operation issued by the Administrator or the Local Administrator that permits the temporary use of a non-compliant conveyance by the general public for a limited time of 30 days while minor repairs are being completed.

All other building transportation terms are as defined in the latest edition of ASME A17.1 and ASME A18.1.

"Temporary limited authority" means an authorization issued, for a period not to exceed one year, by the Administrator to an individual that the Administrator deems qualified to perform work on a specific type of conveyance.

(Source: P.A. 95-573, eff. 8-31-07; 96-54, eff. 7-23-09.)

(225 ILCS 312/35)

(Section scheduled to be repealed on January 1, 2023)

Sec. 35. Powers and duties of the Board and Administrator.

(a) The Board shall consult with engineering authorities and organizations and adopt rules consistent with the provisions of this Act for the administration and enforcement of this Act. The Board may prescribe forms to be issued in connection with the administration and enforcement of this Act. The rules shall establish standards and criteria consistent with this Act for licensing of elevator mechanics, inspectors, and installers of elevators, including the provisions of the Safety Code for Elevators and Escalators (ASME A17.1), the provisions of the Performance-Based Safety Code for Elevators and Escalators (ASME A17.7), the Standard for the Qualification of Elevator Inspectors (ASME QEI-1), the Automated People Mover Standards (ASCE 21), the Safety Requirements for Personnel Hoists and Employee Elevators (ANSI A10.4), and the Safety Standard for Platform Lifts and Stairway Chairlifts (ASME A18.1). The Board shall adopt or amend and adopt the latest editions of the standards referenced in this subsection within 12 months after the effective date of the standards.

The Board shall make determinations authorized by this Act regarding variances, interpretations, and the installation of new technology. Such determinations shall have a binding precedential effect throughout the State regarding equipment, structure, or the enforcement of codes unless limited by the Board to the fact-specific issues.

(b) The Administrator or Local Administrator shall have the authority to grant exceptions and variances from the literal requirements of applicable State codes, standards, and regulations in cases where such variances would not jeopardize the public safety and welfare. The Administrator has the right to review and object to any exceptions or variances granted by the Local Administrator. The Board shall have the authority to hear appeals, for any denial by the Local Administrator or for any denial or objection by the Administrator. The Board shall hold hearings, and decide upon such within 30 days of the appeal.

(c) The Board shall establish fee schedules for licenses, and registrations issued by the Administrator. The Board shall also establish fee schedules for permits and ~~certificates, and inspections~~ for conveyances not under a Local Administrator. The fees shall be set at an amount necessary to cover the actual costs and expenses to operate the Board and to conduct the duties as described in this Act.

(d) The Board shall be authorized to recommend the amendments of applicable legislation, when appropriate, to legislators.

(e) The Administrator may solicit the advice and expert knowledge of the Board on any matter relating to the administration and enforcement of this Act.

(f) The Administrator may employ professional, technical, investigative, or clerical help, on either a full-time or part-time basis, as may be necessary for the enforcement of this Act.

(g) (Blank).

(h) Notwithstanding anything else in this Section, the following upgrade requirements of the 2007 edition of the Safety Code for Elevators and Escalators (ASME A17.1) and the 2005 edition of the Safety Code for Existing Elevators (ASME A17.3) must be completed by January 1, 2015, but the Administrator or Local Administrator may not require their completion prior to January 1, 2013:

(i) (blank);

- (ii) car illumination;
- (iii) emergency operation and signaling devices;
- (iv) phase reversal and failure protection;
- (v) reopening device for power operated doors or gates;
- (vi) stop switch pits; and
- (vii) pit ladder installation in accordance with Section 2.2.4.2 of ASME A17.1-2007.

(h-5) Notwithstanding anything else in this Section, the upgrade requirements for the restricted opening of hoistway doors or car doors on passenger elevators as provided for in the 2007 edition of the Safety Code for Elevators and Escalators (ASME A17.1) and the 2005 edition of the Safety Code for Existing Elevators (ASME A17.3) must be completed by January 1, 2014.

(i) In the event that a conveyance regulated by this Act is altered, the alteration shall comply with ASME A17.1. Notwithstanding anything else in this Section, the firefighter's emergency operation, and the hydraulic elevator cylinder, including the associated safety devices outlined in Section 4.3.3(b) of ASME A17.3-2005, are not required to be upgraded unless: (1) there is an alteration, (2) the equipment fails, or (3) failing to replace the equipment jeopardizes the public safety and welfare as determined by the Local Administrator or the Board.

(j) The Administrator may choose to require the inspection of any conveyance to be performed by its own inspectors or by third-party licensed inspectors employed by the Administrator.

(k) The Board shall prescribe an inspection form, which shall be the only inspection form used by a licensed inspector in the inspection of a conveyance under this Act.

(Source: P.A. 96-54, eff. 7-23-09; 97-310, eff. 8-11-11; 97-1048, eff. 8-22-12.)

(225 ILCS 312/105)

(Section scheduled to be repealed on January 1, 2023)

Sec. 105. Enforcement; Investigation.

(a) It shall be the duty of the Administrator to develop an enforcement program to ensure compliance with rules and requirements referenced in this Act. This shall include, but shall not be limited to, rules for identification of property locations that are subject to the rules and requirements; issuing notifications to violating property owners or operators, random on-site inspections, and tests on existing installations; witnessing periodic inspections and testing in order to ensure satisfactory performance by licensed persons, firms, or companies; and assisting in development of public awareness programs.

(b) Any person may make a request for an investigation into an alleged violation of this Act by giving notice to the Administrator or Local Administrator of such violation or danger. The notice shall be in writing, shall set forth with reasonable particularity the grounds for the notice, and shall be signed by the person making the request. Upon the request of any person signing the notice, the person's name shall not appear on any copy of the notice or any record published, released, or made available. If the Local Administrator determines that there are reasonable grounds to believe that such violation or danger exists, the Local Administrator shall forward the request for an investigation to the Administrator.

(c) If, upon receipt of such notification, the Administrator determines that there are reasonable grounds to believe that such violation or danger exists, the Administrator shall cause to be made or permit the Local Administrator to conduct an investigation in accordance with the provisions of this Act as soon as practicable to determine if such violation or danger exists. If the Administrator determines that there are no reasonable grounds to believe that a violation or danger exists, he or she shall notify the party in writing of such determination.

(d) (Blank).

(e) An injury caused by the malfunction of a conveyance shall be reported to the Administrator by the property owner, the lessee, or the party otherwise responsible for the premises where the conveyance is located and the injury occurred. The injury shall be reported within 2 business days of its occurrence and may be reported either in writing or electronically.

(Source: P.A. 95-573, eff. 8-31-07; 96-54, eff. 7-23-09.)

(225 ILCS 312/120)

(Section scheduled to be repealed on January 1, 2023)

Sec. 120. Inspection and testing.

(a) Except as provided in subsection (c) of Section 95 of this Act, it shall be the responsibility of the owner of all new and existing conveyances located in any building or structure to have the conveyance inspected annually by a person, firm, or company to which a license to inspect conveyances has been issued. The person, firm, or company conducting the inspection shall use the inspection form prescribed by the Board pursuant to subsection (k) of Section 35 of this Act. Subsequent to inspection, the licensed person, firm, or company must supply the property owner or lessee ~~and the Administrator~~ with a written inspection report describing any and all code violations. Property owners shall have 30 days from the date

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of the published inspection report to be in full compliance by correcting the violations. The Administrator shall determine, upon receiving a final inspection report from the property owner or lessee, whether such violations have been corrected and may extend the compliance dates for good cause, provided that such violations are minor and pose no threat to public safety.

(b) It shall be the responsibility of the owner of all conveyances to have a licensed elevator contractor, as defined in this Act, ensure that the required tests are performed at intervals in compliance with the ASME A 17.1, ASME A 18.1 and ASCE 21.

(c) All tests shall be performed by a licensed elevator mechanic.

(Source: P.A. 97-310, eff. 8-11-11.)

(225 ILCS 312/140)

(Section scheduled to be repealed on January 1, 2023)

Sec. 140. Local Administrator; home rule.

(a) The Administrator may enter into a local elevator agreement with municipalities or counties under which the Local Administrator shall (i) issue construction permits and certificates of operation, (ii) provide for inspection of elevators, including temporary operation inspections, (iii) grant exceptions and variances from the literal requirements of applicable State codes, standards, and regulations in cases where such variances would not jeopardize the public safety and welfare, and (iv) enforce the applicable provisions of the Act, and levy fines in accordance with the Municipal Code or Counties Code. The Local Administrator may choose to require that inspections be performed by its own inspectors or by private certified elevator inspectors. The Local Administrator may assess a reasonable fee for permits, exceptions, variances, certification of operation, or inspections performed by its inspectors. Each agreement shall include a provision that the Local Administrator shall maintain for inspection by the Administrator copies of all applications for permits issued, grants or denials of exceptions or variances, copies of each inspection report issued, and proper records showing the number of certificates of operation issued. Each agreement shall also include a provision that each required inspection be conducted by a certified elevator inspector and any other provisions deemed necessary by the Administrator. Any safety standards or regulations adopted by a municipality or county under this subsection must be at least as stringent as those provided for in this Act and the rules adopted under this Act.

(b) A home rule unit may not regulate the inspection or licensure of, or otherwise regulate, elevators and devices described in Section 10 of this Act in a manner less restrictive than the regulation by the State of those matters under this Act. This subsection is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(c) (Blank).

(d) The Administrator shall be notified of any exception or variance granted. The Administrator may object to such exception or variance within 7 business days of receipt of the notice. Should the Administrator and Local Administrator not reach agreement on the exception or variance, the matter shall be directed to the Board to hear and decide.

(e) The Local Administrator shall issue the inspection form prescribed by the Board pursuant to subsection (k) of Section 35 of this Act or an inspection form identical to the form prescribed by the Board, which shall be the only inspection form used by a person, firm, or company licensed to inspect conveyances under this Section. A Local Administrator that chooses to require that inspections be performed by its own inspectors shall also use the inspection form prescribed by the Board or an inspection form that is identical to the form prescribed by the Board.

(Source: P.A. 96-54, eff. 7-23-09.)".

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 Stadelman, **Senate Bill No. 727** 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. 809** 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. 834** 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 Barickman, **Senate Bill No. 1205** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **Senate Bill No. 1246** 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. 1344** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **Senate Bill No. 1377** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **Senate Bill No. 1378** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 107** having been printed, was taken up, read by title a second time and ordered to a third reading.

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:

Committee Amendment No. 1 to Senate Bill 100
 Committee Amendment No. 1 to Senate Bill 653
 Committee Amendment No. 2 to Senate Bill 653
 Committee Amendment No. 1 to Senate Bill 717
 Committee Amendment No. 1 to Senate Bill 749
 Committee Amendment No. 1 to Senate Bill 763
 Committee Amendment No. 1 to Senate Bill 1298
 Committee Amendment No. 1 to Senate Bill 1309
 Committee Amendment No. 1 to Senate Bill 1334
 Committee Amendment No. 1 to Senate Bill 1359
 Committee Amendment No. 1 to Senate Bill 1447
 Committee Amendment No. 1 to Senate Bill 1588
 Committee Amendment No. 1 to Senate Bill 1603
 Committee Amendment No. 1 to Senate Bill 1605

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

Floor Amendment No. 1 to Senate Bill 23
 Floor Amendment No. 2 to Senate Bill 45

At the hour of 12:43 o'clock a.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 12:53 o'clock a.m., the Senate resumed consideration of business.
 Senator Silverstein, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 10, 2015 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

[March 10, 2015]

Agriculture: **Committee Amendment No. 1 to Senate Bill 673.**

Criminal Law: **Floor Amendment No. 1 to Senate Bill 689; Committee Amendment No. 1 to Senate Bill 1588.**

Education: **Committee Amendment No. 1 to Senate Bill 100.**

Energy and Public Utilities: **Committee Amendment No. 1 to Senate Bill 1585.**

Environment and Conservation: **Committee Amendment No. 1 to Senate Bill 681.**

Executive: **Committee Amendment No. 1 to Senate Bill 1265.**

Financial Institutions: **Committee Amendment No. 1 to Senate Bill 742.**

Human Services: **Committee Amendment No. 2 to Senate Bill 653.**

Insurance: **Committee Amendment No. 1 to Senate Bill 54.**

Judiciary: **Committee Amendment No. 1 to Senate Bill 751; Committee Amendment No. 1 to Senate Bill 863; Committee Amendment No. 1 to Senate Bill 1278; Committee Amendment No. 1 to Senate Bill 1564.**

Licensed Activities and Pensions: **Committee Amendment No. 1 to Senate Bill 763.**

Local Government: **Committee Amendment No. 1 to Senate Bill 663; Committee Amendment No. 1 to Senate Bill 740.**

Revenue: **Committee Amendment No. 1 to Senate Bill 717; Committee Amendment No. 1 to Senate Bill 741; Committee Amendment No. 1 to Senate Bill 780; Committee Amendment No. 1 to Senate Bill 792.**

State Government and Veterans Affairs: **Committee Amendment No. 1 to Senate Bill 1484.**

Transportation: **Committee Amendment No. 1 to Senate Bill 1603.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 10, 2015 meeting, reported that the Committee recommends that **Senate Bill No. 1298** be re-referred from the Committee on Public Health to the Committee on Judiciary.

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 10, 2015 meeting, reported that the Committee recommends that **Senate Bill No. 52 and Committee Amendment No. 1 to Senate Bill No. 52** be re-referred from the Committee on Education to the Committee on Executive.

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 10, 2015 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Resolutions 93 and 146.

The foregoing resolutions were placed on the Secretary's Desk.

MESSAGE FROM THE HOUSE

[March 10, 2015]

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. 1418

A bill for AN ACT concerning criminal law.

Passed the House, March 10, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1418** was taken up, ordered printed and placed on first reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1418, sponsored by Senator Hastings, was taken up, read by title a first time and referred to the Committee on Assignments.

At the hour of 12:55 o'clock p.m., the Chair announced the Senate stand adjourned until Wednesday, March 11, 2015, at 12:00 o'clock noon.