



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**53RD LEGISLATIVE DAY**

**WEDNESDAY, JUNE 6, 2007**

**1:04 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**53rd Legislative Day**

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The Senate met pursuant to adjournment.  
Senator James A. DeLeo, Chicago, Illinois, presiding.  
Prayer by Pastor John Wentz, South Side Christian Church, Springfield, Illinois.  
Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, June 5, 2007, 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 place before the Senate the following reports:

Chicago-Gary Regional Airport Authority's 2006 Annual Report, submitted by the Chicago-Gary Regional Airport Authority.

Redeploy Illinois Annual Report, Implementation and Impact, submitted by the Redeploy Illinois Oversight Board.

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

### **LEGISLATIVE MEASURES FILED**

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

Senate Floor Amendment No. 2 to Senate Joint Resolution 48

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

Senate Floor Amendment No. 2 to Senate Bill 766  
Senate Floor Amendment No. 1 to Senate Bill 782  
Senate Floor Amendment No. 1 to Senate Bill 798  
Senate Floor Amendment No. 1 to Senate Bill 837  
Senate Floor Amendment No. 1 to Senate Bill 997

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

Senate Floor Amendment No. 3 to House Bill 29  
Senate Floor Amendment No. 1 to House Bill 1100

### **PRESENTATION OF RESOLUTIONS**

#### **SENATE RESOLUTION 239**

Offered by Senator Clayborne and all Senators:  
Mourns the death of Ora Dee Luckett of Chicago.

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

[June 6, 2007]

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

**SENATE RESOLUTION NO. 240**

WHEREAS, The U.S. Army Corps of Engineers is recognized for its outstanding dedication and service in the completion, maintenance, and continuing development of Rend Lake, located in Franklin and Jefferson counties in the State of Illinois; and

WHEREAS, Retired U.S. Congressman Kenneth J. Gray is hereby recognized in appreciation for his tireless and successful efforts in securing the authorization of appropriations for the construction of Rend Lake; and

WHEREAS, Rend Lake, the second largest inland impoundment in Illinois, covers 18,900 acres with 162 miles of shoreline and serves as a source of water, flood control protection, recreation, fish and wildlife conversation, and assurance of downstream water quality; and

WHEREAS, On April 30, 2007, Governor Rod R. Blagojevich and the Illinois Department of Commerce and Economic Opportunity Bureau of Tourism announced that Rend Lake had been chosen by consumers as one of "The Seven Wonders of Illinois" in a contest launched at the 2007 Illinois Governor's Conference on Tourism; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that Monday, June 18, 2007 is hereby proclaimed as "Rend Lake Day" in the State of Illinois.

**REPORTS FROM STANDING COMMITTEES**

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 1617

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary Civil Law, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendments 1 and 2 to Senate Bill 337

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary Civil Law, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 8 to House Bill 830

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

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

[June 6, 2007]

Motion to Concur in House Amendment 1 to Senate Bill 158; Motion to Concur in House Amendment 1 to Senate Bill 1327; Motion to Concur in House Amendment 1 to Senate Bill 1625

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

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

Motion to Concur in House Amendments 1 and 2 to Senate Bill 8; Motion to Concur in House Amendments 1 and 3 to Senate Bill 336; Motion to Concur in House Amendment 1 to Senate Bill 1619

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

Senator Wilhelmi, Chairperson of the Committee on Judiciary Criminal Law, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendments 1, 2 and 3 to Senate Bill 607; Motion to Concur in House Amendments 1 and 2 to Senate Bill 697; Motion to Concur in House Amendments 1 and 4 to Senate Bill 1094; Motion to Concur in House Amendment 1 to Senate Bill 1627

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

Senator Munoz, Chairperson of the Committee on Transportation, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 314; Motion to Concur in House Amendments 1, 3 and 4 to Senate Bill 435

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

Senator Raoul, Chairperson of the Committee on Pensions and Investments, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 1481; Motion to Concur in House Amendments 1 and 2 to Senate Bill 1621; Motion to Concur in House Amendment 1 to Senate Bill 1653

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

Senator Crotty, Chairperson of the Committee on Local Government, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 684; Motion to Concur in House Amendment 2 to Senate Bill 1261; Motion to Concur in House Amendment 1 to Senate Bill 1453; Motion to Concur in House Amendments 1 and 3 to Senate Bill 1746

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

Senator Garrett, Chairperson of the Committee on Public Health, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendments 1 and 3 to Senate Bill 144; Motion to Concur in House Amendment 1 to Senate Bill 940

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

Senator Meeks, Chairperson of the Committee on Human Services, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 574; Motion to Concur in House Amendment 1 to Senate Bill 1579; Motion to Concur in House Amendments 1 and 2 to Senate Bill 1664

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

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 729

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendments 1 and 2 to Senate Bill 13

Under the rules, the foregoing motion is eligible for consideration by the Senate.

**EXCUSED FROM ATTENDANCE**

On motion of Senator Righter, Senators Burzynski, Lauzen and Pankau were excused from attendance due to family business, and Senator Dillard was excused from attendance due to legislative business.

**MESSAGE FROM THE PRESIDENT**

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

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

June 6, 2007

Ms. Deborah Shipley  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

[June 6, 2007]

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Rickey Hendon to resume his position on the Senate Rules Committee. This appointment is effective immediately.

Sincerely,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

### 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. 434

A bill for AN ACT concerning local government.

Together with the following amendment which is 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. 434

Passed the House, as amended, June 5, 2007.

MARK MAHONEY, Clerk of the House

### AMENDMENT NO. 1 TO SENATE BILL 434

AMENDMENT NO. 1. Amend Senate Bill 434, immediately below the enacting clause, by inserting the following:

"Section 5. The Director of Central Management Services is authorized to convey by Quit Claim Deed for \$1 to the City of Chicago the following described real property: surplus property located within the area bordered by Oak Park Avenue, West Irving Park Road, North Narragansett Avenue, West Montrose Avenue, and Forest Preserve Drive, Chicago, Illinois; provided, however, that should the property fail to be used for any public purpose within the first 10 years after the effective date of this amendatory Act of the 95th General Assembly or fail to be used at any time by the Grantee for public purposes, then title shall revert to the State of Illinois.

Section 10. "An Act in relation to certain land", approved June 13, 2000, Public Act 91-824, is amended by changing Section 20-10 as follows:

(P.A. 91-824, Sec. 20-10)

Sec. 20-10. The Director of Central Management Services is authorized to:

(a) convey by quit claim deed for \$1 buildings A & B of the former Henry Horner School property located on Oak Park Ave, Chicago, Illinois to Maryville Academy, provided however that should the property fail to be used by Maryville Academy for charitable or educational purposes, the title shall revert to the State of Illinois;

(b) convey by quit claim deed for \$1 upon identification and survey of a site mutually agreeable to the parties to New Horizon Center for the Developmentally Disabled, provided that should the property fail to be used by New Horizon Center for the Developmentally Disabled for charitable or educational purposes, title shall revert to the State of Illinois;

(c) convey by Quit Claim Deed for \$1 to the City of Chicago the following described real property:

A PARCEL OF LAND, APPROXIMATELY 16,000 SQUARE FEET ON AND ALONG THE NORTH SIDE OF WEST

IRVING PARK ROAD, HAVING APPROXIMATELY 135 FEET OF FRONTAGE ON SAID WEST IRVING PARK ROAD AND A DEPTH OF APPROXIMATELY 125 FEET, HAVING ITS EASTERLY BOUNDARY PARALLEL TO AND APPROXIMATELY 1,111 FEET WEST

[June 6, 2007]

OF THE WEST PROPERTY LINE OF NORTH NARRAGANSETT AVENUE, AND ITS WESTERLY BOUNDARY BEING PARALLEL TO AND 135 FEET WEST OF THE EASTERLY BOUNDARY LINE, ALL IN THE COUNTY OF COOK AND STATE OF ILLINOIS.

Provided however, should the property fail to be used by the Grantee for public purposes, title shall revert to the State of Illinois;

(d) take steps to preserve, landscape, memorialize and protect unmarked historic cemetery grounds located by archeological survey on the grounds of Chicago Read Mental Health Center. This subsection shall also allow the relocation of the remains pursuant to regulations and procedures established by the Historic Preservation Agency when deemed necessary by the Director of Central Management Services. For the purpose of the relocation of such remains, the Secretary of Human Services is designated next of kin when it is not possible to definitively establish the identity of any such remains;

(e) (the General Assembly finds and declares that the authorization under this subsection (e) as originally enacted by Public Act 91-824 was never acted upon; and, therefore, the provisions of that originally enacted subsection (e) are rescinded by this amendatory Act of the 95th General Assembly) in order to facilitate the conveyances referenced in subsections (a) and (b) after consultation with the Secretary of Transportation, the Secretary of Human Services, and the Director of Commerce and Community Affairs and upon obtaining necessary appraisals, surveys, and environmental reports, and in accordance with and in coordination with any pre-existing redevelopment agreement, convey title by quit claim deed to Chicago Read Joint Venture, Limited Partnership to surplus property located within the area bordered by Harlem Avenue, West Irving Park Road, North Narragansett Avenue, West Montrose Avenue, and Forest Preserve Drive, Chicago, Illinois, but excluding the area comprised of the property of the former Henry Horner School and the property referred to as the "Phase Three Property" under the Chicago Read Dunning Redevelopment Agreement, at fair market value and on such terms and conditions necessary to bring about the orderly redevelopment of such surplus property, provided however that "surplus property" as described in this Section shall not include buildings and grounds currently under the jurisdiction of the Department of Human Services unless specifically consented to by the Secretary of Human Services; and

(f) accept replacement State facilities constructed in order to relocate State operations located in facilities to be replaced or otherwise transferred to coordinate with necessary redevelopment.  
(Source: P.A. 91-824, eff. 1-1-01.)

Section 15. The Director of Central Management Services shall obtain a certified copy of this Act within 60 days after its effective date, and shall record the certified document in the Recorder's Office in the county in which the land is located."; and

on page 1, line 4, by replacing "Section 5." with "Section 20."

Under the rules, the foregoing **Senate Bill No. 434**, with House Amendment No. 1, 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 333

A bill for AN ACT concerning civil law.

Together with the following amendment which is 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. 333

Passed the House, as amended, June 6, 2007.

MARK MAHONEY, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 333**

AMENDMENT NO. 1. Amend Senate Bill 333 by replacing everything after the enacting clause

[June 6, 2007]



with the following:

"Section 1. Short title; purpose. This Act may be cited as the State of Illinois Recreational Use of Leased Land Act.

The purpose of this Act is to encourage owners of land through nominal leases to the State of Illinois Department of Natural Resources to make land and water areas available to members of the general public for recreational uses by limiting their liability toward persons entering thereon for such uses.

Section 5. Definitions. As used in this Act, unless the context otherwise requires:

"Land" includes roads, water, watercourses, private ways and buildings, and structures, but does not include residential buildings or residential property.

"Owner-lessor" means the owner of land that is leased to the State of Illinois Department of Natural Resources pursuant to a nominal lease.

"Nominal lease" means any lease between an owner-lessor and the State of Illinois Department of Natural Resources under which the total rent for the term of the lease is less than \$5.

"Leased land" means any land leased by an owner-lessor to the State of Illinois Department of Natural Resources pursuant to a nominal lease.

"Recreational use" means any activity undertaken for conservation, resource management, exercise, or recreation on leased land.

"Charge" means an admission fee for permission to go upon leased land, but does not include: the sharing of game, fish, or other products of recreational use; or benefits to or arising from the recreational use; or contributions in kind, services or cash made for the purpose of properly conserving the leased land.

"Person" means any person who is a member of the general public, regardless of age, maturity, or experience.

Section 10. No duty. Except as specifically recognized by or provided in Section 15 of this Act, an owner-lessor of leased land shall not be liable for injury of any kind to any person who enters the leased land for a recreational use, except for willful and wanton misconduct. The owner-lessor of leased land owes no duty of ordinary care to keep leased land safe for entry or use by any person for recreational uses, as defined by this Act, or to give any warning of a natural or artificial dangerous condition, use, structure, or activity on the leased land to persons entering for such uses.

Section 15. Willful and wanton failure; charge for entry. Nothing in this Act limits in any way any liability which otherwise exists:

(a) For willful and wanton failure by an owner-lessor to guard or warn against a dangerous condition, use, structure, or activity on leased land.

(b) For injury suffered by a person in any case where the owner-lessor of leased land assesses a charge against that person who enters or goes on the leased land for recreational use.

Section 20. Construction. Nothing in this Act shall be construed to:

(a) Create a duty of ordinary care owed by an owner-lessor to any person on the leased land for a recreational use or to establish the basis for liability of an owner-lessor for injury to persons or property.

(b) Relieve any person using leased land for recreational uses from any obligation which he or she may have in the absence of this Act to exercise care in his or her use of such leased land and in his or her activities thereon, or from the legal consequences of failure to employ such care.

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

Under the rules, the foregoing **Senate Bill No. 333**, with House Amendment No. 1, 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 778

A bill for AN ACT concerning State government.

[June 6, 2007]

Together with the following amendment which is 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. 778  
Passed the House, as amended, June 6, 2007.

MARK MAHONEY, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 778**

AMENDMENT NO. 1. Amend Senate Bill 778 by deleting lines 4 through 22 on page 32, all of pages 33 through 35, and lines 1 through 12 on page 36.

Under the rules, the foregoing **Senate Bill No. 778**, with House Amendment No. 1, 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 concurred with the Senate in the adoption of the following joint resolution, to-wit:

**SENATE JOINT RESOLUTION NO. 6**

Concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of 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 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. 429**

A bill for AN ACT concerning liquor.

Passed the House, June 5, 2007.

MARK MAHONEY, Clerk of the House

The foregoing **House Bill No. 429** 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 refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

**HOUSE BILL 654**

A bill for AN ACT concerning transportation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 654

Non-concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of the House

Under the rules, the foregoing **House Bill No. 654**, with Senate Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

[June 6, 2007]

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. 4**

WHEREAS, Robert Ridgway was an internationally known scientist, explorer, ornithologist, naturalist, inventor, author, and artist; and

WHEREAS, Robert Ridgway served with the Smithsonian Institution for 62 years and was Zoologist for the USGS 40th Parallel Expedition and the Harriman Expedition in Alaska; and

WHEREAS, Robert Ridgway ranks with John James Audubon, Daniel Boone, Thomas Edison, the Wright Brothers, and John C. Fremont for his accomplishments and explorations for America and the world; and

WHEREAS, The Illinois State Historical Society and the Illinois Department of Transportation in 1967 erected a historical sign 1.5 miles east of the Fox River Bridge, along U.S. Route 50, to honor Robert Ridgway; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the U.S. Route 50 Fox River Bridge, west of the City of Olney in Richland County, be designated the Robert Ridgway Bridge; and be it further

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

RESOLVED, That copies of this resolution be delivered to the Secretary of the U.S. Department of Transportation; the Secretary of the Illinois Department of transportation; the mayor of the City of Olney; and the Richland County Board.

Adopted by the House, June 5, 2007.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 4 was referred to the Committee on Rules.

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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 281

A bill for AN ACT concerning criminal law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 281

Concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendment to a bill of the following title, to-wit:

[June 6, 2007]

HOUSE BILL 652

A bill for AN ACT concerning State government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 652

Concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 653

A bill for AN ACT concerning children.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 653

Concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 668

A bill for AN ACT concerning veterans.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 668

Concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 734

A bill for AN ACT concerning aging.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 734

Senate Amendment No. 2 to HOUSE BILL NO. 734

Concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 743

A bill for AN ACT concerning construction contracts.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 743

Senate Amendment No. 4 to HOUSE BILL NO. 743

Concurred in by the House, June 5, 2007.

[June 6, 2007]

MARK MAHONEY, Clerk of 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 adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 804

A bill for AN ACT concerning public employee benefits.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 804

Senate Amendment No. 2 to HOUSE BILL NO. 804

Senate Amendment No. 3 to HOUSE BILL NO. 804

Concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 845

A bill for AN ACT concerning criminal law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 845

Concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 903

A bill for AN ACT concerning transportation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 903

Concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 913

A bill for AN ACT concerning guardianship.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 913

Concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

[June 6, 2007]

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

HOUSE BILL 977

A bill for AN ACT concerning criminal law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 977

Concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 991

A bill for AN ACT concerning coroners.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 991

Concurred in by the House, June 5, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 822

A bill for AN ACT concerning animals.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 822

Senate Amendment No. 2 to HOUSE BILL NO. 822

Senate Amendment No. 3 to HOUSE BILL NO. 822

Concurred in by the House, June 6, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 1019

A bill for AN ACT concerning animals.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1019

Concurred in by the House, June 6, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 1030

A bill for AN ACT concerning education.

[June 6, 2007]

Which amendment is as follows:  
Senate Amendment No. 1 to HOUSE BILL NO. 1030  
Concurred in by the House, June 6, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 1080

A bill for AN ACT concerning transportation.  
Which amendment is as follows:  
Senate Amendment No. 1 to HOUSE BILL NO. 1080  
Concurred in by the House, June 6, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 1116

A bill for AN ACT concerning transportation.  
Which amendment is as follows:  
Senate Amendment No. 1 to HOUSE BILL NO. 1116  
Concurred in by the House, June 6, 2007.

MARK MAHONEY, Clerk of 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 1256

A bill for AN ACT concerning public aid.  
Which amendment is as follows:  
Senate Amendment No. 1 to HOUSE BILL NO. 1256  
Concurred in by the House, June 6, 2007.

MARK MAHONEY, Clerk of the House

#### **READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME**

**House Bill No. 429**, sponsored by Senator Silverstein, was taken up, read by title a first time and referred to the Committee on Rules.

#### **JOINT ACTION MOTIONS FILED**

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

Motion to Concur in House Amendment 1 to Senate Bill 234  
Motion to Concur in House Amendment 1 to Senate Bill 333

[June 6, 2007]

Motion to Concur in House Amendment 1 to Senate Bill 434  
 Motion to Concur in House Amendment 1 to Senate Bill 778  
 Motion to Concur in House Amendment 1 to Senate Bill 996

### REPORT FROM RULES COMMITTEE

Senator Halvorson, Chairperson of the Committee on Rules, during its June 6, 2007 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

Environment and Energy: **Motion to Concur in House Amendments 1, 4 and 5 to Senate Bill 1366**

Human Services: **Motion to Concur in House Amendment 1 to Senate Bill 234**

Judiciary Civil Law: **Motion to Concur in House Amendment 1 to Senate Bill 531**  
**Motion to Concur in House Amendment 1 to Senate Bill 996**

Judiciary Criminal Law: **Motion to Concur in House Amendment 1 to Senate Bill 677**

Licensed Activities: **Motion to Concur in House Amendment 1 to Senate Bill 1424**

Local Government: **Motion to Concur in House Amendment 1 to Senate Bill 434**  
**Motion to Concur in House Amendment 1 to Senate Bill 833**

State Government and Veterans Affairs: **Motion to Concur in House Amendments 1 and 3 to Senate Bill 597**

Senator Halvorson, Chairperson of the Committee on Rules, during its June 6, 2007 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **Senate Floor Amendment No. 1 to Senate Bill 782**

**Senate Floor Amendment No. 1 to House Bill 1100.**

Judiciary Civil Law: **Senate Floor Amendment No. 1 to Senate Bill 1035.**

Judiciary Criminal Law: **Senate Floor Amendment No. 1 to Senate Bill 866.**  
**Senate Floor Amendment No. 1 to Senate Bill 997.**

Local Government: **Senate Floor Amendment No. 1 to Senate Bill 837.**

Revenue: **Senate Floor Amendment No. 1 to Senate Bill 798.**

State Government and Veterans Affairs: **Senate Floor Amendment No. 2 to Senate Bill 766.**

### COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees will meet today, June 6, 2007:

Environment & Energy, Room 212, 2:30 clock p.m.  
 Human Services, Room 400, 2:30 o'clock p.m.  
 Executive, Room 212, 3:00 o'clock p.m.  
 Revenue, Room 400, 3:00 o'clock p.m.  
 State Government & Veterans Affairs, Room 409, 3:00 o'clock p.m.  
 Education, Room 212, 3:30 o'clock p.m.  
 Licensed Activities, Room 409, 3:30 o'clock p.m.

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The Chair announced the following committees will meet tomorrow, June 7, 2007:

Judiciary Civil Law, Room 212, 10:00 o'clock a.m.

Local Government, Room 409, 10:00 o'clock a.m.

Judiciary Criminal Law, Room 212, 10:30 o'clock a.m.

### **READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME**

On motion of Senator Silverstein, **House Bill No. 1750** was taken up, read by title a second time and ordered to a third reading.

### **HOUSE BILL RECALLED**

On motion of Senator Cullerton, **House Bill No. 830** was recalled from the order of third reading to the order of second reading.

Senate Floor Amendments numbered 3 and 4 were held in the Committee on Rules.

Senator Cullerton offered the following amendment:

#### **AMENDMENT NO. 5 TO HOUSE BILL 830**

AMENDMENT NO. 5. Amend House Bill 830, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Uniform Real Property Electronic Recording Act.

Section 2. Definitions. In this Act:

(1) "Document" means information that is:

(A) inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form; and

(B) eligible to be recorded in the land records maintained by the county recorder.

(2) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(3) "Electronic document" means a document that is received by the recorder in an electronic form.

(4) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document.

(5) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government, or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(6) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(7) "Secretary" means the Secretary of State.

(8) "Commission" means the Illinois Electronic Recording Commission.

Any notifications required by this Act must be made in writing and may be communicated by certified mail, return receipt requested or electronic mail so long as receipt is verified.

Section 3. Validity of electronic documents.

(a) If a law requires, as a condition for recording, that a document be an original, be on paper or another tangible medium, or be in writing, the requirement is satisfied by an electronic document satisfying this Act.

(b) If a law requires, as a condition for recording, that a document be signed, the requirement is satisfied by an electronic signature.

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(c) A requirement that a document or a signature associated with a document be notarized, acknowledged, verified, witnessed, or made under oath is satisfied if the electronic signature of the person authorized to perform that act, and all other information required to be included, is attached to or logically associated with the document or signature. A physical or electronic image of a stamp, impression, or seal need not accompany an electronic signature.

#### Section 4. Recording of documents.

(a) In this Section, "paper document" means a document that is received by the county recorder in a form that is not electronic.

(b) A county recorder:

(1) who implements any of the functions listed in this Section shall do so in compliance with standards established by the Illinois Electronic Recording Commission and must follow the procedures of the Local Records Act before destroying any original paper records as part of a conversion process into an electronic or other format.

(2) may receive, index, store, archive, and transmit electronic documents.

(3) may provide for access to, and for search and retrieval of, documents and information by electronic means, including the Internet, and on approval by the county recorder of the form and amount, the county board may adopt a fee for document detail or image retrieval on the Internet.

(4) who accepts electronic documents for recording shall continue to accept paper documents as authorized by State law and shall place entries for both types of documents in the same index.

(5) may convert paper documents accepted for recording into electronic form.

(6) may convert into electronic form information recorded before the county recorder began to record electronic documents.

(7) may accept electronically any fee or tax that the county recorder is authorized to collect.

(8) may agree with other officials of a state or a political subdivision thereof, or of the United States, on procedures or processes to facilitate the electronic satisfaction of prior approvals and conditions precedent to recording and the electronic payment of fees and taxes.

#### Section 5. Administration and standards.

(a) To adopt standards to implement this Act, there is established, within the Office of the Secretary of State, the Illinois Electronic Recording Commission consisting of 15 commissioners as follows:

(1) The Secretary of State or the Secretary's designee shall be a permanent commissioner.

(2) The Secretary of State shall appoint the following additional 14 commissioners:

(A) Three who are from the land title profession.

(B) Three who are from lending institutions.

(C) One who is an attorney.

(D) Seven who are county recorders, no more than 4 of whom are from one political party, representative of counties of varying size, geography, population, and resources.

(3) On the effective date of this Act, the Secretary of State or the Secretary's designee shall become the Acting Chairperson of the Commission. The Secretary shall appoint the initial commissioners within 60 days and hold the first meeting of the Commission within 120 days, notifying commissioners of the time and place of the first meeting with at least 14 days' notice. At its first meeting the Commission shall adopt, by a majority vote, such rules and structure that it deems necessary to govern its operations, including the title, responsibilities, and election of officers. Once adopted, the rules and structure may be altered or amended by the Commission by majority vote. Upon the election of officers and adoption of rules or by-laws, the duties of the Acting Chairperson shall cease.

(4) The Commission shall meet at least once every year within the State of Illinois. The time and place of meetings to be determined by the Chairperson and approved by a majority of the Commission.

(5) Eight commissioners shall constitute a quorum.

(6) Commissioners shall receive no compensation for their services but may be reimbursed for reasonable expenses at current rates in effect at the Office of the Secretary of State, directly related to their duties as commissioners and participation at Commission meetings or while on business or at meetings which have been authorized by the Commission.

(7) Appointed commissioners shall serve terms of 3 years, which shall expire on December

1st. Five of the initially appointed commissioners, including at least 2 county recorders, shall serve terms of one year, 5 of the initially appointed commissioners, including at least 2 county recorders, shall serve terms of 2 years, and 4 of the initially appointed commissioners shall serve terms of 3 years, to be determined by lot. The calculation of the terms in office of the initially appointed commissioners shall begin on the first December 1st after the commissioners have served at least 6 months in office.

(8) The Chairperson shall declare a commissioner's office vacant immediately after receipt of a written resignation, death, a recorder commissioner no longer holding the public office, or under other circumstances specified within the rules adopted by the Commission, which shall also by rule specify how and by what deadlines a replacement is to be appointed.

(b) The Commission shall adopt and transmit to the Secretary of State standards to implement this Act and shall be the exclusive entity to set standards for counties to engage in electronic recording in the State of Illinois.

(c) To keep the standards and practices of county recorders in this State in harmony with the standards and practices of recording offices in other jurisdictions that enact substantially this Act and to keep the technology used by county recorders in this State compatible with technology used by recording offices in other jurisdictions that enact substantially this Act, the Commission, so far as is consistent with the purposes, policies, and provisions of this Act, in adopting, amending, and repealing standards shall consider:

(1) standards and practices of other jurisdictions;

(2) the most recent standards promulgated by national standard-setting bodies, such as the Property Records Industry Association;

(3) the views of interested persons and governmental officials and entities;

(4) the needs of counties of varying size, population, and resources; and

(5) standards requiring adequate information security protection to ensure that electronic documents are accurate, authentic, adequately preserved, and resistant to tampering.

(d) The Commission shall review the statutes related to real property and the statutes related to recording real property documents and shall recommend to the General Assembly any changes in the statutes that the Commission deems necessary or advisable.

(e) Funding. The Secretary of State may accept for the Commission, for any of its purposes and functions, donations, gifts, grants, and appropriations of money, equipment, supplies, materials, and services from the federal government, the State or any of its departments or agencies, a county or municipality, or from any institution, person, firm, or corporation. The Commission may authorize a fee payable by counties engaged in electronic recording to fund its expenses. Any fee shall be proportional based on county population or number of documents recorded annually. On approval by a county recorder of the form and amount, a county board may authorize payment of any fee out of the special fund it has created to fund document storage and electronic retrieval, as authorized in Section 3-5018 of the Counties Code. Any funds received by the Office of the Secretary of State for the Commission shall be used entirely for expenses approved by and for the use of the Commission.

(f) The Secretary of State shall provide administrative support to the Commission, including the preparation of the agenda and minutes for Commission meetings, distribution of notices and proposed rules to commissioners, payment of bills and reimbursement for expenses of commissioners.

(g) Standards and rules adopted by the Commission shall be delivered to the Secretary of State. Within 60 days, the Secretary shall either promulgate by rule the standards adopted, amended, or repealed or return them to the Commission, with findings, for changes. The Commission may override the Secretary by a three-fifths vote, in which case the Secretary shall publish the Commission's standards.

Section 6. (Blank).

Section 7. Relation to Electronic Signatures in Global and National Commerce Act. This Act modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act (15 U.S.C. Section 7001, et seq.) but does not modify, limit, or supersede Section 101(c) of that Act (15 U.S.C. Section 7001(c)) or authorize electronic delivery of any of the notices described in Section 103(b) of that Act (15 U.S.C. Section 7003(b)).

Section 90. The Credit Agreements Act is amended by changing Section 2 as follows:

(815 ILCS 160/2) (from Ch. 17, par. 7102)

Sec. 2. Credit agreements to be in writing.

(a) A debtor may not maintain an action on or in any way related to a credit agreement unless the credit agreement is in writing, expresses an agreement or commitment to lend money or extend credit or delay or forbear repayment of money, sets forth the relevant terms and conditions, and is signed by the creditor and the debtor. An action that arises out of bad faith conduct by a creditor intended to benefit the creditor or a third party, however, is not barred by this Section. Mere failure to enter into a credit agreement or to provide a written commitment to a debtor, without more, does not constitute bad faith under this Section.

(b) By enacting this amendatory Act of the 95th General Assembly, it is the intent of the General Assembly to make explicit the original meaning of Section 2 of the Credit Agreements Act. See Machinery Transports of Illinois v. Morton Community Bank, 293 Ill.App.3d207(3rd Dist. 1997).

(c) This amendatory Act of the 95th General Assembly applies to pending actions as well as actions commenced on or after its effective date.

(Source: P.A. 86-613.)

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

Senator Cullerton moved the foregoing amendment be ordered to lie on the table.

The motion to table prevailed.

Senator Cullerton offered the following amendment:

**AMENDMENT NO. 6 TO HOUSE BILL 830**

AMENDMENT NO. 6. Amend House Bill 830, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Uniform Real Property Electronic Recording Act.

Section 2. Definitions. In this Act:

(1) "Document" means information that is:

(A) inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form; and

(B) eligible to be recorded in the land records maintained by the county recorder.

(2) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(3) "Electronic document" means a document that is received by the recorder in an electronic form.

(4) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document.

(5) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government, or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(6) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(7) "Secretary" means the Secretary of State.

(8) "Commission" means the Illinois Electronic Recording Commission.

Any notifications required by this Act must be made in writing and may be communicated by certified mail, return receipt requested or electronic mail so long as receipt is verified.

Section 3. Validity of electronic documents.

(a) If a law requires, as a condition for recording, that a document be an original, be on paper or another tangible medium, or be in writing, the requirement is satisfied by an electronic document satisfying this Act.

(b) If a law requires, as a condition for recording, that a document be signed, the requirement is satisfied by an electronic signature.

(c) A requirement that a document or a signature associated with a document be notarized, acknowledged, verified, witnessed, or made under oath is satisfied if the electronic signature of the person authorized to perform that act, and all other information required to be included, is attached to or logically associated with the document or signature. A physical or electronic image of a stamp,

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impression, or seal need not accompany an electronic signature.

#### Section 4. Recording of documents.

(a) In this Section, "paper document" means a document that is received by the county recorder in a form that is not electronic.

(b) A county recorder:

(1) who implements any of the functions listed in this Section shall do so in compliance with standards established by the Illinois Electronic Recording Commission and must follow the procedures of the Local Records Act before destroying any original paper records as part of a conversion process into an electronic or other format.

(2) may receive, index, store, archive, and transmit electronic documents.

(3) may provide for access to, and for search and retrieval of, documents and information by electronic means, including the Internet, and on approval by the county recorder of the form and amount, the county board may adopt a fee for document detail or image retrieval on the Internet.

(4) who accepts electronic documents for recording shall continue to accept paper documents as authorized by State law and shall place entries for both types of documents in the same index.

(5) may convert paper documents accepted for recording into electronic form.

(6) may convert into electronic form information recorded before the county recorder began to record electronic documents.

(7) may accept electronically any fee or tax that the county recorder is authorized to collect.

(8) may agree with other officials of a state or a political subdivision thereof, or of the United States, on procedures or processes to facilitate the electronic satisfaction of prior approvals and conditions precedent to recording and the electronic payment of fees and taxes.

#### Section 5. Administration and standards.

(a) To adopt standards to implement this Act, there is established, within the Office of the Secretary of State, the Illinois Electronic Recording Commission consisting of 15 commissioners as follows:

(1) The Secretary of State or the Secretary's designee shall be a permanent commissioner.

(2) The Secretary of State shall appoint the following additional 14 commissioners:

(A) Three who are from the land title profession.

(B) Three who are from lending institutions.

(C) One who is an attorney.

(D) Seven who are county recorders, no more than 4 of whom are from one political party, representative of counties of varying size, geography, population, and resources.

(3) On the effective date of this Act, the Secretary of State or the Secretary's

designee shall become the Acting Chairperson of the Commission. The Secretary shall appoint the initial commissioners within 60 days and hold the first meeting of the Commission within 120 days, notifying commissioners of the time and place of the first meeting with at least 14 days' notice. At its first meeting the Commission shall adopt, by a majority vote, such rules and structure that it deems necessary to govern its operations, including the title, responsibilities, and election of officers. Once adopted, the rules and structure may be altered or amended by the Commission by majority vote. Upon the election of officers and adoption of rules or by-laws, the duties of the Acting Chairperson shall cease.

(4) The Commission shall meet at least once every year within the State of Illinois. The time and place of meetings to be determined by the Chairperson and approved by a majority of the Commission.

(5) Eight commissioners shall constitute a quorum.

(6) Commissioners shall receive no compensation for their services but may be reimbursed for reasonable expenses at current rates in effect at the Office of the Secretary of State, directly related to their duties as commissioners and participation at Commission meetings or while on business or at meetings which have been authorized by the Commission.

(7) Appointed commissioners shall serve terms of 3 years, which shall expire on December 1st. Five of the initially appointed commissioners, including at least 2 county recorders, shall serve terms of one year, 5 of the initially appointed commissioners, including at least 2 county recorders, shall serve terms of 2 years, and 4 of the initially appointed commissioners shall serve terms of 3 years, to be determined by lot. The calculation of the terms in office of the initially appointed

commissioners shall begin on the first December 1st after the commissioners have served at least 6 months in office.

(8) The Chairperson shall declare a commissioner's office vacant immediately after receipt of a written resignation, death, a recorder commissioner no longer holding the public office, or under other circumstances specified within the rules adopted by the Commission, which shall also by rule specify how and by what deadlines a replacement is to be appointed.

(b) The Commission shall adopt and transmit to the Secretary of State standards to implement this Act and shall be the exclusive entity to set standards for counties to engage in electronic recording in the State of Illinois.

(c) To keep the standards and practices of county recorders in this State in harmony with the standards and practices of recording offices in other jurisdictions that enact substantially this Act and to keep the technology used by county recorders in this State compatible with technology used by recording offices in other jurisdictions that enact substantially this Act, the Commission, so far as is consistent with the purposes, policies, and provisions of this Act, in adopting, amending, and repealing standards shall consider:

(1) standards and practices of other jurisdictions;

(2) the most recent standards promulgated by national standard-setting bodies, such as the Property Records Industry Association;

(3) the views of interested persons and governmental officials and entities;

(4) the needs of counties of varying size, population, and resources; and

(5) standards requiring adequate information security protection to ensure that electronic documents are accurate, authentic, adequately preserved, and resistant to tampering.

(d) The Commission shall review the statutes related to real property and the statutes related to recording real property documents and shall recommend to the General Assembly any changes in the statutes that the Commission deems necessary or advisable.

(e) Funding. The Secretary of State may accept for the Commission, for any of its purposes and functions, donations, gifts, grants, and appropriations of money, equipment, supplies, materials, and services from the federal government, the State or any of its departments or agencies, a county or municipality, or from any institution, person, firm, or corporation. The Commission may authorize a fee payable by counties engaged in electronic recording to fund its expenses. Any fee shall be proportional based on county population or number of documents recorded annually. On approval by a county recorder of the form and amount, a county board may authorize payment of any fee out of the special fund it has created to fund document storage and electronic retrieval, as authorized in Section 3-5018 of the Counties Code. Any funds received by the Office of the Secretary of State for the Commission shall be used entirely for expenses approved by and for the use of the Commission.

(f) The Secretary of State shall provide administrative support to the Commission, including the preparation of the agenda and minutes for Commission meetings, distribution of notices and proposed rules to commissioners, payment of bills and reimbursement for expenses of commissioners.

(g) Standards and rules adopted by the Commission shall be delivered to the Secretary of State. Within 60 days, the Secretary shall either promulgate by rule the standards adopted, amended, or repealed or return them to the Commission, with findings, for changes. The Commission may override the Secretary by a three-fifths vote, in which case the Secretary shall publish the Commission's standards.

Section 6. (Blank).

Section 7. Relation to Electronic Signatures in Global and National Commerce Act. This Act modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act (15 U.S.C. Section 7001, et seq.) but does not modify, limit, or supersede Section 101(c) of that Act (15 U.S.C. Section 7001(c)) or authorize electronic delivery of any of the notices described in Section 103(b) of that Act (15 U.S.C. Section 7003(b)).

Section 90. The Credit Agreements Act is amended by changing Section 2 as follows:

(815 ILCS 160/2) (from Ch. 17, par. 7102)

Sec. 2. Credit agreements to be in writing.

(a) A debtor may not maintain an action on or in any way related to a credit agreement unless the credit agreement is in writing, expresses an agreement or commitment to lend money or extend credit or delay or forbear repayment of money, sets forth the relevant terms and conditions, and is signed by the creditor and the debtor.

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(b) This Section shall not constitute a defense to a claim that arises out of bad faith conduct intended to unjustly benefit a creditor or a third party. Mere failure by a creditor to enter into a credit agreement with or to provide a written commitment to a debtor, without more, shall not constitute bad faith under this Section.

(c) By enacting this amendatory Act of the 95th General Assembly, it is the intent of the General Assembly to make explicit the original meaning of Section 2 of the Credit Agreements Act. See Machinery Transports of Illinois v. Morton Community Bank, 293 Ill.App.3d 207 (3rd Dist. 1997).

(d) This amendatory Act of the 95th General Assembly applies to pending actions as well as actions commenced on or after its effective date.

(Source: P.A. 86-613.)

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

Senator Cullerton moved the foregoing amendment be ordered to lie on the table.

The motion to table prevailed.

Senator Cullerton offered the following amendment and moved its adoption:

**AMENDMENT NO. 7 TO HOUSE BILL 830**

AMENDMENT NO. 7. Amend House Bill 830, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended, if and only if Senate Bill 472 of the 95th General Assembly becomes law, by changing Section 8-2001 as follows:

(735 ILCS 5/8-2001) (from Ch. 110, par. 8-2001)

Sec. 8-2001. Examination of health care records.

(a) In this Section:

"Health care facility" or "facility" means a public or private hospital, ambulatory surgical treatment center, nursing home, independent practice association, or physician hospital organization, or any other entity where health care services are provided to any person. The term does not include a health care practitioner.

"Health care practitioner" means any health care practitioner, including a physician, dentist, podiatrist, advanced practice nurse, physician assistant, clinical psychologist, or clinical social worker. The term includes a medical office, health care clinic, health department, group practice, and any other organizational structure for a licensed professional to provide health care services. The term does not include a health care facility.

(b) Every private and public health care facility shall, upon the request of any patient who has been treated in such health care facility, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, permit the patient, his or her healthcare practitioner, authorized attorney, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative to examine the health care facility patient care records, including but not limited to the history, bedside notes, charts, pictures and plates, kept in connection with the treatment of such patient, and permit copies of such records to be made by him or her or his or her healthcare practitioner or authorized attorney.

(c) Every health care practitioner shall, upon the request of any patient who has been treated by the health care practitioner, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, permit the patient and the patient's health care practitioner or authorized attorney, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, to examine and copy the patient's records, including but not limited to those relating to the diagnosis, treatment, prognosis, history, charts, pictures and plates, kept in connection with the treatment of such patient.

(d) A request for copies of the records shall be in writing and shall be delivered to the administrator or manager of such health care facility or to the health care practitioner. The person (including patients, health care practitioners and attorneys) requesting copies of records shall reimburse the facility or the health care practitioner at the time of such copying for all reasonable expenses, including the costs of independent copy service companies, incurred in connection with such copying not to exceed a \$20 handling charge for processing the request and the actual postage or shipping charge, if any, plus: (1) for paper copies 75 cents per page for the first through 25th pages, 50 cents per page for the 26th through

50th pages, and 25 cents per page for all pages in excess of 50 (except that the charge shall not exceed \$1.25 per page for any copies made from microfiche or microfilm; records retrieved from scanning, digital imaging, electronic information or other digital format do not qualify as microfiche or microfilm retrieval for purposes of calculating charges); and (2) for electronic records, retrieved from a scanning, digital imaging, electronic information or other digital format in a electronic document, a charge of 50% of the per page charge for paper copies under subdivision (d)(1). This per page charge includes the cost of 75 cents for each CD Rom, DVD, or other storage media. Records already maintained in an electronic or digital format shall be provided in an electronic format when so requested. If the records system does not allow for the creation or transmission of an electronic or digital record, then the facility or practitioner shall inform the requester in writing of the reason the records can not be provided electronically. The written explanation may be included with the production of paper copies, if the requester chooses to order paper copies. These rates shall be automatically adjusted as set forth in Section 8-2006. The facility or health care practitioner may, however, charge for the reasonable cost of all duplication of record material or information that cannot routinely be copied or duplicated on a standard commercial photocopy machine such as x-ray films or pictures.

(e) The requirements of this Section shall be satisfied within 30 days of the receipt of a written request by a patient or by his or her legally authorized representative, healthcare practitioner, authorized attorney, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative. If the facility or health care practitioner needs more time to comply with the request, then within 30 days after receiving the request, the facility or health care practitioner must provide the requesting party with a written statement of the reasons for the delay and the date by which the requested information will be provided. In any event, the facility or health care practitioner must provide the requested information no later than 60 days after receiving the request.

(f) A health care facility or health care practitioner must provide the public with at least 30 days prior notice of the closure of the facility or the health care practitioner's practice. The notice must include an explanation of how copies of the facility's records may be accessed by patients. The notice may be given by publication in a newspaper of general circulation in the area in which the health care facility or health care practitioner is located.

(g) Failure to comply with the time limit requirement of this Section shall subject the denying party to expenses and reasonable attorneys' fees incurred in connection with any court ordered enforcement of the provisions of this Section.

(Source: P.A. 93-87, eff. 7-2-03; 94-155, eff. 1-1-06; 09500SB0472ham001.)

Section 10. "An Act concerning civil law", Senate Bill 472 of the 95th General Assembly, is amended, if and only if Senate Bill 472 of the 95th General Assembly becomes law, by changing Section 99 as follows:

(SB 472, 95th G.A., Sec. 99)

Sec. 99. Effective date. This Act takes effect upon becoming law, except that the provisions amending the Code of Civil Procedure by changing Sections 8-2001, 8-2005, and 8-2006 and repealing Section 8-2003 take effect on January 1, 2008.

(Source: 09500SB0472ham001.)

Section 99. Effective date. This Act takes effect upon becoming law, except Section 5 takes effect on January 1, 2008."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Cullerton offered the following amendment and moved its adoption:

#### **AMENDMENT NO. 8 TO HOUSE BILL 830**

AMENDMENT NO. 8. Amend House Bill 830, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 7, on page 1, line 7 by changing "Section 8-2001" to "Sections 8-2001 and 8-2005"; and

on page 5, by inserting after line 26 the following:

"(735 ILCS 5/8-2005)

Sec. 8-2005. Attorney's records. This Section applies only if a client and his or her authorized attorney have complied with all applicable legal requirements regarding examination and copying of client files,

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including but not limited to satisfaction of expenses and attorney retaining liens.

Upon the request of a client, an attorney shall permit the client's authorized attorney to examine and copy the records kept by the attorney in connection with the representation of the client, with the exception of attorney work product. The request for examination and copying of the records shall be in writing and shall be delivered to the attorney. Within a reasonable time after the attorney receives the written request, the attorney shall comply with the written request at his or her office or any other place designated by him or her. At the time of copying, the person requesting the records shall reimburse the attorney for all reasonable expenses, including the costs of independent copy service companies, incurred by the attorney in connection with the copying not to exceed a \$20 handling charge for processing the request, and the actual postage or shipping charges, if any, plus (1) for paper copies 75 cents per page for the first through 25th pages, 50 cents per page for the 26th through 50th pages, and 25 cents per page for all pages in excess of 50 (except that the charge shall not exceed \$1.25 per page for any copies made from microfiche or microfilm; records retrieved from scanning, digital imaging, electronic information or other digital format do not qualify as microfiche or microfilm retrieval for purposes of calculating charges); and (2) for electronic records, retrieved from a scanning, digital imaging, electronic information or other digital format in a electronic document, a charge of 50% of the per page charge for paper copies under subdivision (d)(1). This per page charge includes the cost of 75 cents for each CD Rom, DVD, or other storage media. Records already maintained in an electronic or digital format shall be provided in an electronic format when so requested. If the records system does not allow for the creation or transmission of an electronic or digital record, then the attorney shall inform the requester in writing of the reason the records can not be provided electronically. The written explanation may be included with the production of paper copies, if the requester chooses to order paper copies. These rates shall be automatically adjusted as set forth in Section 8-2006. The attorney may, however, charge for the reasonable cost of all duplication of record material or information that cannot routinely be copied or duplicated on a standard commercial photocopy machine such as pictures.

An attorney shall satisfy the requirements of this Section within 60 days after he or she receives a request from a client or his or her authorized attorney. An attorney who fails to comply with the time limit requirement of this Section shall be required to pay expenses and reasonable attorney's fees incurred in connection with any court-ordered enforcement of the requirements of this Section. (Source: P.A. 92-228, eff. 9-1-01; 09500SB0472ham001.)"

The motion prevailed.

And the amendment was adopted and ordered printed.

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

### READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Cullerton, **House Bill No. 830**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 51; Nays None; Present 1.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Ronen
Bomke	Garrett	Link	Rutherford
Bond	Haine	Luechtefeld	Schoenberg
Brady	Halvorson	Maloney	Sieben
Clayborne	Harmon	Martinez	Silverstein
Collins	Hendon	Millner	Sullivan
Crotty	Holmes	Murphy	Syverson
Cullerton	Hultgren	Noland	Trotter
Dahl	Hunter	Peterson	Viverito
DeLeo	Jacobs	Radogno	Watson
Delgado	Jones, J.	Raoul	Wilhelmi

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Demuzio  
Forby

Koehler  
Kotowski

Righter  
Risinger

Mr. President

The following voted present:

Cronin

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

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

#### CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator Kotowski, **Senate Bill No. 8**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Sandoval
Bomke	Garrett	Luechtefeld	Schoenberg
Bond	Haine	Maloney	Sieben
Brady	Halvorson	Martinez	Silverstein
Clayborne	Harmon	Millner	Sullivan
Collins	Hendon	Murphy	Trotter
Cronin	Holmes	Noland	Viverito
Crotty	Hultgren	Peterson	Watson
Cullerton	Hunter	Radogno	Wilhelmi
Dahl	Jacobs	Raoul	Mr. President
DeLeo	Jones, J.	Righter	
Delgado	Koehler	Risinger	
Demuzio	Kotowski	Ronen	
Forby	Lightford	Rutherford	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 8**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Garrett, **Senate Bill No. 144**, with House Amendments numbered 1 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Righter moved for a division of the question and requested separate roll calls.

Senator Garrett moved that the Senate concur with the House in the adoption of their Amendment No. 1 to said bill.

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

Yeas 53; Nays None.

The following voted in the affirmative:

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Althoff	Frerichs	Link	Sandoval
Bomke	Garrett	Luechtefeld	Schoenberg
Bond	Haine	Maloney	Sieben
Brady	Halvorson	Martinez	Silverstein
Clayborne	Harmon	Millner	Sullivan
Collins	Hendon	Murphy	Syverson
Cronin	Holmes	Noland	Trotter
Crotty	Hultgren	Peterson	Viverito
Cullerton	Hunter	Radogno	Watson
Dahl	Jacobs	Raoul	Wilhelmi
DeLeo	Jones, J.	Righter	Mr. President
Delgado	Koehler	Risinger	
Demuzio	Kotowski	Ronen	
Forby	Lightford	Rutherford	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 144**.

Senator Garrett moved that the Senate concur with the House in the adoption of their Amendment No. 3 to said bill.

Senator Brady had an inquiry of the Chair as to the number of votes required for passage.

The Chair stated a three-fifths majority vote is required for passage.

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

Yeas 28; Nays 19.

The following voted in the affirmative:

Bond	Garrett	Lightford	Silverstein
Clayborne	Halvorson	Link	Trotter
Collins	Harmon	Martinez	Wilhelmi
Crotty	Hendon	Noland	Mr. President
Cullerton	Holmes	Radogno	
DeLeo	Hunter	Raoul	
Delgado	Koehler	Sandoval	
Frerichs	Kotowski	Schoenberg	

The following voted in the negative:

Althoff	Hultgren	Murphy	Sullivan
Bomke	Jones, J.	Peterson	Syverson
Brady	Luechtefeld	Righter	Viverito
Cronin	Maloney	Rutherford	Watson
Haine	Millner	Sieben	

The motion lost.

And the Senate nonconcurred with the House in the adoption of their Amendment No. 3 to **Senate Bill No. 144**.

Ordered that the Secretary inform the House of Representatives thereof.

#### MOTION IN WRITING

I move to nonconcur with the House in the adoption of their Amendment No. 3 to Senate Bill No. 144.

DATE: 6-6-07

s/Susan Garrett  
Senator

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The foregoing Motion in Writing was filed with the Secretary and placed on the Senate Calendar.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON  
SECRETARY'S DESK**

On motion of Senator Garrett, **Senate Bill No. 158**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Forby	Kotowski	Ronen
Bomke	Frerichs	Lightford	Rutherford
Bond	Garrett	Link	Sandoval
Brady	Haine	Luechtefeld	Schoenberg
Clayborne	Halvorson	Maloney	Sieben
Collins	Harmon	Martinez	Silverstein
Cronin	Hendon	Millner	Sullivan
Crotty	Holmes	Murphy	Trotter
Cullerton	Hultgren	Noland	Viverito
Dahl	Hunter	Peterson	Watson
DeLeo	Jacobs	Radogno	Wilhelmi
Delgado	Jones, J.	Righter	Mr. President
Demuzio	Koehler	Risinger	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 158**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Maloney, **Senate Bill No. 314**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Schoenberg
Bomke	Garrett	Luechtefeld	Sieben
Bond	Haine	Maloney	Silverstein
Brady	Halvorson	Martinez	Sullivan
Clayborne	Harmon	Millner	Syverson
Collins	Hendon	Murphy	Trotter
Cronin	Holmes	Noland	Viverito
Crotty	Hultgren	Peterson	Watson
Cullerton	Hunter	Radogno	Wilhelmi
Dahl	Jacobs	Raoul	Mr. President
DeLeo	Jones, J.	Risinger	
Delgado	Koehler	Ronen	

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Demuzio	Kotowski	Rutherford
Forby	Lightford	Sandoval

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 314**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Harmon, **Senate Bill No. 336**, with House Amendments numbered 1 and 3 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Sandoval
Bomke	Garrett	Luechtefeld	Schoenberg
Bond	Haine	Maloney	Sieben
Brady	Halvorson	Martinez	Silverstein
Clayborne	Harmon	Millner	Sullivan
Collins	Hendon	Murphy	Syverson
Cronin	Holmes	Noland	Trotter
Crotty	Hultgren	Peterson	Viverito
Cullerton	Hunter	Radogno	Watson
Dahl	Jacobs	Raoul	Wilhelmi
DeLeo	Jones, J.	Righter	Mr. President
Delgado	Koehler	Risinger	
Demuzio	Kotowski	Ronen	
Forby	Lightford	Rutherford	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 3 to **Senate Bill No. 336**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Harmon, **Senate Bill No. 337**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 50; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Sandoval
Bomke	Garrett	Link	Schoenberg
Bond	Haine	Luechtefeld	Sieben
Brady	Halvorson	Maloney	Silverstein
Clayborne	Harmon	Millner	Sullivan
Collins	Hendon	Murphy	Syverson
Cronin	Holmes	Noland	Trotter
Crotty	Hultgren	Peterson	Viverito
Dahl	Hunter	Raoul	Watson

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DeLeo	Jacobs	Righter	Wilhelmi
Delgado	Jones, J.	Risinger	Mr. President
Demuzio	Koehler	Ronen	
Forby	Kotowski	Rutherford	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 337**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Maloney, **Senate Bill No. 435**, with House Amendments numbered 1, 3 and 4 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Sandoval
Bomke	Garrett	Luechtefeld	Schoenberg
Bond	Haine	Maloney	Sieben
Brady	Halvorson	Martinez	Silverstein
Clayborne	Harmon	Millner	Sullivan
Collins	Hendon	Murphy	Syverson
Cronin	Holmes	Noland	Trotter
Crotty	Hultgren	Peterson	Viverito
Cullerton	Hunter	Radogno	Watson
Dahl	Jacobs	Raoul	Wilhelmi
DeLeo	Jones, J.	Righter	Mr. President
Delgado	Koehler	Risinger	
Demuzio	Kotowski	Ronen	
Forby	Lightford	Rutherford	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1, 3 and 4 to **Senate Bill No. 345**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Wilhelmi, **Senate Bill No. 574**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Sandoval
Bomke	Garrett	Luechtefeld	Schoenberg
Bond	Haine	Maloney	Sieben
Brady	Halvorson	Martinez	Silverstein
Clayborne	Harmon	Millner	Sullivan
Collins	Hendon	Murphy	Syverson
Cronin	Holmes	Noland	Trotter
Crotty	Hultgren	Peterson	Viverito

Cullerton	Hunter	Radogno	Watson
Dahl	Jacobs	Raoul	Wilhelmi
DeLeo	Jones, J.	Righter	Mr. President
Delgado	Koehler	Risinger	
Demuzio	Kotowski	Ronen	
Forby	Lightford	Rutherford	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 574**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cullerton, **Senate Bill No. 607**, with House Amendments numbered 1, 2 and 3 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Sandoval
Bomke	Garrett	Luechtefeld	Schoenberg
Bond	Haine	Maloney	Sieben
Brady	Halvorson	Martinez	Silverstein
Clayborne	Harmon	Millner	Sullivan
Collins	Hendon	Murphy	Syverson
Cronin	Holmes	Noland	Trotter
Crotty	Hultgren	Peterson	Viverito
Cullerton	Hunter	Radogno	Watson
Dahl	Jacobs	Raoul	Wilhelmi
DeLeo	Jones, J.	Righter	Mr. President
Delgado	Koehler	Risinger	
Demuzio	Kotowski	Ronen	
Forby	Lightford	Rutherford	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1, 2 and 3 to **Senate Bill No. 607**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Wilhelmi, **Senate Bill No. 697**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Sandoval
Bomke	Garrett	Luechtefeld	Schoenberg
Bond	Haine	Maloney	Sieben
Brady	Halvorson	Martinez	Silverstein
Clayborne	Harmon	Millner	Sullivan

Collins	Hendon	Murphy	Syverson
Cronin	Holmes	Noland	Trotter
Crotty	Hultgren	Peterson	Viverito
Cullerton	Hunter	Radogno	Watson
Dahl	Jacobs	Raoul	Wilhelmi
DeLeo	Jones, J.	Righter	Mr. President
Delgado	Koehler	Risinger	
Demuzio	Kotowski	Ronen	
Forby	Lightford	Rutherford	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 697**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Garrett, **Senate Bill No. 729**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Sandoval
Bomke	Garrett	Luechtefeld	Schoenberg
Bond	Haine	Maloney	Sieben
Brady	Halvorson	Martinez	Silverstein
Clayborne	Harmon	Millner	Sullivan
Collins	Hendon	Murphy	Syverson
Cronin	Holmes	Noland	Trotter
Crotty	Hultgren	Peterson	Viverito
Cullerton	Hunter	Radogno	Watson
Dahl	Jacobs	Raoul	Wilhelmi
DeLeo	Jones, J.	Righter	Mr. President
Delgado	Koehler	Risinger	
Demuzio	Kotowski	Ronen	
Forby	Lightford	Rutherford	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 729**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Garrett, **Senate Bill No. 1579**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Sandoval
Bomke	Garrett	Luechtefeld	Schoenberg

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Bond	Haine	Maloney	Silverstein
Brady	Halvorson	Martinez	Sullivan
Clayborne	Harmon	Millner	Syverson
Collins	Hendon	Murphy	Trotter
Cronin	Holmes	Noland	Viverito
Crotty	Hultgren	Peterson	Watson
Cullerton	Hunter	Radogno	Wilhelmi
Dahl	Jacobs	Raoul	Mr. President
DeLeo	Jones, J.	Righter	
Delgado	Koehler	Risinger	
Demuzio	Kotowski	Ronen	
Forby	Lightford	Rutherford	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1579**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Kotowski, **Senate Bill No. 940**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 48; Nays 4; Present 1.

The following voted in the affirmative:

Althoff	Forby	Link	Sandoval
Bomke	Frerichs	Luechtefeld	Schoenberg
Bond	Garrett	Maloney	Silverstein
Brady	Haine	Martinez	Sullivan
Clayborne	Halvorson	Millner	Trotter
Collins	Harmon	Murphy	Viverito
Cronin	Hendon	Noland	Watson
Crotty	Holmes	Peterson	Wilhelmi
Cullerton	Hultgren	Radogno	Mr. President
Dahl	Hunter	Raoul	
DeLeo	Koehler	Righter	
Delgado	Kotowski	Ronen	
Demuzio	Lightford	Rutherford	

The following voted in the negative:

Jacobs	Risinger
Jones, J.	Sieben

The following voted present:

Syverson

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 940**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **Senate Bill No. 1094**, with House Amendments numbered 1 and 4 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Garrett	Luechtefeld	Schoenberg
Bond	Haine	Maloney	Sieben
Brady	Halvorson	Martinez	Silverstein
Clayborne	Harmon	Millner	Sullivan
Collins	Hendon	Murphy	Syverson
Cronin	Holmes	Noland	Trotter
Crotty	Hultgren	Peterson	Viverito
Cullerton	Hunter	Radogno	Watson
Dahl	Jacobs	Raoul	Wilhelmi
DeLeo	Jones, J.	Righter	Mr. President
Delgado	Koehler	Risinger	
Demuzio	Kotowski	Ronen	
Forby	Lightford	Rutherford	
Frerichs	Link	Sandoval	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 4 to **Senate Bill No. 1094**.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 2:35 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, June 7, 2007, at 12:00 o'clock noon.