



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FOURTH GENERAL ASSEMBLY**

**68TH LEGISLATIVE DAY**

**TUESDAY, JANUARY 31, 2006**

**12:05 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**68th Legislative Day**

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The Senate met pursuant to adjournment.  
 Senator Miguel del Valle, Chicago, Illinois, presiding.  
 Prayer by Reverend Faye Buttrick, First Congregational Church, Springfield, Illinois.  
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Thursday, January 19, 2006, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Friday, January 20, 2006, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

### **REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

2005 Illinois National Rankings in State Government Financing, submitted by the Commission on Government Forecasting and Accountability.

Higher Education in Illinois, submitted by the Commission on Government Forecasting and Accountability.

Certificate of Disabilities Annual Report, December 2004 to November 30, 2005, submitted by the Department of Financial and Professional Regulation.

Redeploy Illinois Amended Legislative Report, January 2006, submitted by the Department of Corrections.

2005 State Agency Employees Child Care Services Annual Report, submitted by the Department of Central Management Services.

Fiscal Year 2005 Report, submitted by the Illinois Deaf and Hard of Hearing Commission.

Summary of Approved Waivers and Modifications: A Cumulative Report, submitted by the Illinois State Board of Education.

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

### **LEGISLATIVE MEASURES FILED**

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

Senate Committee Amendment No. 1 to Senate Bill 2129  
 Senate Committee Amendment No. 1 to Senate Bill 2204  
 Senate Committee Amendment No. 1 to Senate Bill 2230  
 Senate Committee Amendment No. 1 to Senate Bill 2236  
 Senate Committee Amendment No. 1 to Senate Bill 2271  
 Senate Committee Amendment No. 1 to Senate Bill 2283  
 Senate Committee Amendment No. 1 to Senate Bill 2292  
 Senate Committee Amendment No. 1 to Senate Bill 2295  
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Senate Committee Amendment No. 1 to Senate Bill 2489  
Senate Committee Amendment No. 1 to Senate Bill 2510  
Senate Committee Amendment No. 1 to Senate Bill 2511

**PRESENTATION OF RESOLUTIONS**

**SENATE RESOLUTION 581**

Offered by Senator Haine and all Senators:  
Mourns the death of James H. "Jeep" Greer, Jr., of Alton.

**SENATE RESOLUTION 582**

Offered by Senator Hunter and all Senators:  
Mourns the death of Richard G. Moore of North Aurora.

**SENATE RESOLUTION 583**

Offered by Senator Forby and all Senators:  
Mourns the death of Gregory Allen Barlow of Anna.

**SENATE RESOLUTION 584**

Offered by Senator Forby and all Senators:  
Mourns the death of Vernell "Bud" Baggett of Herrin.

**SENATE RESOLUTION 585**

Offered by Senator Forby and all Senators:  
Mourns the death of David Wasson Hindman of Herrin.

**SENATE RESOLUTION 586**

Offered by Senator Halvorson and all Senators:  
Mourns the death of Wilfred "Bill" Goreham, Jr., of Kankakee.

**SENATE RESOLUTION 587**

Offered by Senator Forby and all Senators:  
Mourns the death of Kenneth James Lampley of Benton.

**SENATE RESOLUTION 588**

Offered by Senator John Jones and all Senators:  
Mourns the death of USMC Lance Corporal Jonathan Kyle Price of Woodlawn.

**SENATE RESOLUTION 589**

Offered by Senator Shadid and all Senators:  
Mourns the death of Dr. Irving Favus of Peoria.

**SENATE RESOLUTION 590**

Offered by Senator Dillard and all Senators:  
Mourns the death of Paul Edward Toon of Lisle and Downers Grove.

**SENATE RESOLUTION 591**

Offered by Senator Dillard and all Senators:  
Mourns the death of Francis "Frank" R. Bridge of Downers Grove.

**SENATE RESOLUTION 592**

Offered by Senator Hunter and all Senators:  
Mourns the death of Barry Crown, recently of Jupiter, Florida.

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

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Senator Cullerton offered the following Senate Resolution, which was referred to the Committee on Rules:

**SENATE RESOLUTION NO. 593**

WHEREAS, Many people in Illinois are drinking water contaminated by detectable, regulated levels of atrazine or water contaminated by unregulated atrazine with an unknown toxic potential; and

WHEREAS, Most people are routinely exposed to this chemical without their knowledge or consent; and

WHEREAS, There is currently no domestic well monitoring program in the State of Illinois, leaving citizens who drink water from private wells at risk for exposure to atrazine levels above the 3 parts per billion (ppb) Maximum Contamination Level (MCL) set by the EPA; and

WHEREAS, The Minnesota State Legislature has already introduced several pieces of legislation to restrict or ban atrazine and to provide funding to test wells for atrazine; and

WHEREAS, While information on the need for well testing has recently been produced by the Illinois EPA and the Illinois Department of Public Health, a passive approach to promoting this information has been taken, leaving many citizens unaware of the need for regular well testing; and

WHEREAS, While human health problems caused by atrazine are still being researched, there is substantial research on the negative health effects atrazine causes in both wildlife and laboratory animals; and

WHEREAS, Because the State is one of the largest users of atrazine, Illinois residents are most at risk for any health problems caused by atrazine; and

WHEREAS, It is in the best interest to the State of Illinois to be at the forefront of a monitoring and regulatory effort to protect its citizens for the potential adverse effects of chronic atrazine exposure; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Atrazine Task Force is hereby created to study the effects of atrazine on human health; the task force shall be made up of 6 members as follows: (i) the President of the Senate or his or her designee; (ii) the Minority Leader of the Senate or his or her designee; (iii) 2 members appointed by the President of the Senate; and (iv) 2 members to be appointed by the Minority Leader of the Senate; and the Director of Agriculture or his or her designee shall serve as a non-voting member of the Atrazine Task Force; and be it further

RESOLVED, That the Task Force shall hold one meeting in Chicago and one meeting in Springfield and shall report its findings to the General Assembly on or before December 31, 2006; and be it further

RESOLVED, That the Task Force is abolished upon completing its report.

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

**SENATE RESOLUTION NO. 594**

WHEREAS, Nurse anesthetists have a long standing history as pioneers in the field of anesthesia, providing anesthesia since 1877; and

WHEREAS, Nurse anesthetists were the first professional group to provide anesthesia in the United States and are the oldest recognized group of advanced practice registered nursing specialists; and

WHEREAS, These specially trained registered nurses have completed a graduate-level educational

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program in a nationally accredited program of nurse anesthesia and after graduation are qualified to take the national certifying examination; and

WHEREAS, Graduates who successfully pass the examination can use the title Certified Registered Nurse Anesthetist (CRNA), and in addition, all graduates of nurse anesthesia programs in Illinois now receive a master's degree upon completion of the rigorous academic and clinical curriculum; and

WHEREAS, According to the American Association of Nurse Anesthetists, more than 65 percent of all rural hospitals rely on CRNAs to provide anesthesia care, and without these advanced practice nurses, some 1,500 facilities would be unable to maintain trauma stabilization, surgical, and obstetrical capabilities, forcing many rural Americans to travel long distances for such services; and

WHEREAS, Each year CRNAs working in hospitals, ambulatory surgical centers, physician's offices, and the medical facilities of the United States military, veteran's administration, and public health service, administer 65 percent of the 26 million anesthetics given to patients in the United States; and

WHEREAS, Over 1,200 CRNAs provide the highest quality patient anesthesia care in Illinois; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the period of January 22 - 28, 2006, be recognized as Nurse Anesthetists Week in Illinois to honor the importance of Certified Registered Nurse Anesthetists and their role in providing accessible quality health care in Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the American Association of Nurse Anesthetists as an expression of our esteem.

Senator Pankau offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

**SENATE JOINT RESOLUTION NO. 68  
CONSTITUTIONAL AMENDMENT**

SC0068

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article V of the Illinois Constitution by changing Sections 1, 3, 7, and 18 and by repealing Section 17 as follows:

ARTICLE V  
THE EXECUTIVE

SECTION 1. OFFICERS

The Executive Branch shall include a Governor, Lieutenant Governor, Attorney General, Secretary of State, ~~Comptroller~~ and Treasurer elected by the electors of the State. They shall keep the public records and maintain a residence at the seat of government during their terms of office.  
(Source: Illinois Constitution.)

SECTION 3. ELIGIBILITY

To be eligible to hold the office of Governor, Lieutenant Governor, Attorney General, Secretary of State, ~~Comptroller~~ or Treasurer, a person must be a United States citizen, at least 25 years old, and a resident of this State for the three years preceding his or her election.  
(Source: Illinois Constitution.)

SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

If the Attorney General, Secretary of State, ~~Comptroller~~ or Treasurer fails to qualify or if ~~the his~~ office becomes vacant, the Governor shall fill the office by appointment. The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualified as may be provided by law and shall not be subject to removal by the Governor. If the Lieutenant Governor fails to qualify or if ~~the his~~

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office becomes vacant, it shall remain vacant until the end of the term.

(Source: Illinois Constitution.)

**SECTION 17. COMPTROLLER - DUTIES (REPEALED)**

~~The Comptroller, in accordance with law, shall maintain the State's central fiscal accounts, and order payments into and out of the funds held by the Treasurer.~~

(Source: Illinois Constitution.)

**SECTION 18. TREASURER - DUTIES**

The Treasurer, in accordance with law, shall (i) maintain the State's central fiscal accounts, and order payments into and out of the funds held by him or her, (ii) be responsible for the safekeeping and investment of monies and securities deposited with him or her, and for their disbursement upon his or her order, and (iii) have the duties and powers that may be prescribed by law ~~of the Comptroller~~.

(Source: Illinois Constitution.)

**SCHEDULE**

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This Constitutional Amendment applies upon the conclusion of the terms of the Comptroller and the Treasurer elected in 2006.

Senator Brady offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

**SENATE JOINT RESOLUTION NO. 69  
CONSTITUTIONAL AMENDMENT**

SC0069

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 8.1 to Article IV of the Illinois Constitution as follows:

**ARTICLE IV  
THE LEGISLATURE**

**SECTION 8.1. PASSAGE OF REVENUE BILLS**

A bill that would result in the increase of revenue to the State by an increase of a tax on or measured by income or by an increase of a tax on or measured by the selling price of any item of tangible personal property may become law only with the concurrence of two-thirds of the members elected to each house of the General Assembly.

**SCHEDULE**

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senator Brady offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

**SENATE JOINT RESOLUTION NO. 70  
CONSTITUTIONAL AMENDMENT**

SC0070

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 9 to Article XIII of the Illinois Constitution as follows:

**ARTICLE XIII**

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## GENERAL PROVISIONS

SECTION 9. SAME SEX MARRIAGE

Only marriage between one man and one woman shall be valid or recognized in Illinois. The uniting of persons of the same sex in a civil union, domestic partnership, or other similar same sex relationship shall not be valid or recognized in Illinois.

## SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senator Radogno offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

**SENATE JOINT RESOLUTION NO. 71  
CONSTITUTIONAL AMENDMENT**

SC0071

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article IX of the Illinois Constitution by adding Section 9.1 as follows:

ARTICLE IX  
REVENUE

SECTION 1.5. LIMITATION OF ISSUANCE OF GENERAL OBLIGATION BONDS

(a) Except as provided in subsection (b), no bonds or other evidences of indebtedness that are secured by the full faith and credit of the State may be issued if, after the issuance, in the next State fiscal year after the issuance of the bonds, the amount of debt service (including principal, whether payable at maturity or pursuant to mandatory sinking fund installments, and interest) on all then-outstanding bonds would exceed 7% of the aggregate appropriations of (1) the general funds of the State and (2) moneys derived from fees, excises, or license taxes relating to registration, titles, operation, or use of vehicles on public highways or relating to fuels used for propelling those vehicles, including bond proceeds for the fiscal year immediately prior to the fiscal year of the issuance.

(b) If the Comptroller and Treasurer each consent in writing, bonds may be issued even if the issuance does not comply with subsection (a).

## SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senators Righter-Axley-Dillard-Risinger-J. Jones, Dahl, Peterson, W. Jones, Bomke and Pankau offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

**SENATE JOINT RESOLUTION NO. 72  
CONSTITUTIONAL AMENDMENT**

SC0072

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 11 to Article IX of the Illinois Constitution as follows:

ARTICLE IX  
REVENUE

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**SECTION 11. HIGHWAY FUNDS**

(a) No moneys derived from fees, excises, or license taxes, relating to registration, titles, operation, or use of vehicles on public highways, or to fuels used for propelling vehicles, including bond proceeds, shall be expended for other than costs of administering laws related to vehicles, statutory refunds and adjustments provided in those laws, payment of highway obligations, costs for construction, reconstruction, maintenance, repair, and betterment of public highways, roads, streets, and bridges, and other statutory highway purposes, the State or local share to match federal aid highway funds, administrative costs of the Department of Transportation or any successor agency, expenses of grade separation of public highways and railroad crossings, protection of at-grade public highways and railroad crossings, expense of State enforcement of traffic laws and, with respect to local governments, other transportation purposes as authorized by law.

(b) The total amount appropriated in any fiscal year for the sum of the cost of State enforcement of traffic laws, plus the cost of collecting and administering the fees, excises, and license taxes described in subsection (a), plus the cost of administering laws relating to motor vehicles, may not exceed 8% of the total amount of those fees, excises, or taxes, collected by the State of Illinois, in the most recent complete fiscal year.

(c) Federal funds may be spent for any purposes authorized by federal law.

**SCHEDULE**

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

**MESSAGES FROM THE HOUSE**

A message from the House by

Mr. Mahoney, Clerk:

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

SENATE BILL NO. 1681

A bill for AN ACT concerning courts.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1681

House Amendment No. 2 to SENATE BILL NO. 1681

Passed the House, as amended, January 25, 2006.

MARK MAHONEY, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 1681**

AMENDMENT NO. 1. Amend Senate Bill 1681 by replacing everything after the enacting clause with the following:

"Section 5. The Circuit Courts Act is amended by changing Sections 2, 2f-1, 2f-2, and 2f-5 as follows: (705 ILCS 35/2) (from Ch. 37, par. 72.2)

Sec. 2. Circuit judges shall be elected at the general elections and for terms as provided in Article VI of the Illinois Constitution. Ninety-four circuit judges shall be elected in the Circuit of Cook County and 3 circuit judges shall be elected in each of the other circuits, but in circuits other than Cook County containing a population of 230,000 or more inhabitants and in which there is included a county containing a population of 200,000 or more inhabitants, or in circuits other than Cook County containing a population of 270,000 or more inhabitants, according to the last preceding federal census and in the circuit where the seat of State government is situated at the time fixed by law for the nomination of judges of the Circuit Court in such circuit and in any circuit which meets the requirements set out in Section 2a of this Act, 4 circuit judges shall be elected in the manner provided by law. In circuits other than Cook County in which each county in the circuit has a population of 475,000 or more, 4 circuit judges shall be elected in addition to the 4 circuit judges provided for in this Section. In any circuit composed of 2 counties having a total population of 350,000 or more, one circuit judge shall be elected in addition to the 4 circuit judges provided for in this Section.

This Section shall not apply to the determination of the number of circuit judgeships in the 19th and

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22nd judicial circuits. The number of circuit judgeships in the 19th judicial circuit shall be determined in accordance with Section 2f-1 and Section 2f-2. The number of circuit judgeships in the 22nd judicial circuit shall be determined in accordance with Section 2f-1 and Section 2f-5.

Notwithstanding the provisions of this Section or any other law, the number of at large judgeships of the 12th judicial circuit may be reduced by one or 2 judgeships as provided in subsection (a-10) of Section 2f-4.

The several judges of the circuit courts of this State, before entering upon the duties of their office, shall take and subscribe the following oath or affirmation, which shall be filed in the office of the Secretary of State:

"I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the United States, and the constitution of the State of Illinois, and that I will faithfully discharge the duties of judge of.... court, according to the best of my ability."

One of the 3 additional circuit judgeships authorized by this amendatory Act in circuits other than Cook County in which each county in the circuit has a population of 475,000 or more may be filled when this Act becomes law. The 2 remaining circuit judgeships in such circuits shall not be filled until on or after July 1, 1977.

(Source: P.A. 93-541, eff. 8-18-03.)

(705 ILCS 35/2f-1)

Sec. 2f-1. 19th and 22nd judicial circuits.

(a) On December 4, 2006, the 19th judicial circuit is divided into the 19th and 22nd judicial circuits as provided in Section 1 of the Circuit Courts Act. This division does not invalidate any action taken by the 19th judicial circuit or any of its judges, officers, employees, or agents before December 4, 2006. This division does not affect any person's rights, obligations, or duties, including applicable civil and criminal penalties, arising out of any action taken by the 19th judicial circuit or any of its judges, officers, employees, or agents before December 4, 2006.

(b) Of the 7 circuit judgeships elected at large in the 19th circuit before the general election in 2006, the Supreme Court shall assign 5 to the 19th circuit and 2 to the 22nd circuit, based on residency of the circuit judges then holding those judgeships. The 5 assigned to the 19th circuit shall continue to be elected at large. The 2 assigned to the 22nd circuit shall continue to be elected at large. The number of at large judgeships assigned to the 19th judicial circuit pursuant to this subsection shall constitute all the at large judgeships of the 19th judicial circuit. The number of at large judgeships assigned to the 22nd judicial circuit pursuant to this subsection shall constitute all the at large judgeships of the 22nd judicial circuit.

(c) The 6 resident judgeships elected from Lake County before the general election in 2006 shall become resident judgeships in the 19th circuit on December 4, 2006, and the 3 resident judgeships elected from McHenry County before the general election in 2006 shall become resident judgeships in the 22nd circuit on December 4, 2006.

(d) On December 4, 2006, the Supreme Court shall allocate the associate judgeships of the 19th circuit before that date between the 19th and 22nd circuits based on the residency of the associate judges; however, the number of associate judges allocated to the 19th circuit shall be no less than the number of associate judges residing in Lake County on March 22, 2004.

(e) On December 4, 2006, the Supreme Court shall allocate personnel, books, records, documents, property (real and personal), funds, assets, liabilities, and pending matters concerning the 19th circuit before that date between the 19th and 22nd circuits based on the population and staffing needs of those circuits and the efficient and proper administration of the judicial system. The rights of employees under applicable collective bargaining agreements are not affected by this amendatory Act of the 93rd General Assembly.

(f) The judgeships set forth in this Section include the judgeships authorized under Sections 2g, 2h, and 2j. The judgeships authorized in those Sections are not in addition to those set forth in this Section.

(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04.)

(705 ILCS 35/2f-2)

Sec. 2f-2. 19th judicial circuit; subcircuits.

(a) The 19th circuit shall be divided into 6 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 6 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(b) The 19th circuit shall have a total of 6 resident judgeships. The number of resident judgeships

allotted to subcircuits of the 19th judicial circuit pursuant to this Section shall constitute all the resident judgeships of the 19th judicial circuit.

(c) The Supreme Court shall allot (i) all vacancies in resident judgeships of the 19th circuit existing on or occurring on or after the effective date of this amendatory Act of the 93rd General Assembly and not filled at the 2004 general election and (ii) the resident judgeships of the 19th circuit filled at the 2004 general election as those judgeships thereafter become vacant, for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No resident judge of the 19th circuit serving on the effective date of this amendatory Act of the 93rd General Assembly shall be required to change his or her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge elected from a subcircuit shall continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 19th circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04; 93-1102, eff. 4-7-05.)

(705 ILCS 35/2f-5)

Sec. 2f-5. 22nd circuit; subcircuits; additional resident judgeship.

(a) The 22nd circuit shall be divided into 4 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 4 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(b) The 22nd circuit shall have one additional resident judgeship, as well as its 3 existing resident judgeships, for a total of 4 resident judgeships to be allotted to the 4 subcircuit resident judgeships. The additional resident judgeship created by this amendatory Act of the 93rd General Assembly shall be filled by election beginning at the general election in 2006 and shall not be filled by appointment before the general election in 2006. The number of resident judgeships allotted to subcircuits of the 22nd judicial circuit pursuant to this Section shall constitute all the resident judgeships of the 22nd judicial circuit.

(c) The Supreme Court shall allot (i) all vacancies in resident judgeships of the 22nd circuit existing on or occurring on or after August 18, 2003 and not filled at the 2004 general election, (ii) the resident judgeships of the 22nd circuit filled at the 2004 general election as those judgeships thereafter become vacant, and (iii) the additional resident judgeship of the 22nd circuit created by this amendatory Act of the 93rd General Assembly, for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No resident judge of the 22nd circuit serving on August 18, 2003 shall be required to change his or her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge elected from a subcircuit shall continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 22nd circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04; 93-1102, eff. 4-7-05.)

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

#### **AMENDMENT NO. 2 TO SENATE BILL 1681**

AMENDMENT NO. 2. Amend Senate Bill 1681, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Circuit Courts Act is amended by changing Sections 2, 2f-1, 2f-2, 2f-4, and 2f-5 as follows:

(705 ILCS 35/2) (from Ch. 37, par. 72.2)

Sec. 2. Circuit judges shall be elected at the general elections and for terms as provided in Article VI of the Illinois Constitution. Ninety-four circuit judges shall be elected in the Circuit of Cook County and 3 circuit judges shall be elected in each of the other circuits, but in circuits other than Cook County containing a population of 230,000 or more inhabitants and in which there is included a county containing a population of 200,000 or more inhabitants, or in circuits other than Cook County containing a population of 270,000 or more inhabitants, according to the last preceding federal census and in the

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circuit where the seat of State government is situated at the time fixed by law for the nomination of judges of the Circuit Court in such circuit and in any circuit which meets the requirements set out in Section 2a of this Act, 4 circuit judges shall be elected in the manner provided by law. In circuits other than Cook County in which each county in the circuit has a population of 475,000 or more, 4 circuit judges shall be elected in addition to the 4 circuit judges provided for in this Section. In any circuit composed of 2 counties having a total population of 350,000 or more, one circuit judge shall be elected in addition to the 4 circuit judges provided for in this Section.

Any additional circuit judgeships in the 19th and 22nd judicial circuits resulting by operation of this Section shall be filled, if at all, at the general election in 2006 only as provided in Section 2f-1. Thereafter, however, this Section shall not apply to the determination of the number of circuit judgeships in the 19th and 22nd judicial circuits. The number of circuit judgeships in the 19th judicial circuit shall be determined thereafter in accordance with Section 2f-1 and Section 2f-2 and shall be reduced in accordance with those Sections. The number of circuit judgeships in the 22nd judicial circuit shall be determined thereafter in accordance with Section 2f-1 and Section 2f-5 and shall be reduced in accordance with those Sections.

Notwithstanding the provisions of this Section or any other law, the number of at large judgeships of the 12th judicial circuit may be reduced by one or 2 judgeships as provided in subsection (a-10) of Section 2f-4.

The several judges of the circuit courts of this State, before entering upon the duties of their office, shall take and subscribe the following oath or affirmation, which shall be filed in the office of the Secretary of State:

"I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the United States, and the constitution of the State of Illinois, and that I will faithfully discharge the duties of judge of... court, according to the best of my ability."

One of the 3 additional circuit judgeships authorized by this amendatory Act in circuits other than Cook County in which each county in the circuit has a population of 475,000 or more may be filled when this Act becomes law. The 2 remaining circuit judgeships in such circuits shall not be filled until on or after July 1, 1977.

(Source: P.A. 93-541, eff. 8-18-03.)

(705 ILCS 35/2f-1)

Sec. 2f-1. 19th and 22nd judicial circuits.

(a) On December 4, 2006, the 19th judicial circuit is divided into the 19th and 22nd judicial circuits as provided in Section 1 of the Circuit Courts Act. This division does not invalidate any action taken by the 19th judicial circuit or any of its judges, officers, employees, or agents before December 4, 2006. This division does not affect any person's rights, obligations, or duties, including applicable civil and criminal penalties, arising out of any action taken by the 19th judicial circuit or any of its judges, officers, employees, or agents before December 4, 2006.

(b) Of the 7 circuit judgeships elected at large in the 19th circuit before the general election in 2006, the Supreme Court shall assign 5 to the 19th circuit and 2 to the 22nd circuit, based on residency of the circuit judges then holding those judgeships. The 5 assigned to the 19th circuit shall continue to be elected at large. The 2 assigned to the 22nd circuit shall continue to be elected at large.

(b-5) Except as provided in subsection (b-10), the number of at large judgeships of the 19th judicial circuit shall be the number of at large judgeships assigned to the 19th judicial circuit pursuant to subsection (b) plus only the judgeship designated as vacancy A by the State Board of Elections filled at the 2006 general election. If, before, on, or after the effective date of this amendatory Act of the 94th General Assembly, the State Board of Elections has certified or certifies one or more candidates for a judgeship of the 19th judicial circuit designated as vacancy B or C by the State Board of Elections, then all such certifications are revoked and are null and void by operation of law and the names of any such candidates shall not appear upon the 2006 general primary ballot or the 2006 general election ballot for any of those judgeships. Except as provided in subsection (b-10), the number of at large judgeships of the 22nd judicial circuit shall be the number of at large judgeships assigned to the 22nd judicial circuit pursuant to subsection (b) plus only the judgeship designated as vacancy A by the State Board of Elections filled at the 2006 general election. If, before, on, or after the effective date of this amendatory Act of the 94th General Assembly, the State Board of Elections has certified or certifies one or more candidates for the judgeship of the 22nd judicial circuit designated as vacancy B by the State Board of Elections, then any such certifications are revoked and are null and void by operation of law and the names of any such candidates shall not appear upon the 2006 general primary ballot or the 2006 general election ballot for that judgeship.

(b-10) If this amendatory Act of the 94th General Assembly is held unconstitutional and as a result the

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judgeships designated by the State Board of Elections as vacancies A, B, and C of the 19th judicial circuit are filled at the 2006 general election, then the number of at large judgeships of the 19th judicial circuit shall be only the number of at large judgeships assigned to the 19th judicial circuit pursuant to subsection (b). If this amendatory Act of the 94th General Assembly is held unconstitutional and as a result the judgeships designated by the State Board of Elections as vacancies A and B of the 22nd judicial circuit are filled at the 2006 general election, then the number of at large judgeships of the 22nd judicial circuit shall be only the number of at large judgeships assigned to the 22nd judicial circuit pursuant to subsection (b).

(b-15) If subsection (b-10) applies, then each vacancy occurring in an at large judgeship of the 19th judicial circuit on or after the holding of unconstitutionality shall not be filled by any means and each of those vacant judgeships is abolished, until the number of at large judgeships of the 19th judicial circuit returns to the number of at large judgeships specified for the 19th judicial circuit by subsection (b-10). If subsection (b-10) applies, then each vacancy occurring in an at large judgeship of the 22nd judicial circuit on or after the holding of unconstitutionality shall not be filled by any means and each of those vacant judgeships is abolished, until the number of at large judgeships of the 22nd judicial circuit returns to the number of at large judgeships specified for the 22nd judicial circuit by subsection (b-10).

(c) The 6 resident judgeships elected from Lake County before the general election in 2006 shall become resident judgeships in the 19th circuit on December 4, 2006, and the 3 resident judgeships elected from McHenry County before the general election in 2006 shall become resident judgeships in the 22nd circuit on December 4, 2006.

(d) On December 4, 2006, the Supreme Court shall allocate the associate judgeships of the 19th circuit before that date between the 19th and 22nd circuits based on the residency of the associate judges; however, the number of associate judges allocated to the 19th circuit shall be no less than the number of associate judges residing in Lake County on March 22, 2004.

(e) On December 4, 2006, the Supreme Court shall allocate personnel, books, records, documents, property (real and personal), funds, assets, liabilities, and pending matters concerning the 19th circuit before that date between the 19th and 22nd circuits based on the population and staffing needs of those circuits and the efficient and proper administration of the judicial system. The rights of employees under applicable collective bargaining agreements are not affected by this amendatory Act of the 93rd General Assembly.

(f) The judgeships set forth in this Section include the judgeships authorized under Sections 2g, 2h, and 2j. The judgeships authorized in those Sections are not in addition to those set forth in this Section. (Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04.)

(705 ILCS 35/2f-2)

Sec. 2f-2. 19th judicial circuit; subcircuits.

(a) The 19th circuit shall be divided into 6 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 6 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(b) The 19th circuit shall have a total of 6 resident judgeships. The number of resident judgeships allotted to subcircuits of the 19th judicial circuit pursuant to this Section shall constitute all the resident judgeships of the 19th judicial circuit.

(c) The Supreme Court shall allot (i) all vacancies in resident judgeships of the 19th circuit existing on or occurring on or after the effective date of this amendatory Act of the 93rd General Assembly and not filled at the 2004 general election and (ii) the resident judgeships of the 19th circuit filled at the 2004 general election as those judgeships thereafter become vacant, for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No resident judge of the 19th circuit serving on the effective date of this amendatory Act of the 93rd General Assembly shall be required to change his or her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge elected from a subcircuit shall continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 19th circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04; 93-1102, eff. 4-7-05.)

(705 ILCS 35/2f-4)

Sec. 2f-4. 12th circuit; subcircuits; additional judges.

(a) The 12th circuit shall be divided into 5 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 5 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(a-10) The first vacancy in the 12th judicial circuit's 10 existing circuit judgeships (8 at large and 2 resident), but not in the additional judgeships described in subsections (b) and (b-5), that exists on or after the effective date of this amendatory Act of the 94th General Assembly shall not be filled, by appointment or election, and that judgeship is eliminated. Of the 12th judicial circuit's 10 existing circuit judgeships (8 at large and 2 resident), but not the additional judgeships described in subsections (b) and (b-5), the second to be vacant or become vacant on or after the effective date of this amendatory Act of the 94th General Assembly shall be allotted as a 12th circuit resident judgeship under subsection (c). Of the 12th circuit's 10 existing circuit judgeships (8 at large and 2 resident), 2 shall be allotted as 12th circuit resident judgeships under subsection (c) as the first 2 of any of those at large and resident judgeships become vacant on or after August 18, 2003. As used in this subsection, a vacancy does not include the expiration of a term of an at large or resident judge who seeks retention in that office at the next term.

(b) The 12th circuit shall have 3 additional resident judgeships, as well as its ~~2~~ existing resident ~~judgeship or~~ judgeships, and ~~existing~~ 8 at large judgeships, for a total of ~~12~~ ~~43~~ judgeships available to be allotted under subsection (c) to the 5 subcircuit resident judgeships. The additional resident judgeship created by Public Act 93-541 shall be filled by election beginning at the general election in 2006. The 2 additional resident judgeships created by this amendatory Act of 2004 shall be filled by election beginning at the general election in 2008. After the subcircuits are created by law, the Supreme Court may fill by appointment the additional resident judgeships created by Public Act 93-541 and this amendatory Act of 2004 until the 2006 or 2008 general election, as the case may be.

(b-5) In addition to the number of circuit judges and resident judges otherwise authorized by law, and notwithstanding any other provision of law, beginning on April 1, 2006 there shall be one additional resident judge who is a resident of and elected from the fourth judicial subcircuit of the 12th judicial circuit. That additional resident judgeship may be filled by appointment by the Supreme Court until filled by election at the general election in 2008, regardless of whether the judgeships for subcircuits 1, 2, and 3 have been filled.

(c) The Supreme Court shall allot (i) the additional resident judgeships of the 12th circuit created by Public Act 93-541 and this amendatory Act of 2004, and (ii) the second vacancy first 2 vacancies in the at large and resident judgeships of the 12th circuit as provided in subsection (a-10), for election from the various subcircuits until with the additional judge of the fourth subcircuit described in subsection (b-5), there is one resident judge to be elected from each subcircuit. No at large or resident judge of the 12th circuit serving on August 18, 2003 shall be required to change his or her residency in order to continue serving in office or to seek retention in office as at large or resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge elected from a subcircuit shall continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 12th circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04; 93-1102, eff. 4-7-05.)

(705 ILCS 35/2f-5)

Sec. 2f-5. 22nd circuit; subcircuits; additional resident judgeship.

(a) The 22nd circuit shall be divided into 4 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 4 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(b) The 22nd circuit shall have one additional resident judgeship, as well as its 3 existing resident judgeships, for a total of 4 resident judgeships to be allotted to the 4 subcircuit resident judgeships. The additional resident judgeship created by this amendatory Act of the 93rd General Assembly shall be filled by election beginning at the general election in 2006 and shall not be filled by appointment before the general election in 2006. The number of resident judgeships allotted to subcircuits of the 22nd judicial circuit pursuant to this Section shall constitute all the resident judgeships of the 22nd judicial

circuit.

(c) The Supreme Court shall allot (i) all vacancies in resident judgeships of the 22nd circuit existing on or occurring on or after August 18, 2003 and not filled at the 2004 general election, (ii) the resident judgeships of the 22nd circuit filled at the 2004 general election as those judgeships thereafter become vacant, and (iii) the additional resident judgeship of the 22nd circuit created by this amendatory Act of the 93rd General Assembly, for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No resident judge of the 22nd circuit serving on August 18, 2003 shall be required to change his or her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge elected from a subcircuit shall continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 22nd circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 93-541, eff. 8-18-03; 93-1040, eff. 9-28-04; 93-1102, eff. 4-7-05.)

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

Under the rules, the foregoing **Senate Bill No. 1681**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4127

A bill for AN ACT concerning property.

HOUSE BILL NO. 4141

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4179

A bill for AN ACT concerning name changes.

HOUSE BILL NO. 4187

A bill for AN ACT concerning vehicles.

HOUSE BILL NO. 4192

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4297

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4308

A bill for AN ACT concerning education.

Passed the House, January 24, 2006.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4127, 4141, 4179, 4187, 4192, 4297 and 4308** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4217

A bill for AN ACT concerning libraries.

HOUSE BILL NO. 4317

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A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 4349

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4359

A bill for AN ACT concerning gaming.

Passed the House, January 25, 2006.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4217, 4317, 4349 and 4359** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4172

A bill for AN ACT concerning consumer fraud.

HOUSE BILL NO. 4204

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4377

A bill for AN ACT concerning gaming.

HOUSE BILL NO. 4419

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 4736

A bill for AN ACT concerning regulation.

Passed the House, January 26, 2006.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4172, 4204, 4377, 4419 and 4736** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 1744

A bill for AN ACT concerning revenue.

Passed the House, January 26, 2006.

MARK MAHONEY, Clerk of the House

The foregoing **House Bill No. 1744** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

**HOUSE JOINT RESOLUTION NO. 83**

WHEREAS, During the 94th General Assembly, the Joint Task Force on Rural Health was  
[January 31, 2006]



established to study issues relating to health care for Illinois residents living in rural settings; and

WHEREAS, Issues relating to health care for residents of rural areas also apply to residents of other medically underserved areas of the State; and

WHEREAS, The Joint Task Force was to report its findings and recommendations to the General Assembly no later than January 1, 2006; and

WHEREAS, The Joint Task Force needs additional time to complete its work; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Joint Task Force on Rural Health shall submit a report, as established in its authorizing resolution, no later than December 31, 2006; and be it further

RESOLVED, That the name of the Task Force on Rural Health is changed to the Task Force on Rural Health and Medically Underserved Areas; and be it further

RESOLVED, That with this reporting extension, the Joint Task Force on Rural Health and Medically Underserved Areas shall continue to operate pursuant to its enabling resolution.

Adopted by the House, January 25, 2006.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 83 was referred to the Committee on Rules.

**MESSAGE FROM THE PRESIDENT**

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

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

January 31, 2006

Ms. Linda Hawker  
Secretary of the Senate  
Room 403 State House  
Springfield, Illinois 62706

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator James DeLeo and Senator Terry Link to replace Senator Rickey Hendon and Senator John Cullerton respectively, as members of the Rules Committee. This appointment is effective immediately.

Very truly yours,  
s/Emil Jones, Jr.  
President

cc: Senate Minority Leader Frank Watson

[January 31, 2006]

### INTRODUCTION OF BILLS

**SENATE BILL NO. 3093.** Introduced by Senator J. Sullivan, a bill for AN ACT concerning appropriations.

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

### MESSAGE FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

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

### HOUSE JOINT RESOLUTION NO. 74

WHEREAS, November 5, 2006, marks six years since Ryan Katcher, a student at the University of Illinois, was last seen; and

WHEREAS, In 2001, there were 198,575 persons over the age of 18 reported missing to law enforcement agencies nationwide; and

WHEREAS, Regardless of age or circumstances, all missing persons have families who need support and guidance to endure the days, months, or years they may spend searching for their missing loved ones; and

WHEREAS, It is important to applaud the committed efforts of families, law enforcement agencies, and concerned citizens who work to locate missing persons and to prevent all forms of victimization; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that in recognition of the life of Ryan Katcher and all other missing persons in the State of Illinois, we declare November 5, 2006, as Missing Persons Day in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Linda Katcher Griffith with our sincerest wishes of support for her in the search for her son.

Adopted by the House, January 26, 2006.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 74 was referred to the Committee on Rules.

### REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, during its January 31, 2006 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture & Conservation: **Senate Committee Amendment No. 1 to Senate Bill 2236; Senate Committee Amendment No. 1 to Senate Bill 2271.**

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Commerce & Economic Development: **Senate Committee Amendment No. 1 to Senate Bill 2519.**

Environment & Energy: **Senate Committee Amendment No. 1 to Senate Bill 2129; Senate Committee Amendment No. 1 to Senate Bill 2198.**

Health & Human Services: **Senate Committee Amendment No. 1 to Senate Bill 2510.**

Judiciary: **Senate Committee Amendment No. 1 to Senate Bill 2295.**

Licensed Activities: **Senate Committee Amendment No. 1 to Senate Bill 2144; Senate Committee Amendment No. 1 to Senate Bill 2292; Senate Committee Amendment No. 1 to Senate Bill 2511.**

Local Government: **Senate Committee Amendment No. 1 to Senate Bill 2397.**

State Government: **Senate Committee Amendment No. 1 to Senate Bill 2204; Senate Committee Amendment No. 1 to Senate Bill 2330; Senate Committee Amendment No. 1 to Senate Bill 2356.**

Transportation: **Senate Committee Amendment No. 1 to Senate Bill 2230; Senate Committee Amendment No. 1 to Senate Bill 2439; Senate Committee Amendment No. 1 to Senate Bill 2489.**

#### READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Jacobs, **Senate Bill No. 2134**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Halvorson, **Senate Bill No. 2137** having been printed, was taken up, read by title a second time.

Senate Committee Amendment No. 1 was held in Judiciary Committee.

Senate Committee Amendment No. 2 was held in Rules Committee

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

#### AMENDMENT NO. 3 TO SENATE BILL 2137

AMENDMENT NO. 3. Amend Senate Bill 2137 as follows:

on page 1, line 29, by deleting "wholly"; and

on page 2, by replacing lines 5 and 6 with the following:

"corporation to be known as the "Illinois Public Safety Agency Network" shall be created. IPSAN shall be incorporated under the"; and

on page 2, line 15, by replacing "the State Records Act, the Open Meetings Act," with "the Open Meetings Act"; and

on page 2, line 19, by replacing "12" with "13"; and

on page 2, by replacing line 31 with "and PIMS). The Director of the Illinois State Police, the Director of Corrections, the"; and

on page 3, line 8, by replacing "expenses" with "reasonable expenses"; and

on page 3, line 10, by replacing "Governor" with "Board"; and

on page 3, by deleting lines 29 through 35; and

on page 4, by deleting lines 1 through 36; and

on page 5, by deleting lines 1 through 8; and

on page 5, by replacing lines 17 through 19 with the following:

"(2) Make and enter into contracts, agreements, and other instruments necessary or convenient for the exercise of its powers and to facilitate the use by the members of IPSAN of other criminal justice information systems and networks."; and

on page 5, line 27, by replacing "bylaws" with "bylaws and policies"; and

on page 6, by replacing line 11 with the following:

"transferred to the IPSAN operating fund by the State Treasurer notwithstanding current obligations as determined by the IPSAN Board in cooperation with the Authority."; and

on page 6, line 17, by deleting "IPSAN may receive appropriations."; and

on page 7, by deleting lines 1 through 14; and

on page 7, line 21, by replacing "Section 60" with "Section 90"; and

on page 11, immediately after line 7, by inserting the following:

"Section 95. The State Property Control Act is amended by adding Section 7.6 as follows:  
(30 ILCS 605/7.6 new)

Sec. 7.6. Illinois Public Safety Agency Network. Notwithstanding any other provision of this Act or any other law to the contrary, the administrator and the Illinois Criminal Justice Information Authority are authorized under this Section to transfer to the Illinois Public Safety Agency Network, from the Illinois Criminal Justice Information Authority, all contractual personnel, books, records, papers, documents, property, both real and personal, and pending business in any way pertaining to the operations of the ALERTS, ALECS, and PIMS systems managed by the Authority including, but not limited to, radio frequencies, licenses, software, hardware, IP addresses, proprietary information, code, and other required information and elements necessary for the successful operation, future development and transition of the systems."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Harmon, **Senate Bill No. 2162**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **Senate Bill No. 2252**, having been printed, was taken up, read by title a second time and ordered to a third reading.

#### COMMITTEE MEETING ANNOUNCEMENTS

Senator Crotty, Chairperson of the Committee on Local Government, announced that the Local Government Committee will meet today in Room A-1, at 1:00 o'clock p.m.

Senator Ronen, Chairperson of the Committee on Health & Human Services, announced that the Health & Human Services Committee will meet Wednesday, February 1, 2006, in Room 400, at 9:00 o'clock a.m.

Senator Shadid, Vice-Chairperson of the Committee on Transportation, announced that the Transportation Committee will meet today in Room 400, at 2:30 o'clock p.m.

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Senator Haine, Chairperson of the Committee on Insurance, announced that the Insurance Committee meeting scheduled for today was cancelled.

Senator Demuzio, Member of the Committee on Education, announced that the Education Committee will meet today in Room 212, at 1:00 o'clock p.m.

Senator Clayborne, Chairperson of the Committee on Environment & Energy, announced that the Environment & Energy Committee will meet Wednesday, February 1, 2006 in Room 212, at 9:00 o'clock a.m.

Senator Martinez, Chairperson of the Committee on Pensions & Investments, announced that the Pensions & Investments Committee meeting scheduled for today was cancelled.

Senator Harmon, Vice-Chairperson of the Committee on Judiciary, announced that the Judiciary Committee will meet today in Room 212, at 2:30 o'clock p.m.

Senator J. Sullivan, Chairperson of the Committee on Agriculture & Conservation, announced that the Agriculture & Conservation Committee will meet Wednesday, February 1, 2006 in Room A-1, at 9:00 o'clock a.m.

**EXCUSED FROM ATTENDANCE**

On motion of Senator Burzynski, Senator Peterson was excused from attendance due to personal business in his district.

Senator Burzynski requested a Republican Caucus to convene immediately upon adjournment.

At the hour of 12:37 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, February 1, 2006, at 12:00 o'clock noon.