

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

154TH LEGISLATIVE DAY

PERFUNCTORY SESSION

FRIDAY, DECEMBER 3, 2010

11:43 O'CLOCK A.M.

**HOUSE OF REPRESENTATIVES
Daily Journal Index
154th Legislative Day**

Action	Page(s)
Adjournment	14
Fiscal Note Supplied	4
Introduction and First Reading – HB 6957	14
Letters of Transmittal	3
Messages From The Senate	4
Reports	3
Resignations and Appointments	3
Senate Bills on First Reading	14

Bill Number	Legislative Action	Page(s)
HB 1720	Senate Message – Passage w/ SA	7
HB 5057	Senate Message – Passage w/ SA	8
HB 5756	Senate Message – Passage w/ SA	12
SB 0458	Senate Message – Passage of Senate Bill	10
SB 3952	First Reading.....	14
SB 3952	Senate Message – Passage of Senate Bill	10
SB 3973	First Reading.....	14
SB 3973	Senate Message – Passage of Senate Bill	10

The House of Representatives met in Perfunctory Session pursuant notice from the Speaker.

RESIGNATIONS AND APPOINTMENTS

December 1, 2010

Mr. Mark Mahoney
Clerk of the House
Room 420, State Capitol
Springfield, Illinois 62706

Dear Clerk Mahoney:

Please accept this letter as a notice of resignation from my office of State Representative effective Sunday, January 9, 2011 at 12:01 a.m.

Sincerely,

s/Shane Cultra
State Representative
105th District

REPORTS

The Clerk of the House acknowledges receipt of the following correspondence:

FY 2010 Expenditures for services provided in prior fiscal years, Medical services for which claims were received in prior fiscal years, Explanations of the causes of the variance between the previous year's estimated and actual liabilities, Factors affecting the Department of Healthcare and Family Services Liabilities, and Results of the department's efforts to combat fraud and abuse, submitted by Department of Healthcare and Family Services on November 30, 2010.

Breach of Security notification, submitted by Western Illinois University on December 2, 2010.

LETTERS OF TRANSMITTAL

December 2, 2010

Mark Mahoney
Clerk of the House
HOUSE OF REPRESENTATIVES
420 Capitol Building
Springfield, Illinois 62706

Dear Mr. Clerk:

Please be advised that today I am creating a new bipartisan Special House committee for the 96th General Assembly. The Special Committee on Education Reform will have 8 members (4 majority members, one of which will serve as co-chair and 4 minority members, one of which will serve as co-chair).

The majority appointments to this committee are as follows:

[December 3, 2010]

4

Special Committee on Education Reform

Representative Linda Chapa LaVia, Co-Chair
Representative Keith Farnham
Representative Jehan Gordon
Representative Karen Yarbrough

If you have any questions, please contact Tim Mapes, 217.782.6360, mapes@hds.ilga.gov.

With kindest personal regards, I remain

Sincerely yours,
s/Michael J. Madigan
Speaker of the House

December 3, 2010

Mark Mahoney
Chief Clerk of the House
420 State House
Springfield, IL 62706

Dear Clerk Mahoney:

Pursuant to House Rule 9(a), by this letter I am establishing that the House of Representatives will be in **Perfunctory Session** on Friday, **December 3, 2010**.

If you have questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain.

Sincerely yours,
s/Michael J. Madigan
Speaker of the House

FISCAL NOTE SUPPLIED

A Fiscal Note has been supplied for HOUSE BILL 1760, as amended.

MESSAGES FROM THE SENATE

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a bill of the following title to-wit:

HOUSE BILL NO. 1457

A bill for AN ACT concerning State government.
Passed by the Senate, December 1, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of bills of the following titles to-wit:

HOUSE BILL NO. 1450

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1510

A bill for AN ACT concerning finance.

HOUSE BILL NO. 1617

A bill for AN ACT concerning local government.

Passed by the Senate, December 2, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

HOUSE BILL 1720

A bill for AN ACT concerning regulation.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 1720

Passed the Senate, as amended, December 2, 2010.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 1720 by replacing everything after the enacting clause with the following:

"Section 5. The Hospital Licensing Act is amended by changing Sections 3 and 4.6 as follows:

(210 ILCS 85/3)

Sec. 3. As used in this Act:

(A) "Hospital" means any institution, place, building, buildings on a campus, or agency, public or private, whether organized for profit or not, devoted primarily to the maintenance and operation of facilities for the diagnosis and treatment or care of 2 or more unrelated persons admitted for overnight stay or longer in order to obtain medical, including obstetric, psychiatric and nursing, care of illness, disease, injury, infirmity, or deformity.

The term "hospital", without regard to length of stay, shall also include:

(a) any facility which is devoted primarily to providing psychiatric and related services and programs for the diagnosis and treatment or care of 2 or more unrelated persons suffering from emotional or nervous diseases;

(b) all places where pregnant females are received, cared for, or treated during delivery irrespective of the number of patients received.

The term "hospital" includes general and specialized hospitals, tuberculosis sanitarium, mental or psychiatric hospitals and sanitarium, and includes maternity homes, lying-in homes, and homes for unwed mothers in which care is given during delivery.

The term "hospital" does not include:

(1) any person or institution required to be licensed pursuant to the Nursing Home Care Act or the MR/DD Community Care Act;

(2) hospitalization or care facilities maintained by the State or any department or agency thereof, where such department or agency has authority under law to establish and enforce standards for the hospitalization or care facilities under its management and control;

(3) hospitalization or care facilities maintained by the federal government or agencies thereof;

(4) hospitalization or care facilities maintained by any university or college established under the laws of this State and supported principally by public funds raised by taxation;

(5) any person or facility required to be licensed pursuant to the Alcoholism and Other Drug Abuse and Dependency Act;

- (6) any facility operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer, in accordance with the creed or tenets of any well-recognized church or religious denomination;
 - (7) an Alzheimer's disease management center alternative health care model licensed under the Alternative Health Care Delivery Act; or
 - (8) any veterinary hospital or clinic operated by a veterinarian or veterinarians licensed under the Veterinary Medicine and Surgery Practice Act of 2004 or maintained by a State-supported or publicly funded university or college.
- (B) "Person" means the State, and any political subdivision or municipal corporation, individual, firm, partnership, corporation, company, association, or joint stock association, or the legal successor thereof.
- (C) "Department" means the Department of Public Health of the State of Illinois.
- (D) "Director" means the Director of Public Health of the State of Illinois.
- (E) "Perinatal" means the period of time between the conception of an infant and the end of the first month after birth.
- (F) "Federally designated organ procurement agency" means the organ procurement agency designated by the Secretary of the U.S. Department of Health and Human Services for the service area in which a hospital is located; except that in the case of a hospital located in a county adjacent to Wisconsin which currently contracts with an organ procurement agency located in Wisconsin that is not the organ procurement agency designated by the U.S. Secretary of Health and Human Services for the service area in which the hospital is located, if the hospital applies for a waiver pursuant to 42 USC 1320b-8(a), it may designate an organ procurement agency located in Wisconsin to be thereafter deemed its federally designated organ procurement agency for the purposes of this Act.
- (G) "Tissue bank" means any facility or program operating in Illinois that is certified by the American Association of Tissue Banks or the Eye Bank Association of America and is involved in procuring, furnishing, donating, or distributing corneas, bones, or other human tissue for the purpose of injecting, transfusing, or transplanting any of them into the human body. "Tissue bank" does not include a licensed blood bank. For the purposes of this Act, "tissue" does not include organs.

(H) "Campus", as this terms applies to operations, has the same meaning as the term "campus" as set forth in federal Medicare regulations, 42 CFR 413.65.

(Source: P.A. 96-219, eff. 8-10-09; 96-339, eff. 7-1-10; 96-1000, eff. 7-2-10.)

(210 ILCS 85/4.6)

Sec. 4.6. Additional licensing requirements.

(a) Notwithstanding any other law or rule to the contrary, the Department may license as a hospital a building that (i) is owned or operated by a hospital licensed under this Act, (ii) is located in a municipality with a population of less than 60,000, and (iii) includes a postsurgical recovery care center licensed under the Alternative Health Care Delivery Act for a period of not less than 2 years, an ambulatory surgical treatment center licensed under the Ambulatory Surgical Treatment Center Act, and a Freestanding Emergency Center licensed under the Emergency Medical Services (EMS) Systems Act. Only the components of the building which are currently licensed shall be eligible under the provisions of this Section.

(b) Prior to issuing a license, the Department shall inspect the facility and require the facility to meet such of the Department's rules relating to the establishment of hospitals as the Department determines are appropriate to such facility. Once the Department approves the facility and issues a hospital license, all other licenses as listed in subsection (a) above shall be null and void.

(c) Only one license may be issued under the authority of this Section. No license may be issued after 18 months after the effective date of this amendatory Act of the 91st General Assembly.

(d) Beginning on the effective date of this amendatory Act of the 96th General Assembly, each hospital building or facility that is (i) located on the campus of the licensee but on a site that is not contiguous, adjacent, or otherwise attached to the main hospital building of the campus of the licensee, (ii) operated by the licensee, and (iii) provides inpatient services to patients at this building or facility shall, at a minimum, individually comply with the Department's hospital licensing requirements for emergency services. The hospital shall submit to the Department a comprehensive plan describing the services and operations of each facility or building and how common services or operations will be coordinated between the various locations. The Department shall review the plan and may authorize a waiver granting an exemption for compliance with the hospital licensing requirements for specific buildings or facilities, including requirements for emergency services, provided that the hospital has documented which other building or facility under its single license provides that service or operation, and that doing so would not endanger the

public's health, safety, or welfare. Nothing in this Section relieves a hospital from the requirements of the Illinois Health Facilities Planning Act.

(Source: P.A. 91-736, eff. 6-2-00.)

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

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 1720 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Rock, Secretary:

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

HOUSE BILL 5057

A bill for AN ACT concerning State government.

Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 5057

Senate Amendment No. 2 to HOUSE BILL NO. 5057

Senate Amendment No. 3 to HOUSE BILL NO. 5057

Passed the Senate, as amended, December 2, 2010.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 5057 by replacing everything after the enacting clause with the following:

"Section 5. The University of Illinois Exercise of Functions and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 3000-1 as follows:

(110 ILCS 355/3000-1)

Sec. 3000-1. Article short title. This Article 3000 of ~~the~~ the Civil Administrative Code of Illinois may be cited as the University of Illinois Exercise of Functions and Duties Law.

(Source: P.A. 91-239, eff. 1-1-00.)"

AMENDMENT NO. 2. Amend House Bill 5057, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Governmental Ethics Act is amended by adding Section 3A-40 as follows:

(5 ILCS 420/3A-40 new)

Sec. 3A-40. Appointees with expired terms; temporary and acting appointees.

(a) A person who is nominated by the Governor on or after the effective date of this amendatory Act of the 96th General Assembly for any office to which appointment requires the advice and consent of the Senate, who is appointed pursuant to that advice and consent, and whose term of office expires shall not continue in office longer than 30 days after the expiration of that term of office. After that 30th day, each such office is considered vacant and shall be filled only pursuant to the law applicable to making appointments to that office, subject to the provisions of this Section.

A person who has been nominated by the Governor before the effective date of this amendatory Act of the 96th General Assembly for any office to which appointment requires the advice and consent of the Senate, who has been appointed pursuant to that advice and consent, and whose term of office has expired before that effective date shall not continue in office longer than 30 days after that effective date. After that 30th day, each such office is considered vacant and shall be filled only pursuant to the law applicable to making appointments to that office, subject to the provisions of this Section.

(b) A person who is appointed by the Governor on or after the effective date of this amendatory Act of the 96th General Assembly to serve as a temporary appointee, pursuant to Article V, Section 9(b) of the Illinois Constitution or any other applicable statute, to any office to which appointment requires the advice and consent of the Senate shall not continue in office after the next meeting of the Senate unless the Governor has filed a message with the Secretary of the Senate nominating that person to fill that office on or before that meeting date. After that meeting date, each such office is considered vacant and shall be filled only pursuant to the law applicable to making appointments to that office, subject to the provisions of

this Section.

A person who has been appointed by the Governor before the effective date of this amendatory Act of the 96th General Assembly to serve as a temporary appointee, pursuant to Article V, Section 9(b) of the Illinois Constitution or any other applicable statute, to any office to which appointment requires the advice and consent of the Senate shall not continue in office after that effective date or the next meeting of the Senate, as applicable, unless the Governor has filed a message with the Secretary of the Senate nominating that person to fill that office on or before the next meeting of the Senate after that temporary appointment was made. After that effective date or meeting date, whichever last occurs, each such office is considered vacant and shall be filled only pursuant to the law applicable to making appointments to that office, subject to the provisions of this Section.

(c) A person who is appointed by the Governor on or after the effective date of this amendatory Act of the 96th General Assembly to serve as an acting appointee to any office to which appointment requires the advice and consent of the Senate shall not continue in office more than 30 days unless the Governor files a message with the Secretary of the Senate nominating that person to fill that office within that 30 days. After that 30 days, each such office is considered vacant and shall be filled only pursuant to the law applicable to making appointments to that office, subject to the provisions of this Section.

A person who has been appointed by the Governor before the effective date of this amendatory Act of the 96th General Assembly to serve as an acting appointee to any office to which appointment requires the advice and consent of the Senate shall not continue in office for more than 30 days after that effective date unless the Governor has filed a message with the Secretary of the Senate nominating that person to fill that office on or before that effective date. After that 30 days, each such office is considered vacant and shall be filled only pursuant to the law applicable to making appointments to that office, subject to the provisions of this Section.

For the purposes of this subsection (c), "acting appointee" means a person appointed by the Governor to serve as an acting director or acting secretary pursuant to Section 5-605 of the Civil Administrative Code of Illinois. "Acting appointee" also means a person appointed by the Governor pursuant to any other statute to serve as an acting holder of any office, to execute the duties and functions of any office, or both.

(d) The provisions of this Section apply notwithstanding any law to the contrary.

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

AMENDMENT NO. 3. Amend House Bill 5057, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, by replacing line 21 on page 4 with the following:

"any law to the contrary. However, the provisions of this Section shall not apply to appointments made under Article 1A of the Illinois Election Code."

The foregoing message from the Senate reporting Senate Amendments numbered 1, 2 and 3 to HOUSE BILL 5057 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 678

A bill for AN ACT concerning regulation.

House Amendment No. 1 to SENATE BILL NO. 678.

Action taken by the Senate, December 1, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 2559

A bill for AN ACT concerning revenue.

House Amendment No. 1 to SENATE BILL NO. 2559.
Action taken by the Senate, December 1, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 2843

A bill for AN ACT concerning education.
House Amendment No. 1 to SENATE BILL NO. 2843.
Action taken by the Senate, December 1, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 2878

A bill for AN ACT concerning civil law.
House Amendment No. 1 to SENATE BILL NO. 2878.
Action taken by the Senate, December 1, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:
SENATE BILL NO. 3776

A bill for AN ACT concerning finance.
House Amendment No. 1 to SENATE BILL NO. 3776.
Action taken by the Senate, December 1, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:
SENATE BILL NO. 550

A bill for AN ACT concerning public employee benefits.
House Amendment No. 1 to SENATE BILL NO. 550.
House Amendment No. 2 to SENATE BILL NO. 550.
Action taken by the Senate, December 1, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:

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

SENATE BILL NO. 458

A bill for AN ACT concerning revenue.

SENATE BILL NO. 3952

A bill for AN ACT concerning local government.

SENATE BILL NO. 3973

A bill for AN ACT concerning liquor.

Passed by the Senate, December 2, 2010.

Jillayne Rock, Secretary of the Senate

The foregoing SENATE BILLS 458, 3952 and 3973 were ordered reproduced and placed on the appropriate order of business.

A message from the Senate by

Ms. Rock, Secretary:

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

HOUSE BILL 5756

A bill for AN ACT concerning utilities.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 5756

Passed the Senate, as amended, December 2, 2010.

Jillayne Rock, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 5756 by replacing everything after the enacting clause with the following:

"Section 5. The Emergency Telephone System Act is amended by changing Section 15.2a as follows:

(50 ILCS 750/15.2a) (from Ch. 134, par. 45.2a)

Sec. 15.2a. The installation of or connection to a telephone company's network of any automatic alarm, automatic alerting device, or mechanical dialer that causes the number 9-1-1 to be dialed in order to directly access emergency services is prohibited in a 9-1-1 system. The prohibitions contained in this Section shall not be applicable to devices used to enable access to the 9-1-1 system for cognitively-impaired, disabled, or special needs persons in an emergency situation reported by a caregiver after initiating a missing person's report. Any such device must have the capability to be activated and controlled remotely by trained personnel at a service center to prevent falsely activated or repeated calls to the 9-1-1 system in a single incident. Any such device must have the technical capability to generate the provision of location information to the 9-1-1 system. Under no circumstances shall a device be sold for use in a geographical jurisdiction where the 9-1-1 system has not deployed wireless phase II location technology. The alerting device shall also provide for either 2-way communication or send a pre-recorded message to 9-1-1 explaining the nature of the emergency so that 9-1-1 will be able to dispatch the appropriate emergency responder. Violation of this Section is a Class A misdemeanor. A second or subsequent violation of this Section is a Class 4 felony.

(Source: P.A. 87-146; 88-497.)

Section 7. The Township Code is amended by changing Section 30-50 as follows:

(60 ILCS 1/30-50)

Sec. 30-50. Purchase and use of property.

(a) The electors may make all orders for the purchase, sale, conveyance, regulation, or use of the township's corporate property (including the direct sale or lease of single township road district property) that may be deemed conducive to the interests of its inhabitants, including the lease, for up to 10 years, or for up to 25 years if the lease is for a wireless telecommunications tower, at fair market value, of corporate property for which no use or need during the lease period is anticipated at the time of leasing. The property

may be leased to another governmental body, however, or to a not-for-profit corporation that has contracted to construct or fund the construction of a structure or improvement upon the real estate owned by the township and that has contracted with the township to allow the township to use at least a portion of the structure or improvement to be constructed upon the real estate leased and not otherwise used by the township, for any term not exceeding 50 years and for any consideration. In the case of a not-for-profit corporation, the township shall hold a public hearing on the proposed lease. The township clerk shall give notice of the hearing by publication in a newspaper published in the township, or in a newspaper published in the county and having general circulation in the township if no newspaper is published in the township, and by posting notices in at least 5 public places at least 10 days before the public hearing.

(b) If a new tax is to be levied or an existing tax rate is to be increased above the statutory limits for the purchase of the property, however, no action otherwise authorized in subsection (a) shall be taken unless a petition signed by at least 10% of the registered voters residing in the township is presented to the township clerk. If a petition is presented to the township clerk, the clerk shall order a referendum on the proposition. The referendum shall be held at the next annual or special township meeting or at an election in accordance with the general election law. If the referendum is ordered to be held at the township meeting, the township clerk shall give notice that at the next annual or special township meeting the proposition shall be voted upon. The notice shall set forth the proposition and shall be given by publication in a newspaper published in the township. If there is no newspaper published in the township, the notice shall be published in a newspaper published in the county and having general circulation in the township. Notice also shall be given by posting notices in at least 5 public places at least 10 days before the township meeting. If the referendum is ordered to be held at an election, the township clerk shall certify that proposition to the proper election officials, who shall submit the proposition at an election. The proposition shall be submitted in accordance with the general election law.

(c) If the leased property is utilized in part for private use and in part for public use, those portions of the improvements devoted to private use are fully taxable. The land is exempt from taxation to the extent that the uses on the land are public and taxable to the extent that the uses are private.

(d) Before the township makes a lease or sale of township or road district real or personal property, unless the personal property has a sale value of \$2,500 or less, the electors shall adopt a resolution stating the intent to lease or sell the real or personal property, describing the property in full, and stating the terms and conditions the electors deem necessary and desirable for the lease or sale. A resolution stating the intent to sell real property shall also contain pertinent information concerning the size, use, and zoning of the property. The value of real property shall be determined by a State licensed real estate appraiser. The appraisal shall be available for public inspection. The resolution may direct the sale to be conducted by the staff of the township or by listing with local licensed real estate agencies (in which case the terms of the agent's compensation shall be included in the resolution).

When a township sells township or road district personal property valued for sale at \$2,500 or less, the electors are not required to adopt a resolution. Prior to the sale, the clerk shall prepare a notice stating the intent of the township or road district to sell personal property with a sale value of \$2,500 or less and describing the property in full.

The clerk shall thereafter publish the resolution or personal property sale notice once in a newspaper published in the township or, if no newspaper is published in the township, in a newspaper generally circulated in the township. If no newspaper is generally circulated in the township, the clerk shall post the resolution or personal property sale notice in 5 of the most public places in the township. In addition to the foregoing publication requirements, the clerk shall post the resolution or personal property sale notice at the office of the township (if township property is involved) or at the office of the road district (if road district property is involved). The following information shall be published or posted with the resolution or personal property sale notice: (i) the date by which all bids must be received by the township or road district, which shall not be less than 30 days after the date of publication or posting, and (ii) the place, time, and date at which bids shall be opened, which shall be at a regular meeting of the township board.

All bids shall be opened by the clerk (or someone duly appointed to act for the clerk) at the regular meeting of the township board described in the notice. With respect to township personal property, except personal property valued for sale at \$2,500 or less, the township board may accept the high bid or any other bid determined to be in the best interests of the township by a majority vote of the board. With respect to township real property, the township board may accept the high bid or any other bid determined to be in the best interests of the township by a vote of three-fourths of the township board then holding office, but in no event at a price less than 80% of the appraised value. With respect to road district property, except personal property valued for sale at \$2,500 or less, the highway commissioner may accept the high bid or any other

bid determined to be in the best interests of the road district. In each case, the township board or commissioner may reject any and all bids. With respect to township or road district personal property valued for sale at \$2,500 or less, the clerk shall accept at least 2 bids and the township board or highway commissioner shall accept the highest bid. This notice and competitive bidding procedure shall not be followed when property is leased to another governmental body. The notice and competitive bidding procedure shall not be followed when property is declared surplus by the electors and sold to another governmental body. The notice and competitive bidding procedure may be, but need not be, followed if property is leased for a wireless telecommunications tower.

(e) A trade-in of machinery or equipment on new or different machinery or equipment does not constitute the sale of township or road district property.
(Source: P.A. 95-909, eff. 8-26-08.)

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

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 5756 was placed on the Calendar on the order of Concurrence.

A message from the Senate by
Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House to accept the Governor's specific recommendations for change, which are attached, to a bill of the following title, to-wit:

HOUSE BILL NO. 5863

A bill for AN ACT concerning education.
Concurred in by the Senate, December 1, 2010.

Jillayne Rock, Secretary of the Senate

I move to accept the specific recommendations of the Governor as to House Bill 5863 in manner and form as follows:

AMENDMENT TO HOUSE BILL 5863

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 5863 on page 12, by replacing lines 16 and 17 with the following:
"Section 99. Effective date. This Act takes effect on January 1, 2011."

A message from the Senate by
Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 5154

A bill for AN ACT concerning employment.
Passed by the Senate, December 1, 2010, by a three-fifths vote.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 6065

A bill for AN ACT concerning education.

Passed by the Senate, December 1, 2010, by a three-fifths vote.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

SENATE BILL NO. 3538

A bill for AN ACT concerning public employee benefits.

House Amendment No. 1 to SENATE BILL NO. 3538.

House Amendment No. 3 to SENATE BILL NO. 3538.

Action taken by the Senate, December 2, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

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

HOUSE BILL NO. 1516

A bill for AN ACT concerning finance.

Passed by the Senate, December 2, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the passage of a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 4836

A bill for AN ACT concerning State government.

Action taken by the Senate, December 2, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 125

Concurred in the Senate, December 2, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by

Ms. Rock, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 129

Concurred in the Senate, December 2, 2010.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, to-wit:
HOUSE BILL NO. 5206
A bill for AN ACT concerning elections.
Passed by the Senate, December 2, 2010, by a three-fifths vote.

Jillayne Rock, Secretary of the Senate

SENATE BILLS ON FIRST READING

Having been reproduced, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 3952 (Rose) and 3973 (Ramey).

INTRODUCTION AND FIRST READING OF BILLS

The following bill was introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 6957. Introduced by Representative Schmitz, AN ACT concerning courts.

At the hour of 11:44 o'clock a.m., the House Perfunctory Session adjourned.