



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-NINTH GENERAL ASSEMBLY

69TH LEGISLATIVE DAY

TUESDAY, NOVEMBER 10, 2015

1:14 O'CLOCK P.M.

SENATE
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69th Legislative Day

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The Senate met pursuant to adjournment.
Honorable John J. Cullerton, President of the Senate, 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 Journals of Tuesday, October 20, 2015 and Tuesday, November 3, 2015, be postponed, pending arrival of the printed Journals.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Legislative Audit Commission's 2015 Annual Report, submitted by the Legislative Audit Commission.

Illinois Juvenile Justice Commission Activities and Accomplishments Annual Report 2013-2014, submitted by the Department of Human Services.

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

LEGISLATIVE MEASURES FILED

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

Floor Amendment No. 5 to House Bill 500
Floor Amendment No. 2 to House Bill 3434

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

November 9, 2015

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby extend the 3rd reading deadline to December 4, 2015, for House Bill 500 and House Bill 3434.

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

cc: Senate Republican Leader Christine Radogno

[November 10, 2015]

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

JOHN J. CULLERTON
SENATE PRESIDENT

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

November 10, 2015

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby extend the 3rd reading deadline to December 4, 2015, for the following House Bills:

200,1285,1365 and 3213.

In addition, I hereby extend the 3rd reading deadline to December 4, 2015, for the following Senate Bills:

458, 459, 460, 571, 572, 574 and 575.

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

cc: Senate Republican Leader Christine Radogno

COMMUNICATIONS FROM THE MINORITY LEADER

SPRINGFIELD OFFICE:
309G STATE HOUSE
SPRINGFIELD, ILLINOIS 62706
PHONE: 217/782-9407
FAX: 217/782-7818

DISTRICT OFFICE
1011 STATE STREET, SUITE 210
LEMONT, ILLINOIS 60439
PHONE: 630/243-0800
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CHRISTINE@SENATORRADOGNO.COM

**ILLINOIS STATE SENATE
CHRISTINE RADOGNO
SENATE REPUBLICAN LEADER
41ST SENATE DISTRICT**

November 9, 2015

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

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 3-5 (c), I am hereby appointing Senator Luechtefeld to replace Senator Syverson as Minority Spokesperson of the Senate Human Services Committee. This appointment

[November 10, 2015]

is effective immediately and shall automatically expire upon adjournment of the Senate Human Services Committee.

Sincerely,
s/Christine Radogno
Christine Radogno
Senate Republican Leader

cc: Senate President John Cullerton
Assistant Secretary Scott Kaiser

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 1155

Offered by Senator Althoff and all Senators:
Mourns the death of Louise Mary Kachelmuss of Crystal Lake.

SENATE RESOLUTION NO. 1156

Offered by Senator Althoff and all Senators:
Mourns the death of Theodore “Ted” Beskow, Jr., of Fox Lake.

SENATE RESOLUTION NO. 1157

Offered by Senator Althoff and all Senators:
Mourns the death of Dorothy A. Adams of McHenry.

SENATE RESOLUTION NO. 1158

Offered by Senator Morrison and all Senators:
Mourns the death of Frances Reilley Gerlach of Lake Forest.

SENATE RESOLUTION NO. 1159

Offered by Senator Morrison and all Senators:
Mourns the death of Christiane Leone.

SENATE RESOLUTION NO. 1160

Offered by Senator Collins and all Senators:
Mourns the death of Mary Margo Butler of Chicago.

SENATE RESOLUTION NO. 1161

Offered by Senator Collins and all Senators:
Mourns the death of Tanya Uvon Coursey.

SENATE RESOLUTION NO. 1162

Offered by Senator Link and all Senators:
Mourns the death of Pamela Jayne Bernardi of Lake Forest.

SENATE RESOLUTION NO. 1163

Offered by Senator Link and all Senators:
Mourns the death of Louis Rodriguez of Winthrop Harbor.

SENATE RESOLUTION NO. 1164

Offered by Senator Collins and all Senators:
Mourns the death of the Honorable Augustus Alexander “Gus” Savage of Chicago.

SENATE RESOLUTION NO. 1165

Offered by Senator Link and all Senators:
Mourns the death of Gary Fitzgibbons.

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SENATE RESOLUTION NO. 1166

Offered by Senator Manar and all Senators:
Mourns the death of William Colbrook Curtin of Taylorville.

SENATE RESOLUTION NO. 1167

Offered by Senator Collins and all Senators:
Mourns the death of Frankie Mae Miller.

SENATE RESOLUTION NO. 1168

Offered by Senator McGuire and all Senators:
Mourns the death of Dale Warren McClannahan of Bolingbrook.

SENATE RESOLUTION NO. 1169

Offered by Senator McGuire and all Senators:
Mourns the death of Edward Charles O'Connell.

SENATE RESOLUTION NO. 1170

Offered by Senator Anderson and all Senators:
Mourns the death of William Elmer Lee Nickell of Hampton.

SENATE RESOLUTION NO. 1171

Offered by Senator Anderson and all Senators:
Mourns the death of Richard N. "Dick" Gage of Rock Island.

SENATE RESOLUTION NO. 1172

Offered by Senator Anderson and all Senators:
Mourns the death of Merle E. Heath of East Moline.

SENATE RESOLUTION NO. 1173

Offered by Senator Anderson and all Senators:
Mourns the death of Urban D. "Mouse" DePorter of East Moline.

SENATE RESOLUTION NO. 1175

Offered by Senator Haine and all Senators:
Mourns the death of Kevin McRae of Bethalto.

SENATE RESOLUTION NO. 1176

Offered by Senator Haine and all Senators:
Mourns the death of Paul M. Fischer, D.D.S. of Godfrey.

SENATE RESOLUTION NO. 1177

Offered by Senator Haine and all Senators:
Mourns the death of Mona J. McGibany.

SENATE RESOLUTION NO. 1178

Offered by Senator McGuire and all Senators:
Mourns the death of Ruby J. Ferro of Joliet.

SENATE RESOLUTION NO. 1179

Offered by Senator McGuire and all Senators:
Mourns the death of Marlene Mary Ancel.

SENATE RESOLUTION NO. 1180

Offered by Senator McGuire and all Senators:
Mourns the death of Michael A. "Arnie" Juricic, Sr.

SENATE RESOLUTION NO. 1181

Offered by Senator McGuire and all Senators:
Mourns the death of Stella A. Sallie.

SENATE RESOLUTION NO. 1182

Offered by Senator Koehler and all Senators:
Mourns the death of Randall Allan West of Peoria.

SENATE RESOLUTION NO. 1183

Offered by Senator McCann and all Senators:
Mourns the death of Robert A. "Bob" Sanders, Jr., of Winchester.

SENATE RESOLUTION NO. 1184

Offered by Senator McCann and all Senators:
Mourns the death of Barbara J. Burgess.

SENATE RESOLUTION NO. 1185

Offered by Senator McCann and all Senators:
Mourns the death of Mary L. Whiteman of Springfield.

SENATE RESOLUTION NO. 1186

Offered by Senator Manar and all Senators:
Mourns the death of Clarabelle "Clara" Mann of Decatur.

SENATE RESOLUTION NO. 1187

Offered by Senator McCann and all Senators:
Mourns the death of Robert Bruce McGuire of Carrollton.

SENATE RESOLUTION NO. 1188

Offered by Senator Anderson and all Senators:
Mourns the death of Clifford R. "Cliff" Montgomery of coal Valley.

SENATE RESOLUTION NO. 1189

Offered by Senator Anderson and all Senators:
Mourns the death of Robert M. Bestor of rural East Moline.

SENATE RESOLUTION NO. 1190

Offered by Senator Anderson and all Senators:
Mourns the death of Richard L. "Dick" Shearer of Erie.

SENATE RESOLUTION NO. 1191

Offered by Senator Anderson and all Senators:
Mourns the death of Lowell G. Mork of Milan.

SENATE RESOLUTION NO. 1192

Offered by Senator Anderson and all Senators:
Mourns the death of Joseph L. McCaffrey of Silvis.

SENATE RESOLUTION NO. 1193

Offered by Senator Anderson and all Senators:
Mourns the death of William Green of Moline.

SENATE RESOLUTION NO. 1194

Offered by Senator McGuire and all Senators:
Mourns the death of Ada M. Lif of Lockport.

SENATE RESOLUTION NO. 1196

Offered by Senator Koehler and all Senators:
Mourns the death of Geneva M. Nailing of Peoria.

SENATE RESOLUTION NO. 1197

Offered by Senator Koehler and all Senators:

Mourns the death of Donna Jean Brookhart of Peoria.

SENATE RESOLUTION NO. 1198

Offered by Senators Righter – McCann and all Senators:
Mourns the death of Bernice M. “Tupie” Deckard of St. Francisville.

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

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

SENATE RESOLUTION NO. 1154

WHEREAS, The Illinois Association of Free & Charitable Clinics serves free and charitable clinics, to enhance their ability to care for uninsured and underinsured populations in Illinois; and

WHEREAS, There are over 40 free and charitable clinics in Illinois, providing health care to over 68,000 patients annually; and

WHEREAS, Doctors, nurses, and other healthcare professionals provide more than 150,000 hours of volunteer medical care every year; and

WHEREAS, Illinois free and charitable clinics do not receive federal funding; and

WHEREAS, Free and charitable clinics provide a safety net for the health care system in Illinois; and

WHEREAS, Free and Charitable Clinics Week celebrates and supports the accomplishments and contributions of free and charitable clinics to their communities; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare November 16-20, 2015 as "Free & Charitable Clinics Week" in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Illinois Association of Free and Charitable Clinics as a symbol of our respect and esteem.

Senator J. Cullerton offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 1174

WHEREAS, State Senator Dan Kotowski attended the University of Illinois in Urbana-Champaign, where he received his bachelor's degree in English and communications and later attended DePaul University in Chicago, where he obtained a master's degree; and

WHEREAS, Senator Kotowski has long been an advocate for children and families in need, serving as the Vice-President of the Uhlich Children's Advantage Network, which helps children and families recover from neglect, abuse, and trauma; and

WHEREAS, Senator Kotowski later served as a public safety advocate with the Illinois Council against Handgun Violence; and

[November 10, 2015]

WHEREAS, Senator Kotowski's background in public service led him to run for the Illinois Senate in 2006; he was elected to represent many communities, including Des Plaines, Elk Grove Village, and his hometown of Park Ridge; and

WHEREAS, Senator Kotowski has served on and led a number of committees during his career in the General Assembly, including Senate Committees on Appropriations II (Chairman), Appropriations I (Vice-Chairman), Higher Education, Criminal Law, and Revenue, the Subcommittee on CLEAR Compliance (Chairman), the Subcommittee on Property Taxes (Chairman), the Subcommittee on Tax Credits, and Committees of the Whole; and

WHEREAS, Senator Kotowski has been a longtime advocate for those with epilepsy and autism; this year he was awarded the Penny Severns Memorial Award by the Coalition of Citizens with Disabilities for his ongoing support; and

WHEREAS, Senator Kotowski has been a tireless watchdog of government waste, fraud, and abuse and has sponsored legislation to create the Budgeting for Results Commission to create performance metrics for State programs, allowing the State to fund what works and get rid of what does not; and

WHEREAS, To prevent criminals from cheating the taxpayers of Illinois and make it easier for nonprofits to apply for State grants, Senator Kotowski sponsored the Grant Accountability and Transparency Act, which has created much stricter guidelines for grant management while creating a catalog of State grants to make it easier for charitable organizations to apply for grants; and

WHEREAS, The members of the Illinois Senate extend to Senator Dan Kotowski our best wishes as he begins the next phase of his life, and we wish him and his family well; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we thank Senator Dan Kotowski for his years of service to the people of Illinois and his dedication as a member of the Illinois Senate and honor him with this resolution; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Senator Dan Kotowski as a symbol of our gratitude and greatest hopes for his future endeavors.

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

SENATE RESOLUTION NO. 1195

WHEREAS, The Illinois Public Agenda for College and Career Success requires increased academic achievement, college affordability, and college completions by more Illinoisans in order for Illinois to achieve economic growth and vitality; and

WHEREAS, Effective and quality college education requires State funding for the operations of public institutions of higher education and financial assistance for low-income students to achieve college degrees if Illinois is to increase the number of citizens with a postsecondary degree to 60% by 2025 to meet workforce demands; and

WHEREAS, The Illinois Board of Higher Education is keenly aware of the uncertainty the lack of a Fiscal Year 2016 budget is creating for Illinois college students, professors, and staff at Illinois' 48 community colleges and 12 public universities, some of whose very existence is being threatened; and

WHEREAS, The Illinois Board of Higher Education is sincerely concerned that the 125,000 Illinois college students that are eligible for the Monetary Award Program have not received state MAP funding; and

[November 10, 2015]

WHEREAS, The budget uncertainty is threatening the quality and talent in universities by encouraging students, faculty, and staff to seek careers outside of the State, imposing long-term damage on our capacity to serve the State; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we strongly urge an immediate adoption of a State budget that will provide security for students dependent on State financial aid, ensure financial stability to community colleges and public universities, and deliver to Illinois public higher education the resources needed to accelerate and sustain the State's economic health; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Governor, the Leaders of the General Assembly, and the leadership of the higher education community.

INTRODUCTION OF BILL

SENATE BILL NO. 2195. Introduced by Senator Althoff, a bill for AN ACT concerning government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

REPORTS FROM STANDING COMMITTEES

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred the Motions to Concur with House Amendments to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 1596; Motion to Concur in House Amendment 2 to Senate Bill 1596

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

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to House Bill 500

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

APPOINTMENT MESSAGES

Appointment Message No. 990356

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 Human Rights Commission

Start Date: October 26, 2015

End Date: January 16, 2017

[November 10, 2015]

Name: Michael Bigger

Residence: 110 W. Butler St., Wyoming, IL 61491

Annual Compensation: \$46,960

Per diem: Not Applicable

Nominee's Senator: Senator Chuck Weaver

Most Recent Holder of Office: David Walsh

Superseded Appointment Message: Not Applicable

Appointment Message No. 990357

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: Alternate Member (Former Public Defender)

Agency or Other Body: Illinois Torture Inquiry and Relief Commission

Start Date: October 26, 2015

End Date: December 31, 2018

Name: Timothy P. O'Neill

Residence: 100 Forest Place, Apt. 1406, Oak Park, IL 60301

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Don Harmon

Most Recent Holder of Office: Original Appointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 990358

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: Joliet Regional Port District Board

Start Date: October 26, 2015

[November 10, 2015]

End Date: June 1, 2017

Name: David Silverman

Residence: 26034 W. Aaron Court, Channahon, IL 60410

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Pat McGuire

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 990359

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: Director

Agency or Other Body: Illinois Department on Aging

Start Date: November 2, 2015

End Date: January 16, 2017

Name: Kris Smith

Residence: 5025 Dogwood Hills, Springfield, IL 62711

Annual Compensation: \$115,613

Per diem: Not Applicable

Nominee's Senator: Senator Wm. Sam McCann

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 990360

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: Capital Development Board

Start Date: November 2, 2015

[November 10, 2015]

End Date: January 15, 2018

Name: Pamela McDonough

Residence: 360 W. Illinois St., Apt. 203, Chicago, IL 60654

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Mattie Hunter

Most Recent Holder of Office: Peter O'Brien

Superseded Appointment Message: Not Applicable

Appointment Message No. 990361

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 Committee for Agricultural Education

Start Date: November 2, 2015

End Date: March 13, 2018

Name: Kevin Daugherty

Residence: 102 E. Oak St., Le Roy, IL 61752

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Chapin Rose

Most Recent Holder of Office: Constance Niemann

Superseded Appointment Message: Not Applicable

Appointment Message No. 990362

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 Workforce Investment Board

[November 10, 2015]

Start Date: November 2, 2015

End Date: July 1, 2016

Name: Thomas Hacker

Residence: 14121 Sterling Dr., Orland Park, IL 60467

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Bill Cunningham

Most Recent Holder of Office: Donald De Dobbelaere

Superseded Appointment Message: Not Applicable

Appointment Message No. 990363

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: State Banking Board of Illinois

Start Date: November 2, 2015

End Date: December 31, 2018

Name: Tom Marantz

Residence: 2417 Country Club Dr., Springfield, IL 62704

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Wm. Sam McCann

Most Recent Holder of Office: S. Michael Polanski

Superseded Appointment Message: Not Applicable

Appointment Message No. 990364

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: Illinois Court of Claims

[November 10, 2015]

Start Date: November 9, 2015

End Date: January 15, 2018

Name: Peter Karahalios

Residence: 23 Polo Dr., South Barrington, IL 60010

Annual Compensation: \$59,918

Per diem: Not Applicable

Nominee's Senator: Senator Dan Duffy

Most Recent Holder of Office: Robert Steffen

Superseded Appointment Message: Not Applicable

Appointment Message No. 990365

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: Property Tax Appeal Board

Start Date: November 9, 2015

End Date: January 19, 2021

Name: Robert Steffen

Residence: 15 Olympic Dr., South Barrington, IL 60010

Annual Compensation: \$52,179

Per diem: Not Applicable

Nominee's Senator: Senator Dan Duffy

Most Recent Holder of Office: Donald Crist

Superseded Appointment Message: Not Applicable

Appointment Message No. 990366

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: Inspector General

[November 10, 2015]

Agency or Other Body: Illinois State Toll Highway Authority

Start Date: November 9, 2015

End Date: June 30, 2020

Name: Theodor Hengesbach

Residence: 1624 N. New England Ave., Chicago, IL 60707

Annual Compensation: Set by Illinois State Toll Highway Authority

Per diem: Not Applicable

Nominee's Senator: Senator Don Harmon

Most Recent Holder of Office: James Wagner

Superseded Appointment Message: Not Applicable

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

LEGISLATIVE MEASURES FILED

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

Floor Amendment No. 2 to House Bill 1285
Floor Amendment No. 1 to House Bill 1365
Floor Amendment No. 1 to House Bill 3213

At the hour of 1:30 o'clock p.m., Senator Sullivan, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 10, 2015 meeting, reported the following Appointment Messages have been assigned to the indicated Standing Committee of the Senate:

Executive Appointments: **Appointment Messages Numbered 990209, 990210, 990212, 990213, 990214, 990215, 990216, 990217, 990218, 990219, 990221, 990222, 990223, 990224, 990225, 990226, 990227, 990228, 990229, 990230, 990231, 990232, 990233, 990234, 990235, 990236, 990237, 990238, 990239, 990240, 990241, 990242, 990243, 990244, 990245, 990246, 990247, 990248, 990249, 990250, 990251, 990253, 990254, 990255, 990256, 990257, 990258, 990259, 990260, 990261, 990262, 990263, 990264, 990265, 990266, 990267, 990268, 990269, 990270, 990271, 990272, 990273, 990274, 990275, 990276, 990277, 990278, 990280, 990281, 990282, 990283, 990284, 990285, 990286, 990287, 990288, 990289, 990290, 990291, 990292, 990293, 990294, 990295, 990296, 990297, 990298, 990299, 990300, 990301, 990302, 990303, 990304, 990305, 990306, 990307, 990308, 990309, 990310, 990311, 990312, 990313, 990314, 990315, 990316, 990317, 990318, 990319, 990320, 990321, 990322, 990323, 990324, 990325, 990326, 990327, 990328, 990329, 990330, 990331, 990332, 990333, 990334, 990335, 990336, 990337, 990338, 990339, 990340, 990341, 990342, 990343, 990344, 990345, 990346, 990347, 990348, 990349, 990350, 990351, 990352, 990353, 990354 and 990355.**

[November 10, 2015]

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 10, 2015 meeting, reported the following Senate Bill has been assigned to the indicated Standing Committee of the Senate:

State Government and Veterans Affairs: **Senate Bill No. 2192.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 10, 2015 meeting, to which was referred **Senate Bills Numbered 32, 458, 459, 460, 571, 572, 573, 574, 575, 2047 and 2048** on October 10, 2015, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 32, 458, 459, 460, 571, 572, 573, 574, 575, 2047 and 2048** were returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 10, 2015 meeting, to which was referred **House Bills Numbered 200, 1285, 1365 and 3213** on October 10, 2015, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **House Bills Numbered 200, 1285, 1365 and 3213** were returned to the order of third reading.

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

Floor Amendment No. 5 to House Bill 500
Floor Amendment No. 2 to House Bill 3434.

The foregoing floor amendments were placed on the Secretary's Desk.

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

Senate Resolutions 838, 1153, 1154, 1174; House Joint Resolution 101.

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

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 10, 2015 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 1 to House Bill 3213.

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

Senator Clayborne, Chairperson of the Committee on Assignments, during its November 10, 2015 meeting, reported that the following Legislative Measure has been approved for consideration:

Motion to Concur in House Amendment 1 to Senate Bill 32.

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

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

[November 10, 2015]

Senator J. Cullerton moved that **Senate Resolution No. 1174**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator J. Cullerton moved that Senate Resolution No. 1174 be adopted.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Forby	McCann	Rose
Anderson	Haine	McCarter	Sandoval
Barickman	Harmon	McConaughay	Silverstein
Bennett	Harris	McGuire	Stadelman
Bertino-Tarrant	Hastings	Morrison	Steans
Biss	Holmes	Mulroe	Sullivan
Bivins	Hunter	Muñoz	Syverson
Bush	Hutchinson	Murphy, L.	Trotter
Clayborne	Jones, E.	Murphy, M.	Van Pelt
Collins	Landek	Noland	Weaver
Connelly	Lightford	Nybo	Mr. President
Cullerton, T.	Link	Oberweis	
Cunningham	Luechtefeld	Radogno	
Delgado	Manar	Raoul	
Duffy	Martinez	Rezin	

The motion prevailed.

And the resolution was adopted.

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

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

At the hour of 2:41 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 3:49 o'clock p.m., the Senate resumed consideration of business.

President Cullerton, presiding.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 1199

Offered by Senator Barickman and all Senators:

Mourns the death of Walter William "Walt" Bittner of Normal.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

INTRODUCTION OF BILL

SENATE BILL NO. 2196. Introduced by Senator Martinez, a bill for AN ACT concerning education.

[November 10, 2015]

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

At the hour of 3:50 o'clock p.m., Senator Sullivan, presiding.

**CONSIDERATION OF HOUSE AMENDMENT TO SENATE BILL ON
SECRETARY'S DESK**

On motion of Senator Morrison, **Senate Bill No. 32**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 32**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

HOUSE BILL RECALLED

On motion of Senator Haine, **House Bill No. 500** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was held in the Committee on Assignments.

Senator Haine offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 500

AMENDMENT NO. 2. Amend House Bill 500 by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Section 4.26 and by adding Section 4.36 as follows:

(5 ILCS 80/4.26)

Sec. 4.26. Acts repealed on January 1, 2016. The following Acts are repealed on January 1, 2016:

The Illinois Athletic Trainers Practice Act.

The Illinois Roofing Industry Licensing Act.

[November 10, 2015]

~~The Illinois Dental Practice Act.~~

~~The Collection Agency Act.~~

~~The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985.~~

~~The Respiratory Care Practice Act.~~

~~The Hearing Instrument Consumer Protection Act.~~

~~The Illinois Physical Therapy Act.~~

~~The Professional Geologist Licensing Act.~~

(Source: P.A. 95-331, eff. 8-21-07; 95-876, eff. 8-21-08; 96-1246, eff. 1-1-11.)

(5 ILCS 80/4.36 new)

Sec. 4.36. Act repealed on January 1, 2026. The following Act is repealed on January 1, 2026:

The Illinois Dental Practice Act.

Section 10. The Illinois Dental Practice Act is amended by changing Sections 4, 6, 8.5, 16.1, 17, 18, 23, 24, 25, 26, 29, 30, 41, and 50 and by adding Section 18.1 as follows:

(225 ILCS 25/4) (from Ch. 111, par. 2304)

(Text of Section before amendment by P.A. 99-25)

(Section scheduled to be repealed on January 1, 2016)

Sec. 4. Definitions. As used in this Act:

"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address and those changes must be made either through the Department's website or by contacting the Department.

"Department" means the Department of Financial and Professional Regulation.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Board" means the Board of Dentistry.

"Dentist" means a person who has received a general license pursuant to paragraph (a) of Section 11 of this Act and who may perform any intraoral and extraoral procedure required in the practice of dentistry and to whom is reserved the responsibilities specified in Section 17.

"Dental hygienist" means a person who holds a license under this Act to perform dental services as authorized by Section 18.

"Dental assistant" means an appropriately trained person who, under the supervision of a dentist, provides dental services as authorized by Section 17.

"Dental laboratory" means a person, firm or corporation which:

(i) engages in making, providing, repairing or altering dental prosthetic appliances and other artificial materials and devices which are returned to a dentist for insertion into the human oral cavity or which come in contact with its adjacent structures and tissues; and

(ii) utilizes or employs a dental technician to provide such services; and

(iii) performs such functions only for a dentist or dentists.

"Supervision" means supervision of a dental hygienist or a dental assistant requiring that a dentist authorize the procedure, remain in the dental facility while the procedure is performed, and approve the work performed by the dental hygienist or dental assistant before dismissal of the patient, but does not mean that the dentist must be present at all times in the treatment room.

"General supervision" means supervision of a dental hygienist requiring that the patient be a patient of record, that the dentist examine the patient in accordance with Section 18 prior to treatment by the dental hygienist, and that the dentist authorize the procedures which are being carried out by a notation in the patient's record, but not requiring that a dentist be present when the authorized procedures are being performed. The issuance of a prescription to a dental laboratory by a dentist does not constitute general supervision.

"Public member" means a person who is not a health professional. For purposes of board membership, any person with a significant financial interest in a health service or profession is not a public member.

"Dentistry" means the healing art which is concerned with the examination, diagnosis, treatment planning and care of conditions within the human oral cavity and its adjacent tissues and structures, as further specified in Section 17.

"Branches of dentistry" means the various specialties of dentistry which, for purposes of this Act, shall be limited to the following: endodontics, oral and maxillofacial surgery, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, prosthodontics, and oral and maxillofacial radiology.

"Specialist" means a dentist who has received a specialty license pursuant to Section 11(b).

"Dental technician" means a person who owns, operates or is employed by a dental laboratory and engages in making, providing, repairing or altering dental prosthetic appliances and other artificial

materials and devices which are returned to a dentist for insertion into the human oral cavity or which come in contact with its adjacent structures and tissues.

"Impaired dentist" or "impaired dental hygienist" means a dentist or dental hygienist who is unable to practice with reasonable skill and safety because of a physical or mental disability as evidenced by a written determination or written consent based on clinical evidence, including deterioration through the aging process, loss of motor skills, abuse of drugs or alcohol, or a psychiatric disorder, of sufficient degree to diminish the person's ability to deliver competent patient care.

"Nurse" means a registered professional nurse, a certified registered nurse anesthetist licensed as an advanced practice nurse, or a licensed practical nurse licensed under the Nurse Practice Act.

"Patient of record" means a patient for whom the patient's most recent dentist has obtained a relevant medical and dental history and on whom the dentist has performed an examination and evaluated the condition to be treated.

"Dental emergency responder" means a dentist or dental hygienist who is appropriately certified in emergency medical response, as defined by the Department of Public Health.

"Mobile dental van or portable dental unit" means any self-contained or portable dental unit in which dentistry is practiced that can be moved, towed, or transported from one location to another in order to establish a location where dental services can be provided.

"Public health dental hygienist" means a hygienist who holds a valid license to practice in the State, has 2 years of full-time clinical experience or an equivalent of 4,000 hours of clinical experience and has completed 72 hours of additional course work in areas specific to public health dentistry, including, but not limited to, emergency procedures for medically compromised patients, pharmacology, medical recordkeeping procedures, geriatric dentistry, pediatric dentistry, and pathology, and works in a public health setting pursuant to a written public health supervision agreement as defined by rule by the Department with a dentist working in or contracted with a local or State government agency or institution or who is providing services as part of a certified school-based program or school-based oral health program.

"Public health setting" means a federally qualified health center; a federal, State, or local public health facility; Head Start; a special supplemental nutrition program for Women, Infants, and Children (WIC) facility; or a certified school-based health center or school-based oral health program.

"Public health supervision" means the supervision of a public health dental hygienist by a licensed dentist who has a written public health supervision agreement with that public health dental hygienist while working in an approved facility or program that allows the public health dental hygienist to treat patients, without a dentist first examining the patient and being present in the facility during treatment. (1) who are eligible for Medicaid or (2) who are uninsured and whose household income is not greater than 200% of the federal poverty level.

(Source: P.A. 97-526, eff. 1-1-12; 97-1013, eff. 8-17-12.)

(Text of Section after amendment by P.A. 99-25)

(Section scheduled to be repealed on January 1, 2016)

Sec. 4. Definitions. As used in this Act:

"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address and those changes must be made either through the Department's website or by contacting the Department.

"Department" means the Department of Financial and Professional Regulation.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Board" means the Board of Dentistry.

"Dentist" means a person who has received a general license pursuant to paragraph (a) of Section 11 of this Act and who may perform any intraoral and extraoral procedure required in the practice of dentistry and to whom is reserved the responsibilities specified in Section 17.

"Dental hygienist" means a person who holds a license under this Act to perform dental services as authorized by Section 18.

"Dental assistant" means an appropriately trained person who, under the supervision of a dentist, provides dental services as authorized by Section 17.

"Dental laboratory" means a person, firm or corporation which:

- (i) engages in making, providing, repairing or altering dental prosthetic appliances and other artificial materials and devices which are returned to a dentist for insertion into the human oral cavity or which come in contact with its adjacent structures and tissues; and
- (ii) utilizes or employs a dental technician to provide such services; and

(iii) performs such functions only for a dentist or dentists.

"Supervision" means supervision of a dental hygienist or a dental assistant requiring that a dentist authorize the procedure, remain in the dental facility while the procedure is performed, and approve the work performed by the dental hygienist or dental assistant before dismissal of the patient, but does not mean that the dentist must be present at all times in the treatment room.

"General supervision" means supervision of a dental hygienist requiring that the patient be a patient of record, that the dentist examine the patient in accordance with Section 18 prior to treatment by the dental hygienist, and that the dentist authorize the procedures which are being carried out by a notation in the patient's record, but not requiring that a dentist be present when the authorized procedures are being performed. The issuance of a prescription to a dental laboratory by a dentist does not constitute general supervision.

"Public member" means a person who is not a health professional. For purposes of board membership, any person with a significant financial interest in a health service or profession is not a public member.

"Dentistry" means the healing art which is concerned with the examination, diagnosis, treatment planning and care of conditions within the human oral cavity and its adjacent tissues and structures, as further specified in Section 17.

"Branches of dentistry" means the various specialties of dentistry which, for purposes of this Act, shall be limited to the following: endodontics, oral and maxillofacial surgery, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, prosthodontics, and oral and maxillofacial radiology.

"Specialist" means a dentist who has received a specialty license pursuant to Section 11(b).

"Dental technician" means a person who owns, operates or is employed by a dental laboratory and engages in making, providing, repairing or altering dental prosthetic appliances and other artificial materials and devices which are returned to a dentist for insertion into the human oral cavity or which come in contact with its adjacent structures and tissues.

"Impaired dentist" or "impaired dental hygienist" means a dentist or dental hygienist who is unable to practice with reasonable skill and safety because of a physical or mental disability as evidenced by a written determination or written consent based on clinical evidence, including deterioration through the aging process, loss of motor skills, abuse of drugs or alcohol, or a psychiatric disorder, of sufficient degree to diminish the person's ability to deliver competent patient care.

"Nurse" means a registered professional nurse, a certified registered nurse anesthetist licensed as an advanced practice nurse, or a licensed practical nurse licensed under the Nurse Practice Act.

"Patient of record" means a patient for whom the patient's most recent dentist has obtained a relevant medical and dental history and on whom the dentist has performed an examination and evaluated the condition to be treated.

"Dental responder" means a dentist or dental hygienist who is appropriately certified in disaster preparedness, immunizations, and dental humanitarian medical response consistent with the Society of Disaster Medicine and Public Health and training certified by the National Incident Management System or the National Disaster Life Support Foundation.

"Mobile dental van or portable dental unit" means any self-contained or portable dental unit in which dentistry is practiced that can be moved, towed, or transported from one location to another in order to establish a location where dental services can be provided.

"Public health dental hygienist" means a hygienist who holds a valid license to practice in the State, has 2 years of full-time clinical experience or an equivalent of 4,000 hours of clinical experience and has completed 72 hours of additional course work in areas specific to public health dentistry, including, but not limited to, emergency procedures for medically compromised patients, pharmacology, medical recordkeeping procedures, geriatric dentistry, pediatric dentistry, and pathology, and works in a public health setting pursuant to a written public health supervision agreement as defined by rule by the Department with a dentist working in or contracted with a local or State government agency or institution or who is providing services as part of a certified school-based program or school-based oral health program.

"Public health setting" means a federally qualified health center; a federal, State, or local public health facility; Head Start; a special supplemental nutrition program for Women, Infants, and Children (WIC) facility; or a certified school-based health center or school-based oral health program.

"Public health supervision" means the supervision of a public health dental hygienist by a licensed dentist who has a written public health supervision agreement with that public health dental hygienist while working in an approved facility or program that allows the public health dental hygienist to treat patients, without a dentist first examining the patient and being present in the facility during treatment, (1) who are eligible for Medicaid or (2) who are uninsured and whose household income is not greater than 200% of the federal poverty level.

(Source: P.A. 99-25, eff. 1-1-16.)

(225 ILCS 25/6) (from Ch. 111, par. 2306)

(Section scheduled to be repealed on January 1, 2016)

Sec. 6. Board of Dentistry - Report By Majority Required. There is created a Board of Dentistry, to be composed of persons designated from time to time by the Secretary, as follows:

Eleven persons, 8 of whom have been dentists for a period of 5 years or more; 2 of whom have been dental hygienists for a period of 5 years or more, and one public member. None of the members shall be an officer, dean, assistant dean, or associate dean of a dental college or dental department of an institute of learning, nor shall any member be the program director of any dental hygiene program. A board member who holds a faculty position in a dental school or dental hygiene program shall not participate in the examination of applicants for licenses from that school or program. The dental hygienists shall not participate in the examination of applicants for licenses to practice dentistry. The public member shall not participate in the examination of applicants for licenses to practice dentistry or dental hygiene. The board shall annually elect a chairman and vice-chairman who shall be dentists ~~a dentist~~.

Terms for all members shall be for 4 years. Partial terms over 2 years in length shall be considered as full terms. A member may be reappointed for a successive term, but no member shall serve more than 2 full terms in his or her lifetime.

The membership of the Board shall include only residents from various geographic areas of this State and shall include at least some graduates from various institutions of dental education in this State.

In making appointments to the Board the Secretary shall give due consideration to recommendations by organizations of the dental profession in Illinois, including the Illinois State Dental Society and Illinois Dental Hygienists Association, and shall promptly give due notice to such organizations of any vacancy in the membership of the Board. The Secretary may terminate the appointment of any member for cause which in the opinion of the Secretary reasonably justifies such termination.

A vacancy in the membership of the Board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the Board. Any action to be taken by the Board under this Act may be authorized by resolution at any regular or special meeting, and each such resolution shall take effect immediately. The Board shall meet at least quarterly. ~~The Board may adopt all rules and regulations necessary and incident to its powers and duties under this Act.~~

The members of the Board shall each receive as compensation a reasonable sum as determined by the Secretary for each day actually engaged in the duties of the office, and all legitimate and necessary expense incurred in attending the meetings of the Board.

Members of the Board shall be immune from suit in any action based upon any disciplinary proceedings or other activities performed in good faith as members of the Board.

(Source: P.A. 97-1013, eff. 8-17-12.)

(225 ILCS 25/8.5)

(Section scheduled to be repealed on January 1, 2016)

Sec. 8.5. Unlicensed practice; violation; civil penalty.

(a) Any person who practices, offers to practice, attempts to practice, or holds oneself out to practice dentistry or dental hygiene without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$10,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(b) The Department has the authority and power to investigate any and all unlicensed activity.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 88-223; 89-80, eff. 6-30-95.)

(225 ILCS 25/16.1) (from Ch. 111, par. 2316.1)

(Section scheduled to be repealed on January 1, 2016)

Sec. 16.1. Continuing education. The Department shall promulgate rules of continuing education for persons licensed under this Act. In establishing rules, the Department shall require a minimum of 48 hours of study in approved courses for dentists during each 3-year licensing period and a minimum of 36 hours of study in approved courses for dental hygienists during each 3-year licensing period.

The Department shall approve only courses that are relevant to the treatment and care of patients, including, but not limited to, clinical courses in dentistry and dental hygiene and nonclinical courses such as patient management, legal and ethical responsibilities, and stress management. The Department shall allow up to 4 hours of continuing education credit hours per license renewal period for volunteer hours

spent providing clinical services at, or sponsored by, a nonprofit community clinic, local or state health department, or a charity event. Courses shall not be approved in such subjects as estate and financial planning, investments, or personal health. Approved courses may include, but shall not be limited to, courses that are offered or sponsored by approved colleges, universities, and hospitals and by recognized national, State, and local dental and dental hygiene organizations.

No license shall be renewed unless the renewal application is accompanied by an affidavit indicating that the applicant has completed the required minimum number of hours of continuing education in approved courses as required by this Section. The affidavit shall not require a listing of courses. The affidavit shall be a prima facie evidence that the applicant has obtained the minimum number of required continuing education hours in approved courses. The Department shall not be obligated to conduct random audits or otherwise independently verify that an applicant has met the continuing education requirement. The Department, however, may not conduct random audits of more than 10% of the licensed dentists and dental hygienists in any one licensing cycle to verify compliance with continuing education requirements. If the Department, however, receives a complaint that a licensee has not completed the required continuing education or if the Department is investigating another alleged violation of this Act by a licensee, the Department may demand and shall be entitled to receive evidence from any licensee of completion of required continuing education courses for the most recently completed 3-year licensing period. Evidence of continuing education may include, but is not limited to, canceled checks, official verification forms of attendance, and continuing education recording forms, that demonstrate a reasonable record of attendance. The Board shall determine, in accordance with rules adopted by the Department, whether a licensee or applicant has met the continuing education requirements. Any dentist who holds more than one license under this Act shall be required to complete only the minimum number of hours of continuing education required for renewal of a single license. The Department may provide exemptions from continuing education requirements. ~~The exemptions shall include, but shall not be limited to, dentists and dental hygienists who agree not to practice within the State during the licensing period because they are retired from practice.~~

(Source: P.A. 97-526, eff. 1-1-12; 97-1013, eff. 8-17-12.)

(225 ILCS 25/17) (from Ch. 111, par. 2317)

(Section scheduled to be repealed on January 1, 2016)

Sec. 17. Acts Constituting the Practice of Dentistry. A person practices dentistry, within the meaning of this Act:

- (1) Who represents himself or herself as being able to diagnose or diagnoses, treats, prescribes, or operates for any disease, pain, deformity, deficiency, injury, or physical condition of the human tooth, teeth, alveolar process, gums or jaw; or
- (2) Who is a manager, proprietor, operator or conductor of a business where dental operations are performed; or
- (3) Who performs dental operations of any kind; or
- (4) Who uses an X-Ray machine or X-Ray films for dental diagnostic purposes; or
- (5) Who extracts a human tooth or teeth, or corrects or attempts to correct malpositions of the human teeth or jaws; or
- (6) Who offers or undertakes, by any means or method, to diagnose, treat or remove stains, calculus, and bonding materials from human teeth or jaws; or
- (7) Who uses or administers local or general anesthetics in the treatment of dental or oral diseases or in any preparation incident to a dental operation of any kind or character; or
- (8) Who takes impressions of the human tooth, teeth, or jaws or performs any phase of any operation incident to the replacement of a part of a tooth, a tooth, teeth or associated tissues by means of a filling, crown, a bridge, a denture or other appliance; or
- (9) Who offers to furnish, supply, construct, reproduce or repair, or who furnishes, supplies, constructs, reproduces or repairs, prosthetic dentures, bridges or other substitutes for natural teeth, to the user or prospective user thereof; or
- (10) Who instructs students on clinical matters or performs any clinical operation included in the curricula of recognized dental schools and colleges; or
- (11) Who takes impressions of human teeth or places his or her hands in the mouth of any person for the purpose of applying teeth whitening materials, or who takes impressions of human teeth or places his or her hands in the mouth of any person for the purpose of assisting in the application of teeth whitening materials. A person does not practice dentistry when he or she discloses to the consumer that he or she is not licensed as a dentist under this Act and (i) discusses the use of teeth whitening materials with a consumer purchasing these materials; (ii) provides instruction on the use of teeth

whitening materials with a consumer purchasing these materials; or (iii) provides appropriate equipment on-site to the consumer for the consumer to self-apply teeth whitening materials.

The fact that any person engages in or performs, or offers to engage in or perform, any of the practices, acts, or operations set forth in this Section, shall be prima facie evidence that such person is engaged in the practice of dentistry.

The following practices, acts, and operations, however, are exempt from the operation of this Act:

(a) The rendering of dental relief in emergency cases in the practice of his or her profession by a physician or surgeon, licensed as such under the laws of this State, unless he or she undertakes to reproduce or reproduces lost parts of the human teeth in the mouth or to restore or replace lost or missing teeth in the mouth; or

(b) The practice of dentistry in the discharge of their official duties by dentists in any branch of the Armed Services of the United States, the United States Public Health Service, or the United States Veterans Administration; or

(c) The practice of dentistry by students in their course of study in dental schools or colleges approved by the Department, when acting under the direction and supervision of dentists acting as instructors; or

(d) The practice of dentistry by clinical instructors in the course of their teaching duties in dental schools or colleges approved by the Department:

(i) when acting under the direction and supervision of dentists, provided that such clinical instructors have instructed continuously in this State since January 1, 1986; or

(ii) when holding the rank of full professor at such approved dental school or college and possessing a current valid license or authorization to practice dentistry in another country; or

(e) The practice of dentistry by licensed dentists of other states or countries at meetings of the Illinois State Dental Society or component parts thereof, alumni meetings of dental colleges, or any other like dental organizations, while appearing as clinicians; or

(f) The use of X-Ray machines for exposing X-Ray films of dental or oral tissues by dental hygienists or dental assistants; or

(g) The performance of any dental service by a dental assistant, if such service is performed under the supervision and full responsibility of a dentist.

For purposes of this paragraph (g), "dental service" is defined to mean any intraoral procedure or act which shall be prescribed by rule or regulation of the Department. Dental service, however, shall not include:

(1) Any and all diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury or physical condition of the human teeth or jaws, or adjacent structures.

(2) Removal of, or restoration of, or addition to the hard or soft tissues of the oral cavity, except for the placing, carving, and finishing of amalgam restorations by dental assistants who have had additional formal education and certification as determined by the Department. A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for placing, carving, and finishing of amalgam restorations.

(3) Any and all correction of malformation of teeth or of the jaws.

(4) Administration of anesthetics, except for monitoring of nitrous oxide, conscious sedation, deep sedation, and general anesthetic as provided in Section 8.1 of this Act, that may be performed only after successful completion of a training program approved by the Department. A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for the monitoring of nitrous oxide.

(5) Removal of calculus from human teeth.

(6) Taking of impressions for the fabrication of prosthetic appliances, crowns, bridges, inlays, onlays, or other restorative or replacement dentistry.

(7) The operative procedure of dental hygiene consisting of oral prophylactic procedures, except for coronal polishing and pit and fissure sealants, which may be performed by a dental assistant who has successfully completed a training program approved by the Department. Dental assistants may perform coronal polishing under the following circumstances: (i) the coronal polishing shall be limited to polishing the clinical crown of the tooth and existing restorations, supragingivally; (ii) the dental assistant performing the coronal polishing shall be limited to the use of rotary instruments using a rubber cup or brush polishing method (air polishing is not permitted); and (iii) the supervising dentist shall not supervise more than 4 dental assistants at any one time for the task of coronal polishing or pit and fissure sealants.

In addition to coronal polishing and pit and fissure sealants as described in this item (7), a dental assistant who has successfully completed a training program approved by rule by the Department may perform: (A) coronal scaling above the gum line on the clinical crown of the tooth only on patients 12 years of age or younger in the absence of periodontal disease and (B) intracoronal temporization of a tooth. The training program approved by the Department must: (I) include a minimum of 16 hours of instruction in both didactic and clinical manikin or human subject instruction; (II) include an outcome assessment examination that demonstrates competency; and (III) issue a certificate of completion of the training program, which must be kept on file at the dental office. A dental assistant who has completed the approved coronal polishing course shall be allowed to reduce didactic training for coronal scaling of a tooth by 4 hours. A dental assistant performing these functions shall be limited to the use of hand instruments only. In addition, coronal scaling as described in this paragraph shall only be utilized on patients who are eligible for Medicaid or who are uninsured and whose household income is not greater than 200% of the federal poverty level. A dentist may not supervise more than 2 dental assistants at any one time for the task of coronal scaling. This paragraph is inoperative on and after January 1, 2021.

The limitations on the number of dental assistants a dentist may supervise contained in items (2), (4), and (7) of this paragraph (g) mean a limit of 4 total dental assistants or dental hygienists doing expanded functions covered by these Sections being supervised by one dentist.

(h) The practice of dentistry by an individual who:

(i) has applied in writing to the Department, in form and substance satisfactory to the Department, for a general dental license and has complied with all provisions of Section 9 of this Act, except for the passage of the examination specified in subsection (e) of Section 9 of this Act; or

(ii) has applied in writing to the Department, in form and substance satisfactory to the Department, for a temporary dental license and has complied with all provisions of subsection (c) of Section 11 of this Act; and

(iii) has been accepted or appointed for specialty or residency training by a hospital situated in this State; or

(iv) has been accepted or appointed for specialty training in an approved dental program situated in this State; or

(v) has been accepted or appointed for specialty training in a dental public health agency situated in this State.

The applicant shall be permitted to practice dentistry for a period of 3 months from the starting date of the program, unless authorized in writing by the Department to continue such practice for a period specified in writing by the Department.

The applicant shall only be entitled to perform such acts as may be prescribed by and incidental to his or her program of residency or specialty training and shall not otherwise engage in the practice of dentistry in this State.

The authority to practice shall terminate immediately upon:

(1) the decision of the Department that the applicant has failed the examination; or

(2) denial of licensure by the Department; or

(3) withdrawal of the application.

(Source: P.A. 97-526, eff. 1-1-12; 97-886, eff. 8-2-12; 97-1013, eff. 8-17-12; 98-147, eff. 1-1-14; 98-463, eff. 8-16-13; 98-756, eff. 7-16-14.)

(225 ILCS 25/18) (from Ch. 111, par. 2318)

(Section scheduled to be repealed on January 1, 2016)

Sec. 18. Acts constituting the practice of dental hygiene; limitations.

(a) A person practices dental hygiene within the meaning of this Act when he or she performs the following acts under the supervision of a dentist:

(i) the operative procedure of dental hygiene, consisting of oral prophylactic procedures;

(ii) the exposure and processing of X-Ray films of the teeth and surrounding structures;

(iii) the application to the surfaces of the teeth or gums of chemical compounds designed to be desensitizing agents or effective agents in the prevention of dental caries or periodontal disease;

(iv) all services which may be performed by a dental assistant as specified by rule pursuant to Section 17, and a dental hygienist may engage in the placing, carving, and finishing of amalgam restorations only after obtaining formal education and certification as determined by the Department;

(v) administration and monitoring of nitrous oxide upon successful completion of a

training program approved by the Department;

(vi) administration of local anesthetics upon successful completion of a training program approved by the Department; and

(vii) such other procedures and acts as shall be prescribed by rule or regulation of the Department.

(b) A dental hygienist may be employed or engaged only:

(1) by a dentist;

(2) by a federal, State, county, or municipal agency or institution;

(3) by a public or private school; or

(4) by a public clinic operating under the direction of a hospital or federal, State, county, municipal, or other public agency or institution.

(c) When employed or engaged in the office of a dentist, a dental hygienist may perform, under general supervision, those procedures found in items (i) through (iv) of subsection (a) of this Section, provided the patient has been examined by the dentist within one year of the provision of dental hygiene services, the dentist has approved the dental hygiene services by a notation in the patient's record and the patient has been notified that the dentist may be out of the office during the provision of dental hygiene services.

(d) If a patient of record is unable to travel to a dental office because of illness, infirmity, or imprisonment, a dental hygienist may perform, under the general supervision of a dentist, those procedures found in items (i) through (iv) of subsection (a) of this Section, provided the patient is located in a long-term care facility licensed by the State of Illinois, a mental health or developmental disability facility, or a State or federal prison. The dentist shall personally examine and diagnose the patient and determine which services are necessary to be performed, which shall be contained in an order to the hygienist and a notation in the patient's record. Such order must be implemented within 120 days of its issuance, and an updated medical history and observation of oral conditions must be performed by the hygienist immediately prior to beginning the procedures to ensure that the patient's health has not changed in any manner to warrant a reexamination by the dentist.

(e) School-based oral health care, consisting of and limited to oral prophylactic procedures, sealants, and fluoride treatments, may be provided by a dental hygienist under the general supervision of a dentist. A dental hygienist may not provide other dental hygiene treatment in a school-based setting, including but not limited to administration or monitoring of nitrous oxide or administration of local anesthetics. The school-based procedures may be performed provided the patient is located at a public or private school and the program is being conducted by a State, county or local public health department initiative or in conjunction with a dental school or dental hygiene program. The dentist shall personally examine and diagnose the patient and determine which services are necessary to be performed, which shall be contained in an order to the hygienist and a notation in the patient's record. Any such order for sealants must be implemented within 120 days after its issuance. Any such order for oral prophylactic procedures or fluoride treatments must be implemented within 180 days after its issuance. An updated medical history and observation of oral conditions must be performed by the hygienist immediately prior to beginning the procedures to ensure that the patient's health has not changed in any manner to warrant a reexamination by the dentist.

(f) Without the supervision of a dentist, a dental hygienist may perform dental health education functions and may record case histories and oral conditions observed.

(g) The number of dental hygienists practicing in a dental office shall not exceed, at any one time, 4 times the number of dentists practicing in the office at the time.

(h) A dental hygienist who is certified as a public health dental hygienist may provide services to patients: (1) who are eligible for Medicaid or (2) who are uninsured and whose household income is not greater than 200% of the federal poverty level. A public health dental hygienist may perform oral assessments, perform screenings, and provide educational and preventative services as provided in subsection (b) of Section 18.1 of this Act. The public health dental hygienist may not administer local anesthesia or nitrous oxide, or place, carve, or finish amalgam restorations or provide periodontal therapy under this exception. Each patient must sign a consent form that acknowledges that the care received does not take the place of a regular dental examination. The public health dental hygienist must provide the patient or guardian a written referral to a dentist for assessment of the need for further dental care at the time of treatment. Any indication or observation of a condition that could warrant the need for urgent attention must be reported immediately to the supervising dentist for appropriate assessment and treatment.

This subsection (h) is inoperative on and after January 1, 2021.

(Source: P.A. 97-526, eff. 1-1-12.)

(225 ILCS 25/18.1 new)

Sec. 18.1. Public health dental supervision responsibilities.

(a) When working together in a public health supervision relationship, dentists and public health dental hygienists shall enter into a public health supervision agreement. The dentist providing public health supervision must:

(1) be available to provide an appropriate level of contact, communication, collaboration, and consultation with the public health dental hygienist and must meet in-person with the public health dental hygienist at least quarterly for review and consultation;

(2) have specific standing orders or policy guidelines for procedures that are to be carried out for each location or program, although the dentist need not be present when the procedures are being performed;

(3) provide for the patient's additional necessary care in consultation with the public health dental hygienist;

(4) file agreements and notifications as required; and

(5) include procedures for creating and maintaining dental records, including protocols for transmission of all records between the public health dental hygienist and the dentist following each treatment, which shall include a notation regarding procedures authorized by the dentist and performed by the public health dental hygienist and the location where those records are to be kept.

Each dentist and hygienist who enters into a public health supervision agreement must document and maintain a copy of any change or termination of that agreement.

Dental records shall be owned and maintained by the supervising dentist for all patients treated under public health supervision, unless the supervising dentist is an employee of a public health clinic or federally qualified health center, in which case the public health clinic or federally qualified health center shall maintain the records.

If a dentist ceases to be employed or contracted by the facility, the dentist shall notify the facility administrator that the public health supervision agreement is no longer in effect. A new public health supervision agreement is required for the public health dental hygienist to continue treating patients under public health supervision.

A dentist entering into an agreement under this Section may supervise and enter into agreements for public health supervision with 2 public health dental hygienists. This shall be in addition to the limit of 4 dental hygienists per dentist set forth in subsection (g) of Section 18 of this Act.

(b) A public health dental hygienist providing services under public health supervision may perform only those duties within the accepted scope of practice of dental hygiene, as follows:

(1) the operative procedures of dental hygiene, consisting of oral prophylactic procedures, including prophylactic cleanings, application of fluoride, and placement of sealants;

(2) the exposure and processing of x-ray films of the teeth and surrounding structures; and

(3) such other procedures and acts as shall be prescribed by rule of the Department.

Any patient treated under this subsection (b) must be examined by a dentist before additional services can be provided by a public health dental hygienist.

(c) A public health dental hygienist providing services under public health supervision must:

(1) provide to the patient, parent, or guardian a written plan for referral or an agreement for follow-up that records all conditions observed that should be called to the attention of a dentist for proper diagnosis;

(2) have each patient sign a permission slip or consent form that informs them that the service to be received does not take the place of regular dental checkups at a dental office and is meant for people who otherwise would not have access to the service;

(3) inform each patient who may require further dental services of that need;

(4) maintain an appropriate level of contact and communication with the dentist providing public health supervision; and

(5) complete an additional 4 hours of continuing education in areas specific to public health dentistry yearly.

(d) Each public health dental hygienist who has rendered services under subsections (c), (d), and (e) of this Section must complete a summary report at the completion of a program or, in the case of an ongoing program, at least annually. The report must be completed in the manner specified by the Division of Oral Health in the Department of Public Health including information about each location where the public health dental hygienist has rendered these services. The public health dental hygienist must submit the form to the dentist providing supervision for his or her signature before sending it to the Division.

(e) Public health dental hygienists providing services under public health supervision may be compensated for their work by salary, honoraria, and other mechanisms by the employing or sponsoring entity. Nothing in this Act shall preclude the entity that employs or sponsors a public health dental hygienist from seeking payment, reimbursement, or other source of funding for the services provided.

(f) This Section is repealed on January 1, 2021.

(225 ILCS 25/23) (from Ch. 111, par. 2323)

(Section scheduled to be repealed on January 1, 2016)

Sec. 23. Refusal, revocation or suspension of dental licenses. The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem proper, including imposing fines not to exceed \$10,000 per violation, with regard to any license for any one or any combination of the following causes:

1. Fraud or misrepresentation in applying for or procuring a license under this Act, or in connection with applying for renewal of a license under this Act.
2. Inability to practice with reasonable judgment, skill, or safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug.
3. Willful or repeated violations of the rules of the Department of Public Health or Department of Nuclear Safety.
4. Acceptance of a fee for service as a witness, without the knowledge of the court, in addition to the fee allowed by the court.
5. Division of fees or agreeing to split or divide the fees received for dental services with any person for bringing or referring a patient, except in regard to referral services as provided for under Section 45, or assisting in the care or treatment of a patient, without the knowledge of the patient or his or her legal representative. Nothing in this item 5 affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this item 5 shall be construed to require an employment arrangement to receive professional fees for services rendered.
6. Employing, procuring, inducing, aiding or abetting a person not licensed or registered as a dentist or dental hygienist to engage in the practice of dentistry or dental hygiene. The person practiced upon is not an accomplice, employer, procurer, inducer, aider, or abetter within the meaning of this Act.
7. Making any misrepresentations or false promises, directly or indirectly, to influence, persuade or induce dental patronage.
8. Professional connection or association with or lending his or her name to another for the illegal practice of dentistry by another, or professional connection or association with any person, firm or corporation holding himself, herself, themselves, or itself out in any manner contrary to this Act.
9. Obtaining or seeking to obtain practice, money, or any other things of value by false or fraudulent representations, but not limited to, engaging in such fraudulent practice to defraud the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.
10. Practicing under a false or, except as provided by law, an assumed name.
11. Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.
12. Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing for any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States that (i) is a felony under the laws of this State or (ii) is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of dentistry.
13. Permitting a dental hygienist, dental assistant or other person under his or her supervision to perform any operation not authorized by this Act.
14. Permitting more than 4 dental hygienists to be employed under his or her supervision at any one time.
15. A violation of any provision of this Act or any rules promulgated under this Act.
16. Taking impressions for or using the services of any person, firm or corporation violating this Act.
17. Violating any provision of Section 45 relating to advertising.
18. Discipline by another U.S. jurisdiction or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth within this Act.
19. Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.
20. Gross negligence in practice under this Act.
21. The use or prescription for use of narcotics or controlled substances or designated

products as listed in the Illinois Controlled Substances Act, in any way other than for therapeutic purposes.

22. Willfully making or filing false records or reports in his or her practice as a dentist, including, but not limited to, false records to support claims against the dental assistance program of the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid).

23. Professional incompetence as manifested by poor standards of care.

24. Physical or mental illness, including, but not limited to, deterioration through the aging process, or loss of motor skills which results in a dentist's inability to practice dentistry with reasonable judgment, skill or safety. In enforcing this paragraph, the Department may compel a person licensed to practice under this Act to submit to a mental or physical examination pursuant to the terms and conditions of Section 23b.

25. Gross or repeated irregularities in billing for services rendered to a patient. For purposes of this paragraph 25, "irregularities in billing" shall include:

(a) Reporting excessive charges for the purpose of obtaining a total payment in excess of that usually received by the dentist for the services rendered.

(b) Reporting charges for services not rendered.

(c) Incorrectly reporting services rendered for the purpose of obtaining payment not earned.

26. Continuing the active practice of dentistry while knowingly having any infectious, communicable, or contagious disease proscribed by rule or regulation of the Department.

27. Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

28. Violating the Health Care Worker Self-Referral Act.

29. Abandonment of a patient.

30. Mental incompetency as declared by a court of competent jurisdiction.

31. A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

32. Material misstatement in furnishing information to the Department.

33. Failing, within 60 days, to provide information in response to a written request by the Department in the course of an investigation.

34. Immoral conduct in the commission of any act, including, but not limited to, commission of an act of sexual misconduct related to the licensee's practice.

35. Cheating on or attempting to subvert the licensing examination administered under this Act.

36. A pattern of practice or other behavior that demonstrates incapacity or incompetence to practice under this Act.

37. Failure to establish and maintain records of patient care and treatment as required under this Act.

38. Failure to provide copies of dental records as required by law.

All proceedings to suspend, revoke, place on probationary status, or take any other disciplinary action as the Department may deem proper, with regard to a license on any of the foregoing grounds, must be commenced within 5 3 years after receipt by the Department of a complaint alleging the commission of or notice of the conviction order for any of the acts described herein. Except for fraud in procuring a license, no action shall be commenced more than 7 5 years after the date of the incident or act alleged to have violated this Section. The time during which the holder of the license was outside the State of Illinois shall not be included within any period of time limiting the commencement of disciplinary action by the Department.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

The Department may refuse to issue or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

Any dentist who has had his or her license suspended or revoked for more than 5 years must comply with the requirements for restoration set forth in Section 16 prior to being eligible for reinstatement from the suspension or revocation.

(Source: P.A. 96-1482, eff. 11-29-10; 97-102, eff. 7-14-11; 97-813, eff. 7-13-12; 97-1013, eff. 8-17-12.)
(225 ILCS 25/24) (from Ch. 111, par. 2324)

(Section scheduled to be repealed on January 1, 2016)

Sec. 24. Refusal, Suspension or Revocation of Dental Hygienist License. The Department may refuse to issue or renew or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem proper, including imposing fines not to exceed \$10,000 per violation, with regard to any dental hygienist license for any one or any combination of the following causes:

1. Fraud or misrepresentation in applying for or procuring a license under this Act, or in connection with applying for renewal of a license under this Act.
2. Performing any operation not authorized by this Act.
3. Practicing dental hygiene other than under the supervision of a licensed dentist as provided by this Act.
4. The wilful violation of, or the wilful procuring of, or knowingly assisting in the violation of, any Act which is now or which hereafter may be in force in this State relating to the use of habit-forming drugs.
5. The obtaining of, or an attempt to obtain a license, or practice in the profession, or money, or any other thing of value by fraudulent representation.
6. Gross negligence in performing the operative procedure of dental hygiene.
7. Active practice of dental hygiene while knowingly having any infectious, communicable, or contagious disease proscribed by rule or regulation of the Department.
8. Inability to practice with reasonable judgment, skill, or safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug.
9. Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States that (i) is a felony or (ii) is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of dental hygiene.
10. Aiding or abetting the unlicensed practice of dentistry or dental hygiene.
11. Discipline by another U.S. jurisdiction or a foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.
12. Violating the Health Care Worker Self-Referral Act.
13. Violating the prohibitions of Section 38.1 of this Act.
14. Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.
15. A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.
16. Material misstatement in furnishing information to the Department.
17. Failing, within 60 days, to provide information in response to a written request by the Department in the course of an investigation.
18. Immoral conduct in the commission of any act, including, but not limited to, commission of an act of sexual misconduct related to the licensee's practice.
19. Cheating on or attempting to subvert the licensing examination administered under this Act.
20. Violations of this Act or of the rules promulgated under this Act.
21. Practicing under a false or, except as provided by law, an assumed name.

The provisions of this Act relating to proceedings for the suspension and revocation of a license to practice dentistry shall apply to proceedings for the suspension or revocation of a license as a dental hygienist.

All proceedings to suspend, revoke, place on probationary status, or take any other disciplinary action as the Department may deem proper with regard to a license on any of the grounds contained in this Section, must be commenced within 5 years after receipt by the Department of a complaint alleging the commission of or notice of the conviction order for any of the acts described in this Section. Except for fraud in procuring a license, no action shall be commenced more than 7 years after the date of the incident or act alleged to have violated this Section. The time during which the holder of the license was outside the State of Illinois shall not be included within any period of time limiting the commencement of disciplinary action by the Department.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

Any dental hygienist who has had his or her license suspended or revoked for more than 5 years must comply with the requirements for restoration set forth in Section 16 prior to being eligible for reinstatement from the suspension or revocation.

(Source: P.A. 97-102, eff. 7-14-11; 97-1013, eff. 8-17-12.)

(225 ILCS 25/25) (from Ch. 111, par. 2325)

(Section scheduled to be repealed on January 1, 2016)

Sec. 25. Notice of hearing; investigations and informal conferences.

(a) Upon the motion of either the Department or the Board or upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation of license under this Act, the Board shall investigate the actions of any person, hereinafter called the respondent, who holds or represents that he or she holds a license. All such motions or complaints shall be brought to the Board.

(b) Prior to taking an in-person statement from a dentist or dental hygienist who is the subject of a complaint, the investigator shall inform the dentist or the dental hygienist in writing:

(1) that the dentist or dental hygienist is the subject of a complaint;

(2) that the dentist or dental hygienist need not immediately proceed with the interview and may seek appropriate consultation prior to consenting to the interview; and

(3) that failure of the dentist or dental hygienist to proceed with the interview shall not prohibit the Department from conducting a visual inspection of the facility.

A Department investigator's failure to comply with this subsection may not be the sole ground for dismissal of any order of the Department filed upon a finding of a violation or for dismissal of a pending investigation.

(b-5) The duly authorized dental investigators of the Department shall have the right to enter and inspect, during business hours, the business premises of a dentist licensed under this Act or of a person who holds himself or herself out as practicing dentistry, with due consideration for patient care of the subject of the investigation, so as to inspect the physical premises and equipment and furnishings therein. This right of inspection shall not include inspection of business, medical, or personnel records located on the premises without a Department subpoena issued in accordance with Section 25.1 of this Act or Section 2105-105 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. For the purposes of this Section, "business premises" means the office or offices where the dentist conducts the practice of dentistry.

(c) If the Department concludes on the basis of a complaint or its initial investigation that there is a possible violation of the Act, the Department may:

(1) schedule a hearing pursuant to this Act; or

(2) request in writing that the dentist or dental hygienist being investigated attend an informal conference with representatives of the Department.

The request for an informal conference shall contain the nature of the alleged actions or inactions that constitute the possible violations.

A dentist or dental hygienist shall be allowed to have legal counsel at the informal conference. If the informal conference results in a consent order between the accused dentist or dental hygienist and the Department, the consent order must be approved by the Secretary. However, if the consent order would result in a fine exceeding \$10,000 or the suspension or revocation of the dentist or dental hygienist license, the consent order must be approved by the Board and the Secretary. Participation in the informal conference by a dentist, a dental hygienist, or the Department and any admissions or stipulations made by a dentist, a dental hygienist, or the Department at the informal conference, including any agreements in a consent order that is subsequently disapproved by either the Board or the Secretary, shall not be used against the dentist, dental hygienist, or Department at any subsequent hearing and shall not become a part of the record of the hearing.

(d) The Secretary shall, before suspending, revoking, placing on probationary status, or taking any other disciplinary action as the Secretary may deem proper with regard to any license, at least 30 days prior to the date set for the hearing, notify the respondent in writing of any charges made and the time and place for a hearing of the charges before the Board, direct him or her to file his or her written answer thereto to the Board under oath within 20 days after the service on him or her of such notice and inform him or her that if he or she fails to file such answer default will be taken against him or her and his or her license may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken with regard thereto, including limiting the scope, nature or extent of his or her practice, as the Secretary may deem proper.

[November 10, 2015]

(e) Such written notice and any notice in such proceedings thereafter may be served by delivery personally to the respondent, or by registered or certified mail to the address last theretofore specified by the respondent in his or her last notification to the Secretary.

(Source: P.A. 97-1013, eff. 8-17-12.)

(225 ILCS 25/26) (from Ch. 111, par. 2326)

(Section scheduled to be repealed on January 1, 2016)

Sec. 26. Disciplinary actions.

(a) In case the respondent, after receiving notice, fails to file an answer, his or her license may, in the discretion of the Secretary, having first received the recommendation of the Board, be suspended, revoked, placed on probationary status, or the Secretary may take whatever disciplinary or non-disciplinary action he or she may deem proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act.

(b) The Secretary may temporarily suspend the license of a dentist or dental hygienist without a hearing, simultaneous to the institution of proceedings for a hearing under this Act, if the Secretary finds that evidence in his or her possession indicates that a dentist's or dental hygienist's continuation in practice would constitute an immediate danger to the public. In the event that the Secretary temporarily suspends the license of a dentist or a dental hygienist without a hearing, a hearing by the Board must be held within 15 days after such suspension has occurred.

(c) The entry of a judgment by any circuit court establishing that any person holding a license under this Act is a person subject to involuntary admission under the Mental Health and Developmental Disabilities Code shall operate as a suspension of that license. That person may resume his or her practice only upon a finding by the Board that he or she has been determined to be no longer subject to involuntary admission by the court and upon the Board's recommendation to the Secretary that he or she be permitted to resume his or her practice.

(Source: P.A. 97-1013, eff. 8-17-12.)

(225 ILCS 25/29) (from Ch. 111, par. 2329)

(Section scheduled to be repealed on January 1, 2016)

Sec. 29. Recommendations for disciplinary action - Action by Secretary. The Board may advise the Secretary that probation be granted or that other disciplinary action, including the limitation of the scope, nature or extent of a person's practice, be taken, as it deems proper. If disciplinary action other than suspension or revocation is taken, the Board may advise that the Secretary impose reasonable limitations and requirements upon the respondent to insure compliance with the terms of the probation or other disciplinary action, including, but not limited to, regular reporting by the respondent to the Secretary of his or her actions, or the respondent's placing himself or herself under the care of a qualified physician for treatment or limiting his or her practice in such manner as the Secretary may require.

The Board shall present to the Secretary a written report of its findings and recommendations. A copy of such report shall be served upon the respondent, either personally or by registered or certified mail. Within 20 days after such service, the respondent may present to the Department his or her motion in writing for a rehearing, specifying the particular ground therefor. If the respondent orders from the reporting service and pays for a transcript of the record, the time elapsing thereafter and before such transcript is ready for delivery to him or her shall not be counted as part of such 20 days.

At the expiration of the time allowed for filing a motion for rehearing the Secretary may take the action recommended by the Board. Upon suspension, revocation, placement on probationary status, or the taking of any other disciplinary action, including the limiting of the scope, nature, or extent of one's practice, deemed proper by the Secretary, with regard to the license, the respondent shall surrender his or her license to the Department, if ordered to do so by the Department, and upon his or her failure or refusal to do so, the Department may seize the same.

In all instances under this Act in which the Board has rendered a recommendation to the Secretary with respect to a particular person, the Secretary shall, to the extent that he or she disagrees with or takes action contrary to the recommendation of the Board, file with the Board his or her specific written reasons of disagreement. Such reasons shall be filed within 30 days after the Secretary has taken the contrary position.

Each order of revocation, suspension, or other disciplinary action shall contain a brief, concise statement of the ground or grounds upon which the Department's action is based, as well as the specific terms and conditions of such action. The original of this document shall be retained as a permanent record by the Board and the Department. In those instances where an order of revocation, suspension, or other disciplinary action has been rendered by virtue of a dentist's or dental hygienist's physical illness, including, but not limited to, deterioration through the aging process, or loss of motor skill which results in an inability to practice with reasonable judgment, skill, or safety, the Department shall permit only this

document and the record of the hearing incident thereto to be observed, inspected, viewed, or copied pursuant to court order.

(Source: P.A. 97-1013, eff. 8-17-12.)

(225 ILCS 25/30) (from Ch. 111, par. 2330)

(Section scheduled to be repealed on January 1, 2016)

Sec. 30. Appointment of a Hearing Officer. The Secretary shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer if any action for refusal to issue, renew or discipline of a license. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings and recommendations to the Board and the Secretary. The Board shall have 60 days from receipt of the report to review the report of the hearing officer and present its findings of fact, conclusions of law and recommendations to the Secretary. If the Board fails to present its report within the 60 day period, the Secretary shall issue an order based on the report of the hearing officer. ~~If the Secretary determines that the Board's report is contrary to the manifest weight of the evidence, he or she may issue an order in contravention of the Board's report.~~

Whenever the Secretary is satisfied that substantial justice has not been done in a formal disciplinary action or refusal to restore a license, he or she may order a reexamination or rehearing by the same or other hearing officer.

(Source: P.A. 97-1013, eff. 8-17-12.)

(225 ILCS 25/41) (from Ch. 111, par. 2341)

(Section scheduled to be repealed on January 1, 2016)

Sec. 41. Dental Coordinator. The Department shall select a dental coordinator, who shall not be a member of the Board. The dental coordinator shall be a dentist. The dental coordinator shall be the chief enforcement officer of the disciplinary provisions of this Act.

The Department shall employ, in conformity with the "Personnel Code", such investigators as it deems necessary to investigate violations of this Act ~~not less than one full-time investigator for every 3,000 dentists and dental hygienists in the State.~~ Each investigator shall be a college graduate with at least 2 years' investigative experience or one year of advanced dental or medical education. The Department shall employ, in conformity with the "Personnel Code", such other professional, technical, investigative and clerical assistance on either a full or part-time basis, as the Department deems necessary for the proper performance of its duties. The Department shall retain and use such hearing officers as it deems necessary. All employees of the Department shall be directed by, and answerable to, the Department, with respect to their duties and functions.

(Source: P.A. 84-365.)

(225 ILCS 25/50) (from Ch. 111, par. 2350)

(Section scheduled to be repealed on January 1, 2016)

Sec. 50. Patient Records. Every dentist shall make a record of all dental work performed for each patient. The record shall be made in a manner and in sufficient detail that it may be used for identification purposes.

Dental records required by this Section shall be maintained for 10 years. Dental records required to be maintained under this Section, or copies of those dental records, shall be made available upon request to the patient or the patient's guardian. A dentist shall be entitled to reasonable reimbursement for the cost of reproducing these records, which shall not exceed the cost allowed under Section ~~8-2001~~ ~~8-2003~~ of the Code of Civil Procedure. A dentist providing services through a mobile dental van or portable dental unit shall provide to the patient or the patient's parent or guardian, in writing, the dentist's name, license number, address, and information on how the patient or the patient's parent or guardian may obtain the patient's dental records, as provided by law.

(Source: P.A. 97-526, eff. 1-1-12.)

(225 ILCS 25/35 rep.)

Section 15. The Illinois Dental Practice Act is amended by repealing Section 35.

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 99. Effective date. This Act takes effect December 31, 2015."

The motion prevailed.

And the amendment was adopted and ordered printed.

Floor Amendment No. 3 was held in the Committee on Licensed Activities and Pensions.

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Floor Amendment No. 4 was postponed in the Committee on Licensed Activities and Pensions. Senator Haine offered the following amendment and moved its adoption:

AMENDMENT NO. 5 TO HOUSE BILL 500

AMENDMENT NO. 5. Amend House Bill 500, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, by replacing line 23 on page 23 through line 24 of page 24 with the following:

"In addition to coronal polishing and pit and fissure sealants as described in this item (7), a dental assistant who has at least 2,000 hours of clinical experience and who has successfully completed a training program approved by rule by the Department may perform: (A) coronal scaling above the gum line, supragingivally, on the clinical crown of the tooth only on patients 12 years of age or younger who have an absence of periodontal disease and who are not medically compromised or individuals with special needs and (B) intracoronar temporization of a tooth. The training program approved by the Department must: (I) include a minimum of 16 hours of instruction in both didactic and clinical manikin or human subject instruction; all training programs shall include courses in dental anatomy, public health dentistry, medical history, dental emergencies, and managing the pediatric patient; (II) include an outcome assessment examination that demonstrates competency; (III) require the supervising dentist to observe and approve the completion of 6 full mouth supragingival scaling procedures; and (IV) issue a certificate of completion of the training program, which must be kept on file at the dental office. A dental assistant must have successfully completed an approved coronal polishing course prior to taking the coronal scaling course. A dental assistant performing these functions shall be limited to the use of hand instruments only. In addition, coronal scaling as described in this paragraph shall only be utilized on patients who are eligible for Medicaid or who are uninsured and whose household income is not greater than 200% of the federal poverty level. A dentist may not supervise more than 2 dental assistants at any one time for the task of coronal scaling. This paragraph is inoperative on and after January 1, 2021."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Haine, **House Bill No. 500** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 44; NAYS 8; Present 4.

The following voted in the affirmative:

Althoff	Harmon	McCarter	Sandoval
Anderson	Harris	McConaughay	Silverstein
Barickman	Hastings	McGuire	Stadelman
Bertino-Tarrant	Holmes	Morrison	Steans
Biss	Jones, E.	Muñoz	Sullivan
Bivins	Landek	Murphy, L.	Syverson
Brady	Lightford	Murphy, M.	Weaver
Clayborne	Link	Noland	Mr. President
Connelly	Luechtefeld	Nybo	
Duffy	Manar	Radogno	
Forby	Martinez	Rezin	
Haine	McCann	Rose	

The following voted in the negative:

Bush	Hunter	Trotter
Cullerton, T.	Oberweis	Van Pelt
Cunningham	Righter	

The following voted present:

Bennett	Delgado
Collins	Mulroe

This bill, having received the vote of three-fifths 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 title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Muñoz, **House Bill No. 3434** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was postponed in the Committee on State Government and Veterans Affairs.

Senator Muñoz offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 3434

AMENDMENT NO. 2. Amend House Bill 3434 by replacing everything after the enacting clause with the following:

"Section 5. The Upper Illinois River Valley Development Authority Act is amended by changing Sections 4 and 7 as follows:

(70 ILCS 530/4) (from Ch. 85, par. 7154)

Sec. 4. Establishment.

(a) There is hereby created a political subdivision, body politic and municipal corporation named the Upper Illinois River Valley Development Authority. The territorial jurisdiction of the Authority is that geographic area within the boundaries of Grundy, LaSalle, Bureau, Putnam, Kendall, Kane, Lake, McHenry, and Marshall counties in the State of Illinois and any navigable waters and air space located therein.

(b) The governing and administrative powers of the Authority shall be vested in a body consisting of 21 ~~20~~ members including, as ex officio members, the Director of Commerce and Economic Opportunity, or his or her designee, and the Director of the Department of Central Management Services, or his or her designee. The other 19 ~~18~~ members of the Authority shall be designated "public members", 10 of whom shall be appointed by the Governor with the advice and consent of the Senate and 9 ~~8~~ of whom shall be appointed one each by the county board chairmen of Grundy, LaSalle, Bureau, Putnam, Kendall, Kane, Lake, McHenry, and Marshall counties. All public members shall reside within the territorial jurisdiction of this Act. Eleven members shall constitute a quorum. The public members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The Chairman of the Authority shall be elected by the Board annually from the 9 ~~8~~ members appointed by the county board chairmen.

(c) The terms of all initial members of the Authority shall begin 30 days after the effective date of this Act. Of the 14 public members appointed pursuant to this Act, 4 appointed by the Governor shall serve until the third Monday in January, 1992, 4 appointed by the Governor shall serve until the third Monday in January, 1993, one appointed by the Governor shall serve until the third Monday in January, 1994, one appointed by the Governor shall serve until the third Monday in January 1999, the member appointed by the county board chairman of LaSalle County shall serve until the third Monday in January, 1992, the members appointed by the county board chairmen of Grundy County, Bureau County, Putnam County, and Marshall County shall serve until the third Monday in January, 1994, and the member appointed by the county board chairman of Kendall County shall serve until the third Monday in January, 1999. The initial members appointed by the chairmen of the county boards of Kane and McHenry counties shall serve

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until the third Monday in January, 2003. The initial members appointed by the chairman of the county board of Lake County shall serve until the third Monday in January, 2018. All successors shall be appointed by the original appointing authority and hold office for a term of 3 years commencing the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Vacancies occurring among the public members shall be filled for the remainder of the term. In case of vacancy in a Governor-appointed membership when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill such office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term and until a successor shall be appointed and qualified. Members of the Authority shall not be entitled to compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members.

(d) The Governor may remove any public member of the Authority in case of incompetency, neglect of duty, or malfeasance in office.

(e) The Board shall appoint an Executive Director who shall have a background in finance, including familiarity with the legal and procedural requirements of issuing bonds, real estate or economic development and administration. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, shall perform such other duties as may be prescribed from time to time by the members and shall receive compensation fixed by the Authority. The Executive Director shall attend all meetings of the Authority; however, no action of the Authority shall be invalid on account of the absence of the Executive Director from a meeting. The Authority may engage the services of such other agents and employees, including attorneys, appraisers, engineers, accountants, credit analysts and other consultants, as it may deem advisable and may prescribe their duties and fix their compensation.

(f) The Board may, by majority vote, nominate up to 4 non-voting members for appointment by the Governor. Non-voting members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. Non-voting members shall serve at the pleasure of the Board. All non-voting members may attend meetings of the Board and shall be reimbursed as provided in subsection (c).

(g) The Board shall create a task force to study and make recommendations to the Board on the economic development of the territory within the jurisdiction of this Act. The members of the task force shall reside within the territorial jurisdiction of this Act, shall serve at the pleasure of the Board and shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor or civic, community or neighborhood organization. The number of members constituting the task force shall be set by the Board and may vary from time to time. The Board may set a specific date by which the task force is to submit its final report and recommendations to the Board.

(Source: P.A. 94-793, eff. 5-19-06.)

(70 ILCS 530/7) (from Ch. 85, par. 7157)

Sec. 7. Bonds.

(a) The Authority, with the written approval of the Governor, shall have the continuing power to issue bonds, notes, or other evidences of indebtedness in an aggregate amount outstanding not to exceed \$500,000,000 for the purpose of developing, constructing, acquiring or improving projects, including those established by business entities locating or expanding property within the territorial jurisdiction of the Authority, for entering into venture capital agreements with businesses locating or expanding within the territorial jurisdiction of the Authority, for acquiring and improving any property necessary and useful in connection therewith and for the purposes of the Employee Ownership Assistance Act. For the purpose of evidencing the obligations of the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time issue and dispose of its interest bearing revenue bonds, notes or other evidences of indebtedness and may also from time to time issue and dispose of such bonds, notes or other evidences of indebtedness to refund, at maturity, at a redemption date or in advance of either, any bonds, notes or other evidences of indebtedness pursuant to redemption provisions or at any time before maturity. All such bonds, notes or other evidences of indebtedness shall be payable solely and only from the revenues or income to be derived from loans made with respect to projects, from the leasing or sale of the projects or from any other funds available to the Authority for such purposes. The bonds, notes or other evidences of indebtedness may bear such date or dates, may mature at such time or times not exceeding

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40 years from their respective dates, may bear interest at such rate or rates not exceeding the maximum rate permitted by "An Act to authorize public corporations to issue bonds, other evidences of indebtedness and tax anticipation warrants subject to interest rate limitations set forth therein", approved May 26, 1970, as amended, may be in such form, may carry such registration privileges, may be executed in such manner, may be payable at such place or places, may be made subject to redemption in such manner and upon such terms, with or without premium as is stated on the face thereof, may be authenticated in such manner and may contain such terms and covenants as may be provided by an applicable resolution.

(b-1) The holder or holders of any bonds, notes or other evidences of indebtedness issued by the Authority may bring suits at law or proceedings in equity to compel the performance and observance by any corporation or person or by the Authority or any of its agents or employees of any contract or covenant made with the holders of such bonds, notes or other evidences of indebtedness, to compel such corporation, person, the Authority and any of its agents or employees to perform any duties required to be performed for the benefit of the holders of any such bonds, notes or other evidences of indebtedness by the provision of the resolution authorizing their issuance and to enjoin such corporation, person, the Authority and any of its agents or employees from taking any action in conflict with any such contract or covenant.

(b-2) If the Authority fails to pay the principal of or interest on any of the bonds or premium, if any, as the same become due, a civil action to compel payment may be instituted in the appropriate circuit court by the holder or holders of the bonds on which such default of payment exists or by an indenture trustee acting on behalf of such holders. Delivery of a summons and a copy of the complaint to the Chairman of the Board shall constitute sufficient service to give the circuit court jurisdiction of the subject matter of such a suit and jurisdiction over the Authority and its officers named as defendants for the purpose of compelling such payment. Any case, controversy or cause of action concerning the validity of this Act relates to the revenue of the State of Illinois.

(c) Notwithstanding the form and tenor of any such bonds, notes or other evidences of indebtedness and in the absence of any express recital on the face thereof that it is non-negotiable, all such bonds, notes and other evidences of indebtedness shall be negotiable instruments. Pending the preparation and execution of any such bonds, notes or other evidences of indebtedness, temporary bonds, notes or evidences of indebtedness may be issued as provided by ordinance.

(d) To secure the payment of any or all of such bonds, notes or other evidences of indebtedness, the revenues to be received by the Authority from a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance thereof and the issuance of any additional bonds, notes or other evidences of indebtedness payable from such revenues, income or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any such mortgage or trust agreement by the Authority may be by mandamus proceedings in the appropriate circuit court to compel the performance and compliance therewith, but the trust agreement may prescribe by whom or on whose behalf such action may be instituted.

(e) Such bonds or notes shall be secured as provided in the authorizing ordinance which may, notwithstanding any other provision of this Act, include in addition to any other security a specific pledge or assignment of and lien on or security interest in any or all revenues or money of the Authority from whatever source which may by law be used for debt service purposes and a specific pledge or assignment of and lien on or security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of such bonds or notes.

(f) ~~(Blank). In the event that the Authority determines that monies of the Authority will not be sufficient for the payment of the principal of and interest on its bonds during the next State fiscal year, the Chairman, as soon as practicable, shall certify to the Governor the amount required by the Authority to enable it to pay such principal of and interest on the bonds. The Governor shall submit the amount so certified to the General Assembly as soon as practicable, but no later than the end of the current State fiscal year. This Section shall not apply to any bonds or notes as to which the Authority shall have determined, in the resolution authorizing the issuance of the bonds or notes, that this Section shall not apply. Whenever the Authority makes such a determination, that fact shall be plainly stated on the face of the bonds or notes and that fact shall also be reported to the Governor.~~

~~In the event of a withdrawal of moneys from a reserve fund established with respect to any issue or issues of bonds of the Authority to pay principal or interest on those bonds, the Chairman of the Authority, as soon as practicable, shall certify to the Governor the amount required to restore the reserve fund to the level required in the resolution or indenture securing those bonds. The Governor shall submit the amount so certified to the General Assembly as soon as practicable, but no later than the end of the current State fiscal year. This subsection (f) shall not apply to any bond issued on or after the effective date of this amendatory Act of the 97th General Assembly.~~

(g) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with such holders or in any way impair the rights and remedies of such holders until such bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of such holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds or notes issued pursuant to this Section.

(h) (Blank).

(Source: P.A. 97-312, eff. 8-11-11; 98-750, eff. 1-1-15.)

Section 10. The Kaskaskia Regional Port District Act is amended by changing Sections 1.1, 3, 6, 7.1, 14, and 20.2 as follows:

(70 ILCS 1830/1.1)

Sec. 1.1. Purpose. The General Assembly declares that the main purpose of this Act is to promote industrial, commercial, transportation, homeland security, recreation, water supply, flood control, and economic activities thereby reducing the evils attendant upon unemployment and enhancing the public health, safety, and welfare of this State.

(Source: P.A. 90-785, eff. 1-1-99.)

(70 ILCS 1830/3) (from Ch. 19, par. 503)

Sec. 3. There is created a political subdivision body politic and municipal corporation, named "Kaskaskia Regional Port District" embracing all of Monroe and Randolph Counties and Freeburg, Millstadt, Smithton, Prairie Du Long, New Athens, Marissa, Fayetteville, Engleman, Mascoutah, Shiloh Valley and Lenzburg Townships of St. Clair County. The Port District may sue and be sued in its corporate name but execution shall not in any case issue against any property owned by the Port District except for Port District property that the Port District pledged as collateral to a bank or other financial institution to secure a bank loan. It may adopt a common seal and change the same at pleasure. The principal office of the Port District shall be in the city of Red Bud Chester, Illinois.

No rights, duties or privileges of such District, or those of any person, existing before the change of name shall be affected by the change provided by this amendatory Act of 1967. All proceedings pending in any court in favor of or against such District may continue to final consummation under the name in which they were commenced.

(Source: P.A. 80-1495.)

(70 ILCS 1830/6) (from Ch. 19, par. 506)

Sec. 6. The Port District has the following functions, powers and duties:

(a) to study the existing harbor facilities within the area of the Port District and to recommend to an appropriate governmental agency, including the General Assembly of Illinois, such changes and modifications as may from time to time be required for continuing development therein and to meet changing business and commercial needs;

(b) to make an investigation of conditions within the Port District and to prepare and adopt a comprehensive plan for the development of port facilities for the Port District. In preparing and recommending changes and modifications in existing harbor facilities, or a comprehensive plan for the development of such port facilities, as above provided, the Port District if it deems desirable may set aside and allocate an area or areas, within the lands owned by it, to be leased to private parties for industrial, manufacturing, commercial, or harbor purposes, where such area or areas in the opinion of the Board, are not required for primary purposes in the development of harbor and port facilities for the use of public water and land transportation, or will not be needed immediately for such purposes, and where such leasing in the opinion of the Board will aid and promote the development of terminal and port facilities;

(c) to study and make recommendations to the proper authority for the improvement of terminal, lighterage, wharfage, warehousing, anchorage, transfer and other facilities necessary for the promotion of commerce and the interchange of traffic within, to and from the Port District;

(d) to study, prepare and recommend by specific proposals to the General Assembly of Illinois changes in the jurisdiction of the Port District;

(e) to petition any federal, state, municipal or local authority, administrative, judicial and legislative, having jurisdiction in the premises, for the adoption and execution of any physical improvement, change in method, system of handling freight, warehousing, docking, lightering and transfer of freight, which in

the opinion of the Board are designed to improve or better the handling of commerce in and through the Port District or improve terminal or transportation facilities therein; and -

(f) to petition any federal, state, or local authority, including administrative, judicial, and legislative branches, having jurisdiction for the adoption and execution of any physical improvement or operation related to the management of fish and wildlife, recreation, water supply, or flood control which in the opinion of the Board is for the purpose of improving or bettering the quality of life in the Port District or add to the diversity of amenities related to that purpose.

(Source: Laws 1965, p. 1013.)

(70 ILCS 1830/7.1) (from Ch. 19, par. 507.1)

Sec. 7.1. Additional rights and powers. The Port District has the following additional rights and powers:

(a) To issue permits for the construction of all wharves, piers, dolphins, booms, weirs, breakwaters, bulkheads, jetties, bridges or other structures of any kind, over, under, in, or within 40 feet of any navigable waters within the Port District, for the deposit of rock, earth, sand or other material, or any matter of any kind or description in such waters;

(b) To prevent and remove obstructions in navigable waters, including the removal of wrecks or vessels; to recover damages, including attorney fees, for the removal and clean-up of the site or sites and the surrounding or downstream environment; these rights and powers shall include, but are not limited to, emergency powers to seize wrecks or vessels, remediate damages, and provide for the disposition of the wrecks or vessels;

(c) To locate and establish dock lines and shore or harbor lines;

(d) To regulate the anchorage, moorage and speed of water borne vessels and to establish and enforce regulations for the operation of bridges;

(e) To acquire, own, construct, lease, operate and maintain terminals, terminal facilities, port facilities, transportation equipment facilities, railroads and marinas, and airport facilities and systems, and to fix and collect just, reasonable, and non-discriminatory charges for use of such facilities, equipment and systems. The charges so collected shall be used to defray the reasonable expenses of the Port District, and to pay the principal of and interest on any revenue bonds issued by the Port District;

(f) To operate, maintain, manage, lease, sub-lease, and to make and enter into contracts for the use, operation or management of, and to provide rules and regulations for, the operation, management or use of, any public port or public port facility;

(g) To fix, charge and collect reasonable rentals, tolls, fees and charges for the use of any public port, or any part thereof, or any public port facility;

(h) To establish, maintain, expand and improve roadways, railroads, and approaches by land, or water, to any such terminal, terminal facility and port facilities, and to contract or otherwise provide by condemnation, if necessary, for the removal of any port, terminal, terminal facilities and port facility hazards or the removal or relocation of all private structures, railroads, mains, pipes, conduits, wires, poles, and all other facilities and equipment which may interfere with the location, expansion, development or improvement of ports, terminals, terminal facilities and port facilities or with the safe approach thereto, or exit or takeoff therefrom by vehicles, vessels, barges and other means of transportation, and to pay the cost of removal or relocation;

(i) To police its physical property only and all waterways and to exercise police powers in respect thereto or in respect to the enforcement of any rule or regulation provided by the ordinances of the District and to employ and commission police officers and other qualified persons to enforce such rules and regulations. A regulatory ordinance of the District adopted under any provisions of this Section may provide for a suspension or revocation of any rights or privileges within the control of the District for a violation of any such regulatory ordinance.

(j) To enter into agreements with the corporate authorities or governing body of any other municipal corporation or any political subdivision of this State to pay the reasonable expense of services furnished by such municipal corporation or political subdivision for or on account of income producing properties of the District;

(k) To enter into contracts dealing in any manner with the objects and purposes of this Act;

(l) To acquire, own, lease, mortgage, sell, or otherwise dispose of interests in and to real property and improvements situate thereon and in personal property necessary to fulfill the purposes of the District;

(m) To designate the fiscal year for the District;

(n) To engage in any activity or operation which is incidental to and in furtherance of efficient operation to accomplish the District's primary purpose;

(o) To acquire, erect, construct, maintain and operate aquariums, museums, planetariums, climatrons and other edifices for the collection and display of objects pertaining to natural history or the arts and sciences and to permit the directors or trustees of any corporation or society organized for the erection,

construction, maintenance and operation of an aquarium, museum, planetarium, climatron or other such edifice to perform such erection, construction, maintenance and operation on or within any property now or hereafter owned by or under the control or supervision of the District; and to contract with any such directors or trustees relative to such acquisition, erection, construction, maintenance and operation and to charge or authorize such directors or trustees to charge an admission fee, the proceeds of which shall be devoted exclusively to such erection, construction, maintenance and operation;

(p) To do any act which is enumerated in Section 11-74.1-1 of the "Illinois Municipal Code", in the same manner and form as though the District were a "municipality" as referred to in such Section;

(q) To acquire, erect, construct, reconstruct, improve, maintain and operate one or more, or a combination or combinations of, industrial buildings, office buildings, buildings to be used as a factory, mill shops, processing plants, packaging plants, assembly plants, fabricating plants, and buildings to be used as warehouses and other storage facilities.

(r) To acquire, own, construct, lease or contract for any period not exceeding 99 years, operate, develop, and maintain Port District water and sewage systems and other utility systems and services, including, but not limited to, pipes, mains, lines, sewers, pumping stations, settling tanks, treatment plants, water purification equipment, wells, storage facilities, lines, and all other equipment, material, and facilities necessary to those systems, for the use, upon payment of reasonable fee set by the District, of any tenant, occupant, or user of the District facilities or any person engaged in commerce in the District; provided that the District shall not acquire, own, construct, lease, operate, develop, and maintain the systems and services if those systems and services can be provided by an investor-owned public utility offering electric or gas services. The public utility shall provide the District with a written response, within 30 days after receiving a written request from the District for those systems or services, stating whether it will or will not be able to provide the requested systems or services in accordance with the Public Utilities Act.

(Source: P.A. 90-785, eff. 1-1-99.)

(70 ILCS 1830/14) (from Ch. 19, par. 514)

Sec. 14. The District has power to acquire and accept by purchase, lease, gift, grant or otherwise any property and rights useful for its purposes and to provide for the development of channels, ports, harbors, airports, airfields, terminals, port facilities, terminal facilities, trails, and other transportation facilities within the Port District adequate to serve the needs of commerce within the area served by the Port District. The Port District may acquire real or personal property or any rights therein in the manner, as near as may be, as is provided for the exercise of the right of eminent domain under the Eminent Domain Act, except that no property owned by any municipality within the Port District shall be taken or appropriated without first obtaining consent of the governing body of such municipality.

(Source: P.A. 94-1055, eff. 1-1-07.)

(70 ILCS 1830/20.2)

Sec. 20.2. Authorization to borrow moneys. The District's Board may borrow money from any bank or other financial institution and may provide appropriate security, including mortgaging real estate, for that borrowing, if the money is repaid within 20 3 years after the money is borrowed. "Financial institution" means any bank subject to the Illinois Banking Act, any savings and loan association subject to the Illinois Savings and Loan Act of 1985, any savings bank subject to the Savings Bank Act, and any federally chartered commercial bank or savings and loan association organized and operated in this State pursuant to the laws of the United States.

(Source: P.A. 94-562, eff. 1-1-06.)

Section 15. The Metropolitan Water Reclamation District Act is amended by changing Section 308 as follows:

(70 ILCS 2605/308)

Sec. 308. District enlarged. Upon the effective date of this amendatory Act of the 99th General Assembly, the corporate limits of the Metropolitan Water Reclamation District of Greater Chicago are extended to include within those corporate limits the following described tracts of land and the tracts are hereby annexed to the District:

Parcel 1:

THAT PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE EAST RIGHT OF WAY LINE OF ELGIN, JOLIET AND EASTERN RAILROAD, IN COOK COUNTY, ILLINOIS.

Parcel 2:

THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THEREFROM STRIP OFF THE WEST END THEREOF CONVEYED TO JERMAH H. BROWNING BY DEED RECORDED SEPTEMBER 15TH 1859, AS DOCUMENT 23078 IN BOOK 162, PAGE 619, SAID STRIP BEING THIRTY FOUR AND ONE HALF FEET WIDE AT NORTH END FORTY TWO FEET WIDE AT SOUTH END) IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF HIGGINS ROAD (ILLINOIS ROUTE 72) LYING WITHIN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33 AND THE NORTHEAST QUARTER OF SECTION 32, ALL IN TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, EAST OF THE EAST RIGHT OF WAY LINE OF ELGIN, JOLIET AND EASTERN RAILWAY, SOUTH OF THE NORTHERLY RIGHT OF WAY LINE OF STATE ROUTE 72 PER DOCUMENT 12059405 AND AS SHOWN ON PLAT OF SURVEY RECORDED AS DOCUMENT 12647596 AND NORTH OF THE FOLLOWING DESCRIBED PROPERTY: STARTING AT A POINT AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 00 DEGREES 09 MINUTES 10 SECONDS WEST, ALONG THE EAST LINE OF AFORESAID NORTHWEST QUARTER, 1769.41 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGGINS ROAD (STATE ROUTE 72); THENCE NORTHWEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF HIGGINS ROAD, NORTH 69 DEGREES 18 MINUTES 06 SECONDS WEST, 1821.21 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF ELGIN, JOLIET AND EASTERN RAILWAY; THENCE SOUTH 10 DEGREES 55 MINUTES 12 SECONDS WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 1122.49 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 32; THENCE SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST, 695.32 FEET; THENCE SOUTH 01 DEGREES 01 MINUTES 09 SECONDS WEST, 280.10 FEET; THENCE SOUTH 02 DEGREES 21 MINUTES 40 SECONDS WEST, 1036.29 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 42 NORTH, RANGE 9 EAST; THENCE SOUTH 89 DEGREES 46 MINUTES 32 SECONDS WEST ALONG AFORESAID NORTH LINE, 901.63 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF ELGIN, JOLIET AND EASTERN RIGHT-OF-WAY; THENCE SOUTH 10 DEGREES 55 MINUTES 12 SECONDS WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 1387.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE NORTHWEST TOLLWAY (I-90); THENCE SOUTH 89 DEGREES 30 MINUTES 55 SECONDS EAST, 81.72 FEET; THENCE CONTINUING NORTH 89 DEGREES 54 MINUTES 53 SECONDS EAST ALONG AFORESAID NORTHERLY RIGHT-OF-WAY LINE, 1514.13 FEET; THENCE NORTH 74 DEGREES 11 MINUTES 48 SECONDS EAST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 471.85 FEET; THENCE NORTH 50 DEGREES 25 MINUTES 36 SECONDS EAST ALONG AFORESAID NORTHERLY RIGHT-OF-WAY, 501.95 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 33; THENCE NORTH 00 DEGREES 04 MINUTES 16 SECONDS EAST ALONG SAID EAST LINE, 932.35 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY ILLINOIS.

(Source: P.A. 99-231, eff. 8-3-15.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

[November 10, 2015]

On motion of Senator Muñoz, **House Bill No. 3434** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAY 1.

The following voted in the affirmative:

Althoff	Forby	McCann	Rose
Anderson	Haine	McCarter	Sandoval
Barickman	Harmon	McConnaughay	Silverstein
Bennett	Harris	McGuire	Stadelman
Bertino-Tarrant	Hastings	Morrison	Steans
Biss	Holmes	Mulroe	Sullivan
Brady	Hunter	Muñoz	Syverson
Bush	Hutchinson	Murphy, L.	Trotter
Clayborne	Jones, E.	Murphy, M.	Van Pelt
Collins	Landek	Noland	Weaver
Connelly	Lightford	Oberweis	Mr. President
Cullerton, T.	Link	Radogno	
Cunningham	Luechtefeld	Raoul	
Delgado	Manar	Rezin	
Duffy	Martinez	Righter	

The following voted in the negative:

Nybo

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

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

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILL ON SECRETARY’S DESK

On motion of Senator E. Jones III, **Senate Bill No. 1596**, with House Amendments numbered 1 and 2 on the Secretary’s Desk, was taken up for immediate consideration.

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

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

YEAS 56; NAYS None; Present 1.

The following voted in the affirmative:

Althoff	Forby	McCann	Rose
Anderson	Haine	McCarter	Sandoval
Barickman	Harmon	McConnaughay	Silverstein
Bennett	Harris	McGuire	Stadelman
Bertino-Tarrant	Hastings	Morrison	Steans
Biss	Holmes	Mulroe	Sullivan
Bivins	Hunter	Muñoz	Syverson
Brady	Hutchinson	Murphy, L.	Trotter
Bush	Jones, E.	Murphy, M.	Van Pelt
Clayborne	Landek	Noland	Weaver

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Collins	Lightford	Nybo	Mr. President
Connelly	Link	Radogno	
Cullerton, T.	Luechtefeld	Raoul	
Cunningham	Manar	Rezin	
Delgado	Martinez	Righter	

The following voted present:

Oberweis

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 1596**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Delgado moved that **House Joint Resolution No. 101**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Delgado moved that House Joint Resolution No. 101 be adopted.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Forby	McCann	Rose
Anderson	Haine	McCarter	Sandoval
Barickman	Harmon	McConaughay	Silverstein
Bennett	Harris	McGuire	Stadelman
Bertino-Tarrant	Hastings	Morrison	Steans
Bivins	Holmes	Mulroe	Sullivan
Brady	Hunter	Muñoz	Syverson
Bush	Hutchinson	Murphy, L.	Trotter
Clayborne	Jones, E.	Murphy, M.	Van Pelt
Collins	Landek	Noland	Weaver
Connelly	Lightford	Nybo	Mr. President
Cullerton, T.	Link	Radogno	
Cunningham	Luechtefeld	Raoul	
Delgado	Manar	Rezin	
Duffy	Martinez	Righter	

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

REPORT FROM COMMITTEE ON ASSIGNMENTS

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

Floor Amendment No. 2 to House Bill 1285

Floor Amendment No. 1 to House Bill 1365

The foregoing floor amendments were placed on the Secretary's Desk.

[November 10, 2015]

HOUSE BILL RECALLED

On motion of Senator Link, **House Bill No. 1285** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was recommended do adopt by the Committee on Executive but was not called for adoption by the sponsor.

Senator Link offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 1285

AMENDMENT NO. 2. Amend House Bill 1285 by replacing everything after the enacting clause with the following:

"Section 5. The Unemployment Insurance Act is amended by changing Sections 401, 403, 602, 611, 1505, and 1506.6 as follows:

(820 ILCS 405/401) (from Ch. 48, par. 401)

Sec. 401. Weekly Benefit Amount - Dependents' Allowances.

A. With respect to any week beginning in a benefit year beginning prior to January 4, 2004, an individual's weekly benefit amount shall be an amount equal to the weekly benefit amount as defined in the provisions of this Act as amended and in effect on November 18, 2011.

B. 1. With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, an individual's weekly benefit amount shall be 48% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than \$51. Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 6, 2008, an individual's weekly benefit amount shall be 47% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than \$51. ~~With respect to any benefit year beginning in calendar year 2016, an individual's weekly benefit amount shall be 42.8% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than \$51. With respect to any benefit year beginning in calendar year 2018, an individual's weekly benefit amount shall be 42.9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than \$51.~~

2. For the purposes of this subsection:

An individual's "prior average weekly wage" means the total wages for insured work paid to that individual during the 2 calendar quarters of his base period in which such total wages were highest, divided by 26. If the quotient is not already a multiple of one dollar, it shall be rounded to the nearest dollar; however if the quotient is equally near 2 multiples of one dollar, it shall be rounded to the higher multiple of one dollar.

"Determination date" means June 1 and December 1 of each calendar year except that, for the purposes of this Act only, there shall be no June 1 determination date in any year.

"Determination period" means, with respect to each June 1 determination date, the 12 consecutive calendar months ending on the immediately preceding December 31 and, with respect to each December 1 determination date, the 12 consecutive calendar months ending on the immediately preceding June 30.

"Benefit period" means the 12 consecutive calendar month period beginning on the first day of the first calendar month immediately following a determination date, except that, with respect to any calendar year in which there is a June 1 determination date, "benefit period" shall mean the 6 consecutive calendar month period beginning on the first day of the first calendar month immediately following the preceding December 1 determination date and the 6 consecutive calendar month period beginning on the first day of the first calendar month immediately following the June 1 determination date.

"Gross wages" means all the wages paid to individuals during the determination period immediately preceding a determination date for insured work, and reported to the Director by employers prior to the first day of the third calendar month preceding that date.

"Covered employment" for any calendar month means the total number of individuals, as determined by the Director, engaged in insured work at mid-month.

"Average monthly covered employment" means one-twelfth of the sum of the covered employment for the 12 months of a determination period.

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"Statewide average annual wage" means the quotient, obtained by dividing gross wages by average monthly covered employment for the same determination period, rounded (if not already a multiple of one cent) to the nearest cent.

"Statewide average weekly wage" means the quotient, obtained by dividing the statewide average annual wage by 52, rounded (if not already a multiple of one cent) to the nearest cent. Notwithstanding any provision of this Section to the contrary, the statewide average weekly wage for any benefit period prior to calendar year 2012 shall be as determined by the provisions of this Act as amended and in effect on November 18, 2011. Notwithstanding any provisions of this Section to the contrary, the statewide average weekly wage for the benefit period of calendar year 2012 shall be \$856.55 and for each calendar year thereafter, the statewide average weekly wage shall be the statewide average weekly wage, as determined in accordance with this sentence, for the immediately preceding benefit period plus (or minus) an amount equal to the percentage change in the statewide average weekly wage, as computed in accordance with the first sentence of this paragraph, between the 2 immediately preceding benefit periods, multiplied by the statewide average weekly wage, as determined in accordance with this sentence, for the immediately preceding benefit period. However, for purposes of the Workers' Compensation Act, the statewide average weekly wage will be computed using June 1 and December 1 determination dates of each calendar year and such determination shall not be subject to the limitation of the statewide average weekly wage as computed in accordance with the preceding sentence of this paragraph.

With respect to any week beginning in a benefit year beginning prior to January 4, 2004, "maximum weekly benefit amount" with respect to each week beginning within a benefit period shall be as defined in the provisions of this Act as amended and in effect on November 18, 2011.

With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 48% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 6, 2008, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 47% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

~~With respect to any benefit year beginning in calendar year 2016, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 42.8% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.~~

With respect to any benefit year beginning in calendar year 2018, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 42.9% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

C. With respect to any week beginning in a benefit year beginning prior to January 4, 2004, an individual's eligibility for a dependent allowance with respect to a nonworking spouse or one or more dependent children shall be as defined by the provisions of this Act as amended and in effect on November 18, 2011.

With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided, that the total amount payable to the individual with respect to a week shall not exceed 57% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, 17.2% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed 65.2% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to any benefit year beginning on or after January 6, 2008 and before January 1, 2010, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided, that the total amount payable to the individual with respect to a week shall not exceed 56% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, 18.2% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed

65.2% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

The additional amount paid pursuant to this subsection in the case of an individual with a dependent child or dependent children shall be referred to as the "dependent child allowance", and the percentage rate by which an individual's prior average weekly wage is multiplied pursuant to this subsection to calculate the dependent child allowance shall be referred to as the "dependent child allowance rate".

Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 1, 2010, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, the greater of (i) 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) \$15, provided that the total amount payable to the individual with respect to a week shall not exceed 56% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, the greater of (i) the product of the dependent child allowance rate multiplied by his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) the lesser of \$50 or 50% of his or her weekly benefit amount, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed the product of the statewide average weekly wage multiplied by the sum of 47% plus the dependent child allowance rate, rounded (if not already a multiple of one dollar) to the next higher dollar.

~~With respect to any benefit year beginning in calendar year 2016, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, the greater of (i) 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) \$15, provided that the total amount payable to the individual with respect to a week shall not exceed 51.8% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, the greater of (i) the product of the dependent child allowance rate multiplied by his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) the lesser of \$50 or 50% of his or her weekly benefit amount, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed the product of the statewide average weekly wage multiplied by the sum of 42.8% plus the dependent child allowance rate, rounded (if not already a multiple of one dollar) to the next higher dollar.~~

With respect to any benefit year beginning in calendar year 2018, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, the greater of (i) 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) \$15, provided that the total amount payable to the individual with respect to a week shall not exceed 51.9% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, the greater of (i) the product of the dependent child allowance rate multiplied by his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) the lesser of \$50 or 50% of his or her weekly benefit amount, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed the product of the statewide average weekly wage multiplied by the sum of 42.9% plus the dependent child allowance rate, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to each benefit year beginning after calendar year 2012, the dependent child allowance rate shall be the sum of the allowance adjustment applicable pursuant to Section 1400.1 to the calendar year in which the benefit year begins, plus the dependent child allowance rate with respect to each benefit year beginning in the immediately preceding calendar year, except as otherwise provided in this subsection. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2010 shall be 17.9%. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2011 shall be 17.4%. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2012 shall be 17.0% and, with respect to each benefit year beginning after calendar year 2012, shall not be less than 17.0% or greater than 17.9%.

For the purposes of this subsection:

"Dependent" means a child or a nonworking spouse.

"Child" means a natural child, stepchild, or adopted child of an individual claiming benefits under this Act or a child who is in the custody of any such individual by court order, for whom the individual is

supplying and, for at least 90 consecutive days (or for the duration of the parental relationship if it has existed for less than 90 days) immediately preceding any week with respect to which the individual has filed a claim, has supplied more than one-half the cost of support, or has supplied at least 1/4 of the cost of support if the individual and the other parent, together, are supplying and, during the aforesaid period, have supplied more than one-half the cost of support, and are, and were during the aforesaid period, members of the same household; and who, on the first day of such week (a) is under 18 years of age, or (b) is, and has been during the immediately preceding 90 days, unable to work because of illness or other disability: provided, that no person who has been determined to be a child of an individual who has been allowed benefits with respect to a week in the individual's benefit year shall be deemed to be a child of the other parent, and no other person shall be determined to be a child of such other parent, during the remainder of that benefit year.

"Nonworking spouse" means the lawful husband or wife of an individual claiming benefits under this Act, for whom more than one-half the cost of support has been supplied by the individual for at least 90 consecutive days (or for the duration of the marital relationship if it has existed for less than 90 days) immediately preceding any week with respect to which the individual has filed a claim, but only if the nonworking spouse is currently ineligible to receive benefits under this Act by reason of the provisions of Section 500E.

An individual who was obligated by law to provide for the support of a child or of a nonworking spouse for the aforesaid period of 90 consecutive days, but was prevented by illness or injury from doing so, shall be deemed to have provided more than one-half the cost of supporting the child or nonworking spouse for that period.

(Source: P.A. 96-30, eff. 6-30-09; 97-621, eff. 11-18-11; 97-791, eff. 1-1-13.)

(820 ILCS 405/403) (from Ch. 48, par. 403)

Sec. 403. Maximum total amount of benefits.)

A. With respect to any benefit year beginning prior to September 30, 1979, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits as shall be determined in the manner set forth in this Act as amended and in effect on November 9, 1977.

B. With respect to any benefit year beginning on or after September 30, 1979, except as otherwise provided in this Section, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 26 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller. With respect to any benefit year beginning in calendar year 2012, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 25 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller. If the maximum amount includable as "wages" pursuant to Section 235 is \$13,560 with respect to calendar year 2013, then, with respect to any benefit year beginning after March 31, 2013 and before April 1, 2014, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 25 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller. With respect to any benefit year beginning in calendar year ~~2016~~ 2018, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 24 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller.

(Source: P.A. 97-1, eff. 3-31-11; 97-621, eff. 11-18-11.)

(820 ILCS 405/602) (from Ch. 48, par. 432)

Sec. 602. Discharge for misconduct - Felony. A. An individual shall be ineligible for benefits for the week in which he has been discharged for misconduct connected with his work and, thereafter, until he has become reemployed and has had earnings equal to or in excess of his current weekly benefit amount in each of four calendar weeks which are either for services in employment, or have been or will be reported pursuant to the provisions of the Federal Insurance Contributions Act by each employing unit for which such services are performed and which submits a statement certifying to that fact. The requalification requirements of the preceding sentence shall be deemed to have been satisfied, as of the date of reinstatement, if, subsequent to his discharge by an employing unit for misconduct connected with his work, such individual is reinstated by such employing unit. For purposes of this subsection, the term "misconduct" means the deliberate and willful violation of a reasonable rule or policy of the employing unit, governing the individual's behavior in performance of his work, provided such violation has harmed the employing unit or other employees or has been repeated by the individual despite a warning or other

explicit instruction from the employing unit. The previous definition notwithstanding, "misconduct" shall include any of the following work-related circumstances:

1. Falsification of an employment application, or any other documentation provided to the employer, to obtain employment through subterfuge.

2. Failure to maintain licenses, registrations, and certifications reasonably required by the employer, or those that the individual is required to possess by law, to perform his or her regular job duties, unless the failure is not within the control of the individual.

3. Knowing, repeated violation of the attendance policies of the employer that are in compliance with State and federal law following a written warning for an attendance violation, unless the individual can demonstrate that he or she has made a reasonable effort to remedy the reason or reasons for the violations or that the reason or reasons for the violations were out of the individual's control. Attendance policies of the employer shall be reasonable and provided to the individual in writing, electronically, or via posting in the workplace.

4. Damaging the employer's property through conduct that is grossly negligent.

5. Refusal to obey an employer's reasonable and lawful instruction, unless the refusal is due to the lack of ability, skills, or training for the individual required to obey the instruction or the instruction would result in an unsafe act.

6. Consuming alcohol or illegal or non-prescribed prescription drugs, or using an impairing substance in an off-label manner, on the employer's premises during working hours in violation of the employer's policies.

7. Reporting to work under the influence of alcohol, illegal or non-prescribed prescription drugs, or an impairing substance used in an off-label manner in violation of the employer's policies, unless the individual is compelled to report to work by the employer outside of scheduled and on-call working hours and informs the employer that he or she is under the influence of alcohol, illegal or non-prescribed prescription drugs, or an impairing substance used in an off-label manner in violation of the employer's policies.

8. Grossly negligent conduct endangering the safety of the individual or co-workers.

For purposes of paragraphs 4 and 8, conduct is "grossly negligent" when the individual is, or reasonably should be, aware of a substantial risk that the conduct will result in the harm sought to be prevented and the conduct constitutes a substantial deviation from the standard of care a reasonable person would exercise in the situation.

Nothing in paragraph 6 or 7 prohibits the lawful use of over-the-counter drug products as defined in Section 206 of the Illinois Controlled Substances Act, provided that the medication does not affect the safe performance of the employee's work duties.

B. Notwithstanding any other provision of this Act, no benefit rights shall accrue to any individual based upon wages from any employer for service rendered prior to the day upon which such individual was discharged because of the commission of a felony in connection with his work, or because of theft in connection with his work, for which the employer was in no way responsible; provided, that the employer notified the Director of such possible ineligibility within the time limits specified by regulations of the Director, and that the individual has admitted his commission of the felony or theft to a representative of the Director, or has signed a written admission of such act and such written admission has been presented to a representative of the Director, or such act has resulted in a conviction or order of supervision by a court of competent jurisdiction; and provided further, that if by reason of such act, he is in legal custody, held on bail or is a fugitive from justice, the determination of his benefit rights shall be held in abeyance pending the result of any legal proceedings arising therefrom.

(Source: P.A. 85-956.)

(820 ILCS 405/611) (from Ch. 48, par. 441)

Sec. 611. Retirement pay. A. For the purposes of this Section "disqualifying income" means:

1. The entire amount which an individual has received or will receive with respect to a week in the form of a retirement payment (a) from an individual or organization (i) for which he performed services during his base period or which is liable for benefit charges or payments in lieu of contributions as a result of the payment of benefits to such individual and (ii) which pays all of the cost of such retirement payment, or (b) from a trust, annuity or insurance fund or under an annuity or insurance contract, to or under which an individual or organization for which he performed services during his base period or which is liable for benefit charges or payments in lieu of contributions as a result of the payment of benefits to such individual pays or has paid all of the premiums or contributions; and

2. One-half the amount which an individual has received or will receive with respect to a week in the form of a retirement payment (a) from an individual or organization (i) for which he performed services during his base period or which is liable for benefit charges or payments in lieu of contributions as a result

of the payment of benefits to such individual and (ii) which pays some, but not all, of the cost of such retirement payment, or (b) from a trust, annuity or insurance fund (~~including primary social security old age and disability retirement benefits, including those based on self-employment~~) or under an annuity or insurance contract, to or under which an individual or organization for which he performed services during his base period or which is liable for benefit charges or payments in lieu of contributions as a result of the payment of benefits to such individual pays or has paid some, but not all, of the premiums or contributions.

3. Notwithstanding ~~paragraphs~~ paragraph 1 and 2 above, the entire amount which an individual has received or will receive, with respect to any week which begins after March 31, 1980, of any governmental or other pension, retirement, or retired pay, annuity or any other similar periodic payment which is based on any previous work of such individual during his base period or which is liable for benefit charges or payments in lieu of contributions as a result of the payment of benefits to such individual. This paragraph shall be in effect only if it is required as a condition for full tax credit against the tax imposed by the Federal Unemployment Tax Act.

4. Notwithstanding paragraphs 1, 2, and 3 above, none of the amount that an individual has received or will receive with respect to a week in the form of social security old age, survivors, and disability benefits under 42 U.S.C. Section 401 et seq., including those based on self-employment, shall constitute disqualifying income.

B. Whenever an individual has received or will receive a retirement payment for a month, an amount shall be deemed to have been paid him for each day equal to one-thirtieth of such retirement payment. If the retirement payment is for a half-month, an amount shall be deemed to have been paid the individual for each day equal to one-fifteenth of such retirement payment. If the retirement payment is for any other period, an amount shall be deemed to have been paid the individual for each day in such period equal to the retirement payment divided by the number of days in the period.

C. An individual shall be ineligible for benefits for any week with respect to which his disqualifying income equals or exceeds his weekly benefit amount. If such disqualifying income with respect to a week totals less than the benefits for which he would otherwise be eligible under this Act, he shall be paid, with respect to such week, benefits reduced by the amount of such disqualifying income.

D. To assure full tax credit to the employers of this State against the tax imposed by the Federal Unemployment Tax Act, the Director shall take any action as may be necessary in the administration of paragraph 3 of subsection A of this Section to insure that the application of its provisions conform to the requirements of such Federal Act as interpreted by the United States Secretary of Labor or other appropriate Federal agency.

(Source: P.A. 86-3.)

(820 ILCS 405/1505) (from Ch. 48, par. 575)

Sec. 1505. Adjustment of state experience factor. The state experience factor shall be adjusted in accordance with the following provisions:

A. For calendar years prior to 1988, the state experience factor shall be adjusted in accordance with the provisions of this Act as amended and in effect on November 18, 2011.

B. (Blank).

C. For calendar year 1988 and each calendar year thereafter, for which the state experience factor is being determined.

1. For every \$50,000,000 (or fraction thereof) by which the adjusted trust fund balance falls below the target balance set forth in this subsection, the state experience factor for the succeeding year shall be increased one percent absolute.

For every \$50,000,000 (or fraction thereof) by which the adjusted trust fund balance exceeds the target balance set forth in this subsection, the state experience factor for the succeeding year shall be decreased by one percent absolute.

The target balance in each calendar year prior to 2003 is \$750,000,000. The target balance in calendar year 2003 is \$920,000,000. The target balance in calendar year 2004 is \$960,000,000. The target balance in calendar year 2005 and each calendar year thereafter is \$1,000,000,000.

2. For the purposes of this subsection:

"Net trust fund balance" is the amount standing to the credit of this State's account in the unemployment trust fund as of June 30 of the calendar year immediately preceding the year for which a state experience factor is being determined.

"Adjusted trust fund balance" is the net trust fund balance minus the sum of the benefit reserves for fund building for July 1, 1987 through June 30 of the year prior to the year for which the state experience factor is being determined. The adjusted trust fund balance shall not be less than zero.

If the preceding calculation results in a number which is less than zero, the amount by which it is less than zero shall reduce the sum of the benefit reserves for fund building for subsequent years.

For the purpose of determining the state experience factor for 1989 and for each calendar year thereafter, the following "benefit reserves for fund building" shall apply for each state experience factor calculation in which that 12 month period is applicable:

- a. For the 12 month period ending on June 30, 1988, the "benefit reserve for fund building" shall be 8/104th of the total benefits paid from January 1, 1988 through June 30, 1988.
- b. For the 12 month period ending on June 30, 1989, the "benefit reserve for fund building" shall be the sum of:
 - i. 8/104ths of the total benefits paid from July 1, 1988 through December 31, 1988, plus
 - ii. 4/108ths of the total benefits paid from January 1, 1989 through June 30, 1989.
- c. For the 12 month period ending on June 30, 1990, the "benefit reserve for fund building" shall be 4/108ths of the total benefits paid from July 1, 1989 through December 31, 1989.
- d. For 1992 and for each calendar year thereafter, the "benefit reserve for fund building" for the 12 month period ending on June 30, 1991 and for each subsequent 12 month period shall be zero.

3. Notwithstanding the preceding provisions of this subsection, for calendar years 1988 through 2003, the state experience factor shall not be increased or decreased by more than 15 percent absolute.

D. Notwithstanding the provisions of subsection C, the adjusted state experience factor:

1. Shall be 111 percent for calendar year 1988;
2. Shall not be less than 75 percent nor greater than 135 percent for calendar years 1989 through 2003; and shall not be less than 75% nor greater than 150% for calendar year 2004 and each calendar year thereafter, not counting any increase pursuant to subsection D-1, D-2, or D-3;
3. Shall not be decreased by more than 5 percent absolute for any calendar year, beginning in calendar year 1989 and through calendar year 1992, by more than 6% absolute for calendar years 1993 through 1995, by more than 10% absolute for calendar years 1999 through 2003 and by more than 12% absolute for calendar year 2004 and each calendar year thereafter, from the adjusted state experience factor of the calendar year preceding the calendar year for which the adjusted state experience factor is being determined;
4. Shall not be increased by more than 15% absolute for calendar year 1993, by more than 14% absolute for calendar years 1994 and 1995, by more than 10% absolute for calendar years 1999 through 2003 and by more than 16% absolute for calendar year 2004 and each calendar year thereafter, from the adjusted state experience factor for the calendar year preceding the calendar year for which the adjusted state experience factor is being determined;
5. Shall be 100% for calendar years 1996, 1997, and 1998.

D-1. The adjusted state experience factor for each of calendar years 2013 through 2015 shall be increased by 5% absolute above the adjusted state experience factor as calculated without regard to this subsection. The adjusted state experience factor for each of calendar years 2016 through 2018 shall be increased by 6% absolute above the adjusted state experience factor as calculated without regard to this subsection. The increase in the adjusted state experience factor for calendar year 2018 pursuant to this subsection shall not be counted for purposes of applying paragraph 3 or 4 of subsection D to the calculation of the adjusted state experience factor for calendar year 2019.

~~D-2. (Blank). The adjusted state experience factor for calendar year 2016 shall be increased by 19% absolute above the adjusted state experience factor as calculated without regard to this subsection. The increase in the adjusted state experience factor for calendar year 2016 pursuant to this subsection shall not be counted for purposes of applying paragraph 3 or 4 of subsection D to the calculation of the adjusted state experience factor for calendar year 2017.~~

D-3. The adjusted state experience factor for calendar year 2018 shall be increased by 19% absolute above the adjusted state experience factor as calculated without regard to this subsection. The increase in the adjusted state experience factor for calendar year 2018 pursuant to this subsection shall not be counted for purposes of applying paragraph 3 or 4 of subsection D to the calculation of the adjusted state experience factor for calendar year 2019.

E. The amount standing to the credit of this State's account in the unemployment trust fund as of June 30 shall be deemed to include as part thereof (a) any amount receivable on that date from any Federal governmental agency, or as a payment in lieu of contributions under the provisions of Sections 1403 and 1405 B and paragraph 2 of Section 302C, in reimbursement of benefits paid to individuals, and (b) amounts

credited by the Secretary of the Treasury of the United States to this State's account in the unemployment trust fund pursuant to Section 903 of the Federal Social Security Act, as amended, including any such amounts which have been appropriated by the General Assembly in accordance with the provisions of Section 2100 B for expenses of administration, except any amounts which have been obligated on or before that date pursuant to such appropriation.

(Source: P.A. 97-621, eff. 11-18-11; 97-791, eff. 1-1-13.)

(820 ILCS 405/1506.6)

Sec. 1506.6. Surcharge; specified period. For each employer whose contribution rate for calendar year ~~2016~~ 2018 is determined pursuant to Section 1500 or 1506.1, including but not limited to an employer whose contribution rate pursuant to Section 1506.1 is 0.0%, in addition to the contribution rate established pursuant to Section 1506.3, an additional surcharge of 0.3% shall be added to the contribution rate. The surcharge established by this Section shall be due at the same time as other contributions with respect to the quarter are due, as provided in Section 1400. Payments attributable to the surcharge established pursuant to this Section shall be contributions and deposited into the clearing account.

(Source: P.A. 97-621, eff. 11-18-11.)

Section 99. Effective date. This Act takes effect upon becoming law, except that the changes to Sections 602 and 611 of the Unemployment Insurance Act take effect January 3, 2016."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Link, **House Bill No. 1285** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	Martinez	Rezin
Anderson	Forby	McCann	Righter
Barickman	Haine	McCarter	Rose
Bennett	Harmon	McConnaughay	Sandoval
Bertino-Tarrant	Harris	McGuire	Silverstein
Biss	Hastings	Morrison	Stadelman
Bivins	Holmes	Mulroe	Stears
Brady	Hunter	Muñoz	Sullivan
Bush	Hutchinson	Murphy, L.	Syverson
Clayborne	Jones, E.	Murphy, M.	Trotter
Collins	Landek	Noland	Van Pelt
Connelly	Lightford	Nybo	Weaver
Cullerton, T.	Link	Oberweis	Mr. President
Cunningham	Luechtefeld	Radogno	
Delgado	Manar	Raoul	

This bill, having received the vote of three-fifths 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 title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

HOUSE BILL RECALLED

[November 10, 2015]

On motion of Senator Martinez, **House Bill No. 1365** was recalled from the order of third reading to the order of second reading.

Senator Martinez offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 1365

AMENDMENT NO. 1. Amend House Bill 1365 by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by adding Section 4.26a as follows:
(5 ILCS 80/4.26a new)

Sec. 4.26a. Act repealed on December 31, 2016. The following Act is repealed on December 31, 2016:
The Medical Practice Act of 1987.

(5 ILCS 80/4.25a rep.)

Section 10. The Regulatory Sunset Act is amended by repealing Section 4.25a.

Section 15. The Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997 is amended by changing Section 6-7 as follows:

(20 ILCS 687/6-7)

(Section scheduled to be repealed on December 12, 2015)

Sec. 6-7. Repeal. The provisions of this Law are repealed on December 31 12, 2020 2015.

(Source: P.A. 95-481, eff. 8-28-07.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Martinez, **House Bill No. 1365** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Duffy	Martinez	Rezin
Anderson	Forby	McCann	Righter
Barickman	Haine	McCarter	Rose
Bennett	Harmon	McConaughay	Sandoval
Bertino-Tarrant	Harris	McGuire	Silverstein
Biss	Hastings	Morrison	Stadelman
Bivins	Holmes	Mulroe	Steans
Brady	Hunter	Muñoz	Sullivan
Bush	Hutchinson	Murphy, L.	Syverson
Clayborne	Jones, E.	Murphy, M.	Trotter
Collins	Landek	Noland	Van Pelt
Connelly	Lightford	Nybo	Weaver
Cullerton, T.	Link	Oberweis	Mr. President
Cunningham	Luechtefeld	Radogno	
Delgado	Manar	Raoul	

This bill, having received the vote of three-fifths 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 title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Rezin, **House Bill No. 3213** was recalled from the order of third reading to the order of second reading.

Senator Rezin offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 3213

AMENDMENT NO. 1. Amend House Bill 3213 by replacing everything after the enacting clause with the following:

"Section 5. The Emergency Medical Services (EMS) Systems Act is amended by changing Section 32.5 as follows:

(210 ILCS 50/32.5)

Sec. 32.5. Freestanding Emergency Center.

(a) The Department shall issue an annual Freestanding Emergency Center (FEC) license to any facility that has received a permit from the Health Facilities and Services Review Board to establish a Freestanding Emergency Center by January 1, 2015, and:

(1) is located: (A) in a municipality with a population of 50,000 or fewer inhabitants; (B) within 50 miles of the hospital that owns or controls the FEC; and (C) within 50 miles of the Resource Hospital affiliated with the FEC as part of the EMS System;

(2) is wholly owned or controlled by an Associate or Resource Hospital, but is not a part of the hospital's physical plant;

(3) meets the standards for licensed FECs, adopted by rule of the Department, including, but not limited to:

(A) facility design, specification, operation, and maintenance standards;

(B) equipment standards; and

(C) the number and qualifications of emergency medical personnel and other staff, which must include at least one board certified emergency physician present at the FEC 24 hours per day.

(4) limits its participation in the EMS System strictly to receiving a limited number of BLS runs by emergency medical vehicles according to protocols developed by the Resource Hospital within the FEC's designated EMS System and approved by the Project Medical Director and the Department;

(5) provides comprehensive emergency treatment services, as defined in the rules adopted by the Department pursuant to the Hospital Licensing Act, 24 hours per day, on an outpatient basis;

(6) provides an ambulance and maintains on site ambulance services staffed with paramedics 24 hours per day;

(7) (blank);

(8) complies with all State and federal patient rights provisions, including, but not limited to, the Emergency Medical Treatment Act and the federal Emergency Medical Treatment and Active Labor Act;

(9) maintains a communications system that is fully integrated with its Resource Hospital within the FEC's designated EMS System;

(10) reports to the Department any patient transfers from the FEC to a hospital within 48 hours of the transfer plus any other data determined to be relevant by the Department;

(11) submits to the Department, on a quarterly basis, the FEC's morbidity and mortality rates for patients treated at the FEC and other data determined to be relevant by the Department;

(12) does not describe itself or hold itself out to the general public as a full service hospital or hospital emergency department in its advertising or marketing activities;

(13) complies with any other rules adopted by the Department under this Act that relate to FECs;

(14) passes the Department's site inspection for compliance with the FEC requirements of this Act;

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(15) submits a copy of the permit issued by the Health Facilities and Services Review Board indicating that the facility has complied with the Illinois Health Facilities Planning Act with respect to the health services to be provided at the facility;

(16) submits an application for designation as an FEC in a manner and form prescribed by the Department by rule; and

(17) pays the annual license fee as determined by the Department by rule.

(a-5) Notwithstanding any other provision of this Section, the Department may issue an annual FEC license to a facility that is located in a county that does not have a licensed general acute care hospital if the facility's application for a permit from the Illinois Health Facilities Planning Board has been deemed complete by the Department of Public Health by January 1, 2014 and if the facility complies with the requirements set forth in paragraphs (1) through (17) of subsection (a).

(a-10) Notwithstanding any other provision of this Section, the Department may issue an annual FEC license to a facility if the facility has, by January 1, 2014, filed a letter of intent to establish an FEC and if the facility complies with the requirements set forth in paragraphs (1) through (17) of subsection (a).

(a-15) Notwithstanding any other provision of this Section, the Department shall issue an annual FEC license to a facility if the facility: (i) discontinues operation as a hospital within 180 days after the effective date of this amendatory Act of the 99th General Assembly with a Health Facilities and Services Review Board project number of E-017-15; (ii) has an application for a permit to establish an FEC from the Health Facilities and Services Review Board that is deemed complete by January 1, 2017; and (iii) complies with the requirements set forth in paragraphs (1) through (17) of subsection (a) of this Section.

(b) The Department shall:

(1) annually inspect facilities of initial FEC applicants and licensed FECs, and issue annual licenses to or annually relicense FECs that satisfy the Department's licensure requirements as set forth in subsection (a);

(2) suspend, revoke, refuse to issue, or refuse to renew the license of any FEC, after notice and an opportunity for a hearing, when the Department finds that the FEC has failed to comply with the standards and requirements of the Act or rules adopted by the Department under the Act;

(3) issue an Emergency Suspension Order for any FEC when the Director or his or her designee has determined that the continued operation of the FEC poses an immediate and serious danger to the public health, safety, and welfare. An opportunity for a hearing shall be promptly initiated after an Emergency Suspension Order has been issued; and

(4) adopt rules as needed to implement this Section.

(Source: P.A. 96-23, eff. 6-30-09; 96-31, eff. 6-30-09; 96-883, eff. 3-1-10; 96-1000, eff. 7-2-10; 97-333, eff. 8-12-11; 97-1112, eff. 8-27-12.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Rezin, **House Bill No. 3213** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None; Present 1.

The following voted in the affirmative:

Althoff	Forby	McCann	Rezin
Anderson	Haine	McCarter	Richter
Barickman	Harmon	McConnaughay	Rose
Bennett	Harris	McGuire	Sandoval
Bertino-Tarrant	Hastings	Morrison	Silverstein

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Biss	Holmes	Mulroe	Stadelman
Brady	Hutchinson	Muñoz	Steans
Bush	Jones, E.	Murphy, L.	Sullivan
Clayborne	Landek	Murphy, M.	Syverson
Collins	Lightford	Noland	Trotter
Connelly	Link	Nybo	Van Pelt
Cunningham	Luechtefeld	Oberweis	Weaver
Delgado	Manar	Radogno	Mr. President
Duffy	Martinez	Raoul	

The following voted present:

Hunter

This bill, having received the vote of three-fifths 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 title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Mulroe moved that **Senate Resolution No. 838**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Mulroe moved that Senate Resolution No. 838 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Muñoz moved that **Senate Resolution No. 1153**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Muñoz moved that Senate Resolution No. 1153 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Althoff moved that **Senate Resolution No. 1154**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Althoff moved that Senate Resolution No. 1154 be adopted.

The motion prevailed.

And the resolution was adopted.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 1123

Offered by Senator Haine and all Senators:

Mourns the death of Elizabeth Ann "Betsy" Horn of Garland, Texas.

SENATE RESOLUTION NO. 1124

Offered by Senator Harmon and all Senators:

Mourns the death of John Peter Clark III of Oak Park.

SENATE RESOLUTION NO. 1125

Offered by Senator Harmon and all Senators:

Mourns the death of Jane E. Hedges of Oak Park.

SENATE RESOLUTION NO. 1126

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Offered by Senator Harmon and all Senators:
Mourns the deaths of John and Margaret O'Neill.

SENATE RESOLUTION NO. 1127

Offered by Senator Sullivan and all Senators:
Mourns the death of Ronald E. Burling of Carthage.

SENATE RESOLUTION NO. 1128

Offered by Senator Sullivan and all Senators:
Mourns the death of Stanley Eugene "Slug" Milby of Rushville.

SENATE RESOLUTION NO. 1129

Offered by Senator Althoff and all Senators:
Mourns the death of Kenneth M. Adams of McHenry.

SENATE RESOLUTION NO. 1130

Offered by Senator Althoff and all Senators:
Mourns the death of Richard L. Ehlers of Fox Lake.

SENATE RESOLUTION NO. 1131

Offered by Senator Althoff and all Senators:
Mourns the death of Leonard Beetstra.

SENATE RESOLUTION NO. 1132

Offered by Senator Althoff and all Senators:
Mourns the death of Charlotte P. "Char" Tovar of Spring Grove.

SENATE RESOLUTION NO. 1133

Offered by Senator Althoff and all Senators:
Mourns the death of Judith K. "Judy" Fues of Woodstock.

SENATE RESOLUTION NO. 1134

Offered by Senator Althoff and all Senators:
Mourns the death of Richard E. Lind, M.D., of Woodstock.

SENATE RESOLUTION NO. 1135

Offered by Senator Althoff and all Senators:
Mourns the death of Margaret Jeanne Walkup Nienstedt of Crystal Lake.

SENATE RESOLUTION NO. 1136

Offered by Senator Althoff and all Senators:
Mourns the death of James Glen Bolen of Hebron.

SENATE RESOLUTION NO. 1137

Offered by Senator Althoff and all Senators:
Mourns the death of Anita Irene Weber.

SENATE RESOLUTION NO. 1138

Offered by Senator Althoff and all Senators:
Mourns the death of Stephen Wood of Woodstock.

SENATE RESOLUTION NO. 1139

Offered by Senator Althoff and all Senators:
Mourns the death of Ronald G. Wittlief of Marengo.

SENATE RESOLUTION NO. 1140

Offered by Senator Althoff and all Senators:
Mourns the death of George Robert Kwapniewski of McHenry.

SENATE RESOLUTION NO. 1141

Offered by Senator Althoff and all Senators:
Mourns the death of Janet Lynn Donehey.

SENATE RESOLUTION NO. 1142

Offered by Senator Althoff and all Senators:
Mourns the death of Sandra Jean Turner of McHenry.

SENATE RESOLUTION NO. 1143

Offered by Senator Koehler and all Senators:
Mourns the death of Sheldon “Shel” Ray Grant of Peoria.

SENATE RESOLUTION NO. 1144

Offered by Senator Koehler and all Senators:
Mourns the death of Richard Carl “Dick” Schwarz of Peoria.

SENATE RESOLUTION NO. 1145

Offered by Senator Koehler and all Senators:
Mourns the death of William F. “Bill” Hardin of Peoria.

SENATE RESOLUTION NO. 1146

Offered by Senator Link and all Senators:
Mourns the death of Robert D. “Jabbo” Jablonski.

SENATE RESOLUTION NO. 1147

Offered by Senator Link and all Senators:
Mourns the death of Richard Harvey “Dick” Schultz of Waukegan.

SENATE RESOLUTION NO. 1148

Offered by Senators McCann – Manar – Brady and all Senators:
Mourns the death of former Springfield Mayor Oswald “Ossie” Langfelder.

SENATE RESOLUTION NO. 1149

Offered by Senator Van Pelt and all Senators:
Mourns the death of Pastor Ivin Lamont Phillips, Sr., of Chicago.

SENATE RESOLUTION NO. 1150

Offered by Senator Van Pelt and all Senators:
Mourns the death of Apostle Richard D. Henton of Chicago.

SENATE RESOLUTION NO. 1151

Offered by Senator Hunter and all Senators:
Mourns the death of William Warren Ingram of Barberton, Ohio.

SENATE RESOLUTION NO. 1155

Offered by Senator Althoff and all Senators:
Mourns the death of Louise Mary Kachelmuss of Crystal Lake.

SENATE RESOLUTION NO. 1156

Offered by Senator Althoff and all Senators:
Mourns the death of Theodore “Ted” Beskow, Jr., of Fox Lake.

SENATE RESOLUTION NO. 1157

Offered by Senator Althoff and all Senators:
Mourns the death of Dorothy A. Adams of McHenry.

SENATE RESOLUTION NO. 1158

Offered by Senator Morrison and all Senators:
Mourns the death of Frances Reilley Gerlach of Lake Forest.

SENATE RESOLUTION NO. 1159

Offered by Senator Morrison and all Senators:
Mourns the death of Christiane Leone.

SENATE RESOLUTION NO. 1160

Offered by Senator Collins and all Senators:
Mourns the death of Mary Margo Butler of Chicago.

SENATE RESOLUTION NO. 1161

Offered by Senator Collins and all Senators:
Mourns the death of Tanya Uvon Coursey.

SENATE RESOLUTION NO. 1162

Offered by Senator Link and all Senators:
Mourns the death of Pamela Jayne Bernardi of Lake Forest.

SENATE RESOLUTION NO. 1163

Offered by Senator Link and all Senators:
Mourns the death of Louis Rodriguez of Winthrop Harbor.

SENATE RESOLUTION NO. 1164

Offered by Senator Collins and all Senators:
Mourns the death of the Honorable Augustus Alexander "Gus" Savage of Chicago.

SENATE RESOLUTION NO. 1165

Offered by Senator Link and all Senators:
Mourns the death of Gary Fitzgibbons.

SENATE RESOLUTION NO. 1166

Offered by Senator Manar and all Senators:
Mourns the death of William Colbrook Curtin of Taylorville.

SENATE RESOLUTION NO. 1167

Offered by Senator Collins and all Senators:
Mourns the death of Frankie Mae Miller.

SENATE RESOLUTION NO. 1168

Offered by Senator McGuire and all Senators:
Mourns the death of Dale Warren McClannahan of Bolingbrook.

SENATE RESOLUTION NO. 1169

Offered by Senator McGuire and all Senators:
Mourns the death of Edward Charles O'Connell.

SENATE RESOLUTION NO. 1170

Offered by Senator Anderson and all Senators:
Mourns the death of William Elmer Lee Nickell of Hampton.

SENATE RESOLUTION NO. 1171

Offered by Senator Anderson and all Senators:
Mourns the death of Richard N. "Dick" Gage of Rock Island.

SENATE RESOLUTION NO. 1172

Offered by Senator Anderson and all Senators:
Mourns the death of Merle E. Heath of East Moline.

SENATE RESOLUTION NO. 1173

Offered by Senator Anderson and all Senators:

Mourns the death of Urban D. “Mouse” DePorter of East Moline.

SENATE RESOLUTION NO. 1175

Offered by Senator Haine and all Senators:
Mourns the death of Kevin McRae of Bethalto.

SENATE RESOLUTION NO. 1176

Offered by Senator Haine and all Senators:
Mourns the death of Paul M. Fischer, D.D.S. of Godfrey.

SENATE RESOLUTION NO. 1177

Offered by Senator Haine and all Senators:
Mourns the death of Mona J. McGibany.

SENATE RESOLUTION NO. 1178

Offered by Senator McGuire and all Senators:
Mourns the death of Ruby J. Ferro of Joliet.

SENATE RESOLUTION NO. 1179

Offered by Senator McGuire and all Senators:
Mourns the death of Marlene Mary Ancel.

SENATE RESOLUTION NO. 1180

Offered by Senator McGuire and all Senators:
Mourns the death of Michael A. “Arnie” Juricic, Sr.

SENATE RESOLUTION NO. 1181

Offered by Senator McGuire and all Senators:
Mourns the death of Stella A. Sallie.

SENATE RESOLUTION NO. 1182

Offered by Senator Koehler and all Senators:
Mourns the death of Randall Allan West of Peoria.

SENATE RESOLUTION NO. 1183

Offered by Senator McCann and all Senators:
Mourns the death of Robert A. “Bob” Sanders, Jr., of Winchester.

SENATE RESOLUTION NO. 1184

Offered by Senator McCann and all Senators:
Mourns the death of Barbara J. Burgess.

SENATE RESOLUTION NO. 1185

Offered by Senator McCann and all Senators:
Mourns the death of Mary L. Whiteman of Springfield.

SENATE RESOLUTION NO. 1186

Offered by Senator Manar and all Senators:
Mourns the death of Clarabelle “Clara” Mann of Decatur.

SENATE RESOLUTION NO. 1187

Offered by Senator McCann and all Senators:
Mourns the death of Robert Bruce McGuire of Carrollton.

SENATE RESOLUTION NO. 1188

Offered by Senator Anderson and all Senators:
Mourns the death of Clifford R. “Cliff” Montgomery of coal Valley.

SENATE RESOLUTION NO. 1189

Offered by Senator Anderson and all Senators:
Mourns the death of Robert M. Bestor of rural East Moline.

SENATE RESOLUTION NO. 1190

Offered by Senator Anderson and all Senators:
Mourns the death of Richard L. "Dick" Shearer of Erie.

SENATE RESOLUTION NO. 1191

Offered by Senator Anderson and all Senators:
Mourns the death of Lowell G. Mork of Milan.

SENATE RESOLUTION NO. 1192

Offered by Senator Anderson and all Senators:
Mourns the death of Joseph L. McCaffrey of Silvis.

SENATE RESOLUTION NO. 1193

Offered by Senator Anderson and all Senators:
Mourns the death of William Green of Moline.

SENATE RESOLUTION NO. 1194

Offered by Senator McGuire and all Senators:
Mourns the death of Ada M. Lif of Lockport.

SENATE RESOLUTION NO. 1196

Offered by Senator Koehler and all Senators:
Mourns the death of Geneva M. Nailing of Peoria.

SENATE RESOLUTION NO. 1197

Offered by Senator Koehler and all Senators:
Mourns the death of Donna Jean Brookhart of Peoria.

SENATE RESOLUTION NO. 1198

Offered by Senators Righter – McCann and all Senators:
Mourns the death of Bernice M. "Tupie" Deckard of St. Francisville.

SENATE RESOLUTION NO. 1199

Offered by Senator Barickman and all Senators:
Mourns the death of Walter William "Walt" Bittner of Normal.

The Chair moved the adoption of the Resolutions Consent Calendar.
The motion prevailed, and the resolutions were adopted.

At the hour of 5:08 o'clock p.m., pursuant to **House Joint Resolution No. 85**, the Chair announced the Senate stand adjourned until the call of the President.