



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**137TH LEGISLATIVE DAY**

**THURSDAY, MARCH 13, 2008**

**12:30 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**137th Legislative Day**

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The Senate met pursuant to adjournment.  
 Senator Rickey R. Hendon, Chicago, Illinois, presiding.

The Journal of Wednesday, March 12, 2008, 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.

### LEGISLATIVE MEASURES FILED

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

Senate Floor Amendment No. 1 to Senate Bill 2594

The following Committee amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Rules:

Senate Committee Amendment No. 1 to Senate Bill 2866

### PRESENTATION OF RESOLUTION

#### SENATE RESOLUTION 591

Offered by Senator Haine and all Senators:  
 Mourns the death of Collinsville Mayor Stanley Schaeffer.

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

### COMMITTEE REPORT CORRECTION

The following correction has been made on the report from the Senate Committee on Environment and Energy: The report dated March 12, 2008, stated that Senate Bill 2095 was recommended "Do Pass, as Amended." While Committee Amendment 1 was adopted by the committee, Senate Bill 2095 has been held by the committee.

### REPORTS FROM STANDING COMMITTEES

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **Senate Bills Numbered 2063, 2207, 2210, 2231, 2256, 2322, 2374, 2472, 2501, 2546, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685, 2686, 2687, 2688, 2689, 2690, 2691, 2692, 2693, 2694, 2695, 2696, 2697, 2698, 2699, 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 2729 and 2730**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **Senate Bills Numbered 1999, 2006, 2113, 2400 and 2825**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

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Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **House Bill No. 2482**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **House Joint Resolution No. 111**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **House Joint Resolution No. 111** was placed on the Secretary's Desk.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Bills Numbered 1890, 2092, 2178, 2193, 2302, 2391, 2415, 2431, 2626 and 2632**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Bills Numbered 1989, 2009, 2074, 2326, 2344 and 2538**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Resolutions numbered 484, 550 and 554**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Resolutions numbered 484, 550 and 554** were placed on the Secretary's Desk.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Joint Resolutions numbered 77, 78 and 82**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Joint Resolutions numbered 77, 78 and 82** were placed on the Secretary's Desk.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **House Joint Resolution No. 82**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **House Joint Resolution No. 82** was placed on the Secretary's Desk.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **House Joint Resolution No. 21**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolution, as amended, be adopted.

Under the rules, **House Joint Resolution No. 21** was placed on the Secretary's Desk.

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred **Senate Bills Numbered 1995, 2072, 2148, 2282, 2329, 2873, 2874, 2875 and 2912**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred **Senate Bills Numbered 2099, 2227, 2584 and 2882**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Delgado, Chairperson of the Committee on Licensed Activities, to which was referred **Senate Bills Numbered 1869, 1929, 1998, 2100, 2179, 2211, 2285, 2290, 2424, 2760 and 2838**, reported the same back with the recommendation that the bills do pass.

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Under the rules, the bills were ordered to a second reading.

Senator Delgado, Chairperson of the Committee on Licensed Activities, to which was referred **Senate Bills Numbered 2028 and 2222**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Haine, Chairperson of the Committee on Insurance, to which was referred **Senate Bills Numbered 2296, 2499 and 2502**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Haine, of the Committee on Insurance, to which was referred **Senate Bills Numbered 2201, 2358, and 2380**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred **Senate Bills Numbered 1908, 2413, 2603 and 2736**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Lightford, Chairperson of the Committee on Education, to which was referred **Senate Bills Numbered 2013, 2071, 2170, 2182, 2481, 2482 and 2799**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Lightford, Chairperson of the Committee on Education, to which was referred **Senate Bills Numbered 1956, 2091, 2293, 2328, 2379, 2402, 2412 and 2512**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Forby, Chairperson of the Committee on Labor, to which was referred **Senate Bills Numbered 2188, 2216 and 2375**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Forby, Chairperson of the Committee on Labor, to which was referred **Senate Bill No. 2397**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Forby, Chairperson of the Committee on Labor, to which was referred **Senate Joint Resolution No. 83**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolution, as amended, be adopted.

Under the rules, **Senate Joint Resolution No. 83** was placed on the Secretary's Desk.

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary Civil Law, to which was referred **Senate Bills Numbered 1865, 2085, 2111, 2128, 2161, 2232, 2428, 2435, 2489, 2527 and 2594**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary Civil Law, to which was referred **Senate Bills Numbered 1941, 2080, 2124, 2138, 2139, 2287 and 2827**, reported

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the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Collins, Chairperson of the Committee on Financial Institutions, to which was referred **Senate Bills Numbered 2786 and 2828**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Collins, Chairperson of the Committee on Financial Institutions, to which was referred **Senate Bill No. 1879**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Crotty, Chairperson of the Committee on Local Government, to which was referred **Senate Bill No. 2824**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Garrett, Chairperson of the Committee on Public Health, to which was referred **Senate Bills Numbered 1900 and 2865**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Jacobs, Chairperson of the Committee on Housing and Community Affairs, to which was referred **Senate Bill No. 2425**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Jacobs, Chairperson of the Committee on Housing and Community Affairs, to which was referred **Senate Bills Numbered 1988 and 2566**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

#### INQUIRY OF THE CHAIR

Senator Pankau had an inquiry of the Chair as to why her Motions in Writing regarding Senate Bill 2464 and Senate Bill 2468 were not printed on today's Calendar.

The Chair stated it would look into her inquiry.

#### EXCUSED FROM ATTENDANCE

On motion of Senator Risinger, Senator Lauzen was excused from attendance due to illness.

At the hour of 12:40 o'clock p.m., Senator Halvorson presiding.

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

On motion of Senator Hendon, **House Bill No. 2482** having been printed, was taken up and read by title a second time.

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

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**AMENDMENT NO. 1 TO HOUSE BILL 2482**

AMENDMENT NO. 1. Amend House Bill 2482 on page 2, in line 22, by changing "show;" to "show with Illinois production spending for the year of less than \$5,000,000;".

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

**CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK**

Senator Harmon moved that **House Joint Resolution No. 111**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Harmon moved that House Joint Resolution No. 111 be adopted.

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	Dillard	Lightford	Risinger
Bivins	Forby	Link	Sandoval
Bomke	Frerichs	Luechtefeld	Schoenberg
Bond	Garrett	Maloney	Steans
Brady	Haine	Martinez	Sullivan
Burzynski	Halvorson	Millner	Syverson
Clayborne	Harmon	Munoz	Trotter
Collins	Hendon	Murphy	Viverito
Cronin	Holmes	Noland	Watson
Cullerton	Hultgren	Pankau	Wilhelmi
Dahl	Jacobs	Peterson	Mr. President
DeLeo	Jones, J.	Radogno	
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 12:42 o'clock p.m., Senator Hendon presiding.

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

On motion of Senator Murphy, **Senate Bill No. 2622**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2636**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2638**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2639** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2639**

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AMENDMENT NO. 1. Amend Senate Bill 2639 as follows:

on page 1, line 9, by changing "shall apply" to "applies through December 31, 2013 and applies"

on page 1, by replacing lines 15 through 17 with the following:  
 "requires to be adopted. For the purposes of this Section, "requires to be"; and

on page 1, by replacing lines 21 through 23 with the following:  
 "State for failure to adopt such rules."; and

on page 2, line 1, by deleting "other type of sanction".

Senate Floor Amendment No. 2 was held in the Committee on Rules.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2640** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2640**

AMENDMENT NO. 1. Amend Senate Bill 2640 on page 7, by replacing line 9 with the following:

"(f) The Board has the authority to grant a stay of the effectiveness of certain conditions of a CAAPP permit that are appealed under this Section. The Board also has the authority to stay the effectiveness of an entire CAAPP permit if (i) the entire permit is appealed under this Section or (ii) if the party seeking the stay demonstrates that the CAAPP permit cannot reasonably be given effect before the resolution of the conditions being appealed. If the entire CAAPP permit is stayed, then any prior existing permit continues in full force and effect until the final Board decision on the appeal of the entire CAAPP permit has been made. If the effectiveness of certain conditions of a CAAPP permit are stayed, then any related conditions of any prior existing permit continue in full force and effect until the final Board decision on the appeal of the CAAPP permit has been made.

(g) Section 10-65(b) of the Illinois Administrative".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2643**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peterson, **Senate Bill No. 2749**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2754**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2755**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 2757**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Watson, **Senate Bill No. 2775** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2775**

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AMENDMENT NO. 1. Amend Senate Bill 2775 replacing everything after the enacting clause with the following:

"Section 5. The Illinois Diseased Animals Act is amended by changing Section 6 as follows:  
(510 ILCS 50/6) (from Ch. 8, par. 173)

Sec. 6. Whenever quarantine is established in accordance with the provisions of this Act, notice shall be given by delivery in person or by mailing by registered or certified mail, postage prepaid, to the owner or occupant of any premises so quarantined. Such notice shall be written or printed, or partly written and partly printed, with an explanation of the contents thereof. Such quarantine shall be sufficiently proved in any court by the production of a true copy of such notice of quarantine together with an affidavit, sworn to by the officer or employee of the Department who delivered or mailed such notice, containing a statement that the original thereof was delivered or mailed in the manner herein prescribed.

Every quarantine so established shall remain in effect until removed by order of the Department. Any person aggrieved by any quarantine may appeal to the Department which shall thereupon sustain, modify or annul the quarantine as it may deem proper. ~~Quarantines will be removed when epidemiological evidence indicates that the disease or contamination threat to humans or other animals no longer exists.~~

Upon the satisfaction of the Director that the reason for quarantine no longer exists, animals and premises quarantined under this Act shall be released. The requirements for release shall be determined based on one or both of the following: (i) the most recent veterinary medical information available for the condition or (ii) consultation with USDA or other federal agencies and reference their recommendations, guidelines, or requirements.

Methods for quarantine release may include, but are not limited to:

(1) Complete and total depopulation of affected animals followed by Department approved methods of cleaning and disinfection of the quarantined premises, when appropriate, as verified by a Department representative.

(2) Completion of a Department approved testing protocol that proves the condition no longer exists in the affected and susceptible animals.

(3) The use of a vaccination protocol approved by the Department combined with an approved testing protocol and depopulation of the affected animals.

(4) Completion of a treatment protocol approved by the Department followed by a testing protocol approved by the Department proving the condition no longer exists in the treated animals.

(5) Fulfillment of the requirements for quarantine release as provided for in the Program Standards or Uniform Methods and Rules for state/federal cooperative disease programs.

(6) After the lapse of an appropriate length of time, it is determined to the satisfaction of the Director that the condition for which the quarantine was issued no longer exists.

Within 45 days after the issuance of quarantine, the Department shall provide the owner with a protocol whereby the quarantine will be released. Notice of the required protocol shall be given by delivery in person or by mailing by registered or certified mail, postage prepaid, to the owner or occupant of any premises under quarantine.

(Source: P.A. 95-179, eff. 8-14-07; 95-554, eff. 8-30-07.)

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2783** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2783**

AMENDMENT NO. 1. Amend Senate Bill 2783 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by changing Section 19-125 as follows:  
(220 ILCS 5/19-125)

Sec. 19-125. Consumer education.

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(a) The Commission shall make available upon request and at no charge, and shall make available to the public on the Internet through the State of Illinois World Wide Web site:

(1) a list of all certified alternative gas suppliers serving residential and small commercial customers within the service area of each gas utility including, in the case of the Internet, computer links to available web sites of the certified alternative gas suppliers;

(2) a list of all certified alternative gas suppliers serving residential or small commercial customers that have been found in the last 3 years by the Commission pursuant to Section 10-108 to have failed to provide service in accordance with this Act;

(3) guidelines to assist customers in determining which gas supplier is most appropriate for each customer; and

(4) Internet links to providers of information that enables customers to compare prices and services of gas utilities and alternative gas suppliers, if and when that information is available.

(b) In any service area where customers are able to choose their natural gas supplier, the Commission shall require gas utilities and alternative gas suppliers to inform customers of how they may contact the Commission in order to obtain information about the customer choice program.

(c) The Commission shall make available in print, upon request and at no charge, and on its World Wide Web site, information on where customers of alternative gas suppliers serving residential and small commercial customers can address any complaint with regard to an alternative gas supplier's obligations under Section 19-115 of this Act, including the provision of service in accordance with the terms of its contract, sales tactics, and rates. The Commission shall maintain a summary by category and provider of all informal complaints it receives pursuant to this Section, and it shall publish the summary on a quarterly basis on its World Wide Web site. Individual customer information shall not be included in the summary.

(Source: P.A. 92-852, eff. 8-26-02.)"

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2784**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2785**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2788**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **Senate Bill No. 2830**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bomke, **Senate Bill No. 2845**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2851**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **Senate Bill No. 2854**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **Senate Bill No. 2857**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Kotowski, **Senate Bill No. 2859**, having been printed, was taken up, read by title a second time.

Senate Floor Amendment No. 1 was held in the Committee on Rules.

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

On motion of Senator Hunter, **Senate Bill No. 2860**, having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Demuzio, **Senate Bill No. 2861** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2861**

AMENDMENT NO. 1. Amend Senate Bill 2861 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Renewable Fuels Development Program Act is amended by changing Sections 15, 20, and 25 and by adding Sections 15.1, 15.2, and 15.3 as follows:  
(20 ILCS 689/15)

Sec. 15. Illinois Renewable Fuels Development Program.

(a) The Department must develop and administer the Illinois Renewable Fuels Development Program to assist in the construction, modification, alteration, or retrofitting of renewable fuel plants in Illinois. The recipient of a grant under this Section must:

(1) be constructing, modifying, altering, or retrofitting a plant in the State of Illinois;

(2) be constructing, modifying, altering, or retrofitting a plant that has a base total annual production capacity of no less than 30,000,000 gallons of renewable fuel per year; and

(3) enter into a project labor agreement as prescribed by Section 25 of this Act.

(b) Grant applications must be made on forms provided by and in accordance with procedures established by the Department.

(c) The Department must give preference to applicants that use Illinois agricultural products in the production of renewable fuel at the plant for which the grant is being requested.

(d) Facilities that produce ethanol for gasohol or majority blended ethanol fuel shall receive a grant equal to 10 cents per gallon of annual production capacity, not to exceed \$10,000,000 for each facility.

(Source: P.A. 93-15, eff. 6-11-03.)

(20 ILCS 689/15.1 new)

Sec. 15.1. Renewable Fuels Majority Blended Ethanol Infrastructure Program. The Department must establish and administer the Renewable Fuels Majority Blended Ethanol Program to encourage the construction, installation, and marketing of majority blended ethanol, as defined in Section 3-44 of the Use Tax Act. The Renewable Fuels Majority Blended Ethanol Program shall provide financial assistance for units of local government and petroleum distribution centers to install the necessary infrastructure for the use of majority blended ethanol.

The Department must establish the program for the purpose of providing grants to units of local government and gasoline stations or service stations offering to the public retail sales of motor fuel that operate or will be operating majority blended ethanol fueling distribution infrastructure. A unit of local government applying for a grant under this program shall receive a matching grant equaling 50% of the total cost of installation of a majority blended ethanol distribution pump, but not to exceed \$40,000. Gasoline stations or service stations shall be eligible to receive a matching grant equal to 50% the cost of installation per pump location, but not to exceed a total of \$250,000 in grants annually for each gasoline station or service station retailer for locations in the gasoline station or service station retailer's ownership and control. The Department shall adopt necessary rules and forms for the implementation of this Section.

(20 ILCS 689/15.2 new)

Sec. 15.2. Renewable Fuels Competitive Commercialization Program. The Department must develop and administer the Renewable Fuels Competitive Commercialization Program to coordinate renewable fuel research and distribution of grant funds to bring the State to the forefront of renewable fuel development. The Renewable Fuels Competitive Commercialization Grant Oversight Committee is established to review the grants and make recommendations to the Director for awarding grants as provided in this Section. The oversight committee shall be comprised of 11 members. The members shall be appointed as follows: the Director, or his or her designee; the Speaker of the House of Representatives, or his or her designee; the President of the Senate, or his or her designee; the Minority Leader of the House of Representatives, or his or her designee; the Minority Leader of the Senate, or his or her designee; and the following members to be appointed by the Director:

(1) one member representing a general statewide agricultural association;

(2) one member representing an association representing producers of corn;

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- (3) one member representing an association representing producers of soybeans;
- (4) 2 members representing labor organizations affiliated with the Illinois AFL-CIO; and
- (5) one member representing renewable fuels production facilities.

The Department must solicit proposals for grants that provide funds for projects, including but limited not to, adding value to bio-fuel co-products (such as Distillers Dried Grain with solubles (DDGs)), increasing vehicle mileage, and reducing the water usage in manufacturing bio-fuel to increase the competitiveness of renewable fuels produced in the State. Preference shall be given to projects in partnership with industry or pilot-scale demonstration projects that advance the State's leadership in the development of a bio-based economy.

(20 ILCS 689/15.3 new)

Sec. 15.3. Renewable Fuels Rail Infrastructure Assistance Program. The Department must establish and administer the Renewable Fuels Rail Infrastructure Assistance Program to assist in the construction and installation of (i) railroad side track and turnouts to provide rail service to renewable fuels facilities, (ii) side track and turnouts for railroad storage and collection areas for renewable fuels and renewable fuel inputs, and (iii) side track, turnouts, and other necessary infrastructure for renewable fuel and renewable fuel co-products container shipping. Only one grant for the purpose stated under item (iii) of this Section shall be awarded each year. The recipient of a grant under this Section must enter into a project labor agreement for the rail infrastructure project as provided in Section 25 of this Act. Grant applications shall be submitted on forms prescribed by the Department.

(20 ILCS 689/20)

Sec. 20. Grants. Subject to appropriation, the Director is authorized to award Renewable Fuels Development Program Fund grants to eligible applicants. The annual aggregate amount of grants awarded under this Section is subject to the following limits:

(1) grants awarded under the Illinois Renewable Fuels Development Program ~~awarded~~ shall not exceed \$30,000,000 annually in fiscal years 2009 and 2010 and \$15,000,000 thereafter; no more than \$5,000,000 annually of these grant funds may be used for bio-diesel plants; ~~\$20,000,000.~~

(2) grants awarded under the Renewable Fuels Majority Blended Ethanol Infrastructure Program may not exceed \$3,500,000 annually for fiscal years 2009 through 2014;

(3) grants awarded under the Renewable Fuels Competitive Commercialization Program may not exceed \$1,000,000 annually in fiscal years 2009, 2010, and 2011; and

(4) grants awarded under the Renewable Fuels Rail Infrastructure Assistance Program may not exceed \$5,000,000 annually for fiscal years 2009 through 2012.

(Source: P.A. 93-15, eff. 6-11-03; 93-618, eff. 12-11-03; 94-839, eff. 6-6-06.)

Section 10. The State Finance Act is amended by adding Section 5.708 and 6z-73 as follows:

(30 ILCS 105/5.708 new)

Sec. 5.708. The Renewable Fuels Development Program Fund.

(30 ILCS 105/6z-73 new)

Sec. 6z-73. Renewable Fuels Development Program Fund. The Renewable Fuels Development Program Fund is created as a special fund in the State treasury. Moneys in the Fund may be used by the Department of Commerce and Economic Opportunity, subject to appropriation, for the Illinois Renewable Fuels Development Program, the Renewable Fuels Majority Blended Ethanol Infrastructure Program, the Renewable Fuels Competitive Commercialization Program, the Renewable Fuels Rail Infrastructure Assistance Program, and other renewable energy programs as set forth in Section 20 of the Illinois Renewable Fuels Development Program Act.

Moneys received for the purposes of this Section, including, without limitation, fund transfers, gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

There shall be deposited into the Renewable Fuels Development Program Fund such bond proceeds and other moneys as may, from time to time, be provided by law. If the moneys provided by law are not sufficient to provide the annual funding level in the Renewable Fuels Development Program Fund at the levels prescribed below, the State Comptroller must direct the State Treasurer to transfer from the General Revenue Fund to the Renewable Fuels Development Program Fund, no later than February 1, 2009 and on December 1 each year thereafter the necessary amount to provide the funds at the level specified for each fiscal year below:

<u>Fiscal Year</u>	<u>Amount</u>
<u>2009 through 2010</u>	<u>\$39,500,000</u>
<u>2011</u>	<u>\$24,500,000</u>
<u>2012</u>	<u>\$23,500,000</u>

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2013 and 2014  
2015

\$18,500,000  
\$15,000,000

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Cullerton, **Senate Bill No. 2872**, 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. 2877**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Schoenberg, **Senate Bill No. 2883**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Schoenberg, **Senate Bill No. 2887**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **Senate Bill No. 2906** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2906**

AMENDMENT NO. 1. Amend Senate Bill 2906 by replacing everything after the enacting clause with the following:

"Section 5. The Wildlife Code is amended by changing Section 3.1 as follows:

(520 ILCS 5/3.1) (from Ch. 61, par. 3.1)

Sec. 3.1. License and stamps required.

(a) Before any person shall take or attempt to take any of the species protected by Section 2.2 for which an open season is established under this Act, he shall first have procured and possess a valid hunting license, except as provided in Section 3.1-5 of this Code.

Before any person 16 years of age or older shall take or attempt to take any bird of the species defined as migratory waterfowl by Section 2.2, including coots, he shall first have procured a State Migratory Waterfowl Stamp.

Before any person 16 years of age or older takes, attempts to take, or pursues any species of wildlife protected by this Code, except migratory waterfowl, coots, and hand-reared birds on licensed game breeding and hunting preserve areas and state controlled pheasant hunting areas, he or she shall first obtain a State Habitat Stamp. Disabled veterans and former prisoners of war shall not be required to obtain State Habitat Stamps. Any person who obtained a lifetime license before January 1, 1993, shall not be required to obtain State Habitat Stamps. Income from the sale of State Furbearer Stamps and State Pheasant Stamps received after the effective date of this amendatory Act of 1992 shall be deposited into the State Furbearer Fund and State Pheasant Fund, respectively.

Before any person 16 years of age or older shall take, attempt to take, or sell the green hide of any mammal of the species defined as fur-bearing mammals by Section 2.2 for which an open season is established under this Act, he shall first have procured a State Habitat Stamp.

(b) Before any person who is a non-resident of the State of Illinois shall take or attempt to take any of the species protected by Section 2.2 for which an open season is established under this Act, he shall, unless specifically exempted by law, first procure a non-resident license as provided by this Act for the taking of any wild game.

Before a nonresident shall take or attempt to take white-tailed deer, he shall first have procured a Deer Hunting Permit as defined in Section 2.26 of this Code.

Before a nonresident shall take or attempt to take wild turkeys, he shall have procured a Wild Turkey Hunting Permit as defined in Section 2.11 of this Code.

(c) The owners residing on, or bona fide tenants of, farm lands and their children, parents, brothers,

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and sisters actually permanently residing on their lands shall have the right to hunt any of the species protected by Section 2.2 upon their lands and waters without procuring hunting licenses; but the hunting shall be done only during periods of time and with devices and by methods as are permitted by this Act. Any person on active duty with the Armed Forces of the United States who is now and who was at the time of entering the Armed Forces a resident of Illinois and who entered the Armed Forces from this State, and who is presently on ~~ordinary~~ leave from the Armed Forces, and any resident of Illinois who is disabled may hunt any of the species protected by Section 2.2 without procuring a hunting license, but the hunting shall be done only during such periods of time and with devices and by methods as are permitted by this Act. For the purpose of this Section a person is disabled when that person has a Type 1 or Type 4, Class 2 disability as defined in Section 4A of the Illinois Identification Card Act. For purposes of this Section, an Illinois Disabled Person Identification Card issued pursuant to the Illinois Identification Card Act indicating that the person named has a Type 1 or Type 4, Class 2 disability shall be adequate documentation of the disability.

(d) A courtesy non-resident license, permit, or stamp for taking game may be issued at the discretion of the Director, without fee, to any person officially employed in the game and fish or conservation department of another state or of the United States who is within the State to assist or consult or cooperate with the Director; or to the officials of other states, the United States, foreign countries, or officers or representatives of conservation organizations or publications while in the State as guests of the Governor or Director. The Director may provide to nonresident participants and official gunners at field trials an exemption from licensure while participating in a field trial.

(e) State Migratory Waterfowl Stamps shall be required for those persons qualifying under subsections (c) and (d) who intend to hunt migratory waterfowl, including coots, to the extent that hunting licenses of the various types are authorized and required by this Section for those persons.

(f) Registration in the U.S. Fish and Wildlife Migratory Bird Harvest Information Program shall be required for those persons who are required to have a hunting license before taking or attempting to take any bird of the species defined as migratory game birds by Section 2.2, except that this subsection shall not apply to crows in this State or hand-reared birds on licensed game breeding and hunting preserve areas, for which an open season is established by this Act. Persons registering with the Program must carry proof of registration with them while migratory bird hunting.

The Department shall publish suitable prescribed regulations pertaining to registration by the migratory bird hunter in the U.S. Fish and Wildlife Service Migratory Bird Harvest Information Program.

(Source: P.A. 94-1024, eff. 7-14-06)."

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Demuzio, **Senate Bill No. 2907**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 1857**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 1881**, 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. 1938** having been printed, was taken up, read by title a second time.

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

#### AMENDMENT NO. 1 TO SENATE BILL 1938

AMENDMENT NO. 1. Amend Senate Bill 1938 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by adding Section 5-5.26 as follows:  
(305 ILCS 5/5-5.26 new)

Sec. 5-5.26. Child and adult psychiatric services.

(a) The General Assembly finds that direct access to psychiatric mental health services for children

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and adults suffering from mental illness will improve the quality of life for these individuals and will reduce health care costs by avoiding the need for more costly inpatient hospitalization. Thus, it is the intent of the General Assembly to ensure that psychiatrists providing child and adult psychiatric services on an outpatient basis are adequately reimbursed for the cost of providing these services. Therefore, the Department of Healthcare and Family Services, by rule, shall develop a cost-reporting mechanism for service providers as defined in this Section, which shall form the basis for any reimbursements made to psychiatrists providing child and adult psychiatric services in a "service provider" setting as defined in this Section. No later than July 1, 2009, the Department of Healthcare and Family Service, by rule, shall establish a separate cost-based reimbursement rate based on the cost-reporting mechanism for psychiatrists who provide child and adult psychiatric services on an outpatient basis for service providers as defined by this Section.

(b) This Section applies only to psychiatrists who provide child and adult psychiatric services on an outpatient basis for service providers as defined in this Section.

(c) For purposes of this Section:

"Cost-based reimbursement rate" means a rate of reimbursement equal to the allowable and audited reasonable costs reported.

"Psychiatrist" means a psychiatrist as defined in Section 1-121 of the Mental Health and Developmental Disabilities Code.

"Service provider" means any of the following that demonstrates a combined Medicaid, poverty, and uninsured patient population penetration rate of 60% or greater:

(1) An entity certified by the Illinois Department of Human Services under the Medicaid Community Mental Health Services Program under 59 Ill. Adm. Code 132.

(2) A person, corporation, or entity that furnishes medical, educational, psychiatric, vocational, or rehabilitative services to a recipient under this Code and enters into a contract or agreement with one or more of the following State agencies to provide such services:

(A) The Department of Human Services.

(B) The Department of Children and Family Services.

(C) The Department of Corrections.

(D) The Department of Juvenile Justice.

(3) A community mental health board established under the Community Mental Health Act.

"Service provider" does not include an employee of a State agency or county agency.

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Sullivan, **Senate Bill No. 1945**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **Senate Bill No. 1975** having been printed, was taken up, read by title a second time.

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

#### **AMENDMENT NO. 1 TO SENATE BILL 1975**

AMENDMENT NO. 1. Amend Senate Bill 1975 on page 6, by inserting immediately below line 2 the following:

"For a violation of subsection (a) or (b) involving a cellular telephone or cellular telephone battery, the defendant must intend to provide the cellular telephone or cellular telephone battery to any inmate in a penal institution, or to use the cellular telephone or cellular telephone battery at the direction of an inmate or for the benefit of any inmate of a penal institution."; and

on page 7, by inserting immediately below line 17 the following:

"(h) For a violation of subsection (a) or (b) involving items described in clause (i), (v), (vi), (vii), (ix), (x), or (xi) of paragraph (4) of subsection (d), such items shall not be considered to be in a penal institution when they are secured in an employee's locked, private motor vehicle parked on the grounds of a penal institution."

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There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Clayborne, **Senate Bill No. 1981** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 1981**

AMENDMENT NO. 1. Amend Senate Bill 1981 as follows:

on page 1, by replacing lines 10 through 14 with the following:

"the taxable year, makes a matching donation on behalf of an employee of the taxpayer for moneys that the employee contributes in the same taxable year (i) to a specified individual College Savings Pool Account under Section 16.5 of the State Treasurer Act or (ii) to the".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 1985** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 1985**

AMENDMENT NO. 1. Amend Senate Bill 1985 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 14-119 as follows:

(40 ILCS 5/14-119) (from Ch. 108 1/2, par. 14-119)

Sec. 14-119. Amount of widow's annuity.

(a) ~~The~~ The widow's annuity shall be 50% of the amount of retirement annuity payable to the member on the date of death while on retirement if an annuitant, or on the date of his death while in service if an employee, regardless of his age on such date, or on the date of withdrawal if death occurred after termination of service under the conditions prescribed in the preceding Section.

(b) If an eligible widow, regardless of age, has in her care any unmarried child or children of the member under age 18 (under age 22 if a full-time student), the widow's annuity shall be increased in the amount of 5% of the retirement annuity for each such child, but the combined payments for a widow and children shall not exceed 66 2/3% of the member's earned retirement annuity.

The amount of retirement annuity from which the widow's annuity is derived shall be that earned by the member without regard to whether he attained age 60 prior to his withdrawal under the conditions stated or prior to his death.

(c) Marriage of a child shall render the child ineligible for further consideration in the increase in the amount of the widow's annuity.

Attainment of age 18 (age 22 if a full-time student) shall render a child ineligible for further consideration in the increase of the widow's annuity, but the annuity to the widow shall be continued thereafter, without regard to her age at that time.

(d) A widow's annuity payable on account of any covered employee who shall have been a covered employee for at least 18 months shall be reduced by 1/2 of the amount of survivors benefits to which his beneficiaries are eligible under the provisions of the Federal Social Security Act, except that (1) the amount of any widow's annuity payable under this Article shall not be reduced by reason of any increase under that Act which occurs after the offset required by this subsection is first applied to that annuity, and (2) for benefits granted on or after January 1, 1992, the offset under this subsection (d) shall not exceed 50% of the amount of widow's annuity otherwise payable.

(e) Upon the death of a recipient of a widow's annuity the excess, if any, of the member's accumulated contributions plus credited interest over all annuity payments to the member and widow, exclusive of the \$500 lump sum payment, shall be paid to the named beneficiary of the widow, or if none has been named, to the estate of the widow, provided no reversionary annuity is payable.

(f) On January 1, 1981, any recipient of a widow's annuity who was receiving a widow's annuity on or

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before January 1, 1971, shall have her widow's annuity then being paid increased by 1% for each full year which has elapsed from the date the widow's annuity began. On January 1, 1982, any recipient of a widow's annuity who began receiving a widow's annuity after January 1, 1971, but before January 1, 1981, shall have her widow's annuity then being paid increased by 1% for each full year which has elapsed from the date the widow's annuity began. On January 1, 1987, any recipient of a widow's annuity who began receiving the widow's annuity on or before January 1, 1977, shall have the monthly widow's annuity increased by \$1 for each full year which has elapsed since the date the annuity began.

(g) Beginning January 1, 1990, every widow's annuity shall be increased (1) on each January 1 occurring on or after the commencement of the annuity if the deceased member died while receiving a retirement annuity, or (2) in other cases, on each January 1 occurring on or after the first anniversary of the commencement of the annuity, by an amount equal to 3% of the current amount of the annuity, including any previous increases under this Article. Such increases shall apply without regard to whether the deceased member was in service on or after the effective date of Public Act 86-1488, but shall not accrue for any period prior to January 1, 1990. (Source: P.A. 95-279, eff. 1-1-08.)"

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 2005** having been printed, was taken up, read by title a second time.

The following amendments were offered in the Committee on Local Government, adopted and ordered printed:

#### **AMENDMENT NO. 1 TO SENATE BILL 2005**

AMENDMENT NO. 1. Amend Senate Bill 2005 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 5-1092 as follows:  
(55 ILCS 5/5-1092) (from Ch. 34, par. 5-1092)

Sec. 5-1092. Inoperable motor vehicles. A county board may declare by ordinance inoperable motor vehicles, whether on public or private property, to be a nuisance and authorize fines to be levied for the failure of any person to obey a notice received from the county which states that such person is to dispose of any inoperable motor vehicles under his control, and may authorize a law enforcement agency, with applicable jurisdiction, to remove, after 7 days from the issuance of the county notice, any inoperable motor vehicle or parts thereof. However, nothing in this Section shall apply to any motor vehicle that is kept within a building when not in use, to operable historic vehicles over 25 years of age, or to a motor vehicle on the premises of a place of business engaged in the wrecking or junking of motor vehicles.

As used in this Section, "inoperable motor vehicle" means any motor vehicle from which, for a period of at least 7 days or any longer period of time fixed by ordinance, the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power. "Inoperable motor vehicle" shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations. In a non-home rule county with a population of more than 250,000, "inoperable motor vehicle" also includes any motor vehicle that does not have a current license plate or current license tags attached to it if a current license plate or license tags are required under the Illinois Vehicle Code.  
(Source: P.A. 86-962.)

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

#### **AMENDMENT NO. 2 TO SENATE BILL 2005**

AMENDMENT NO. 2. Amend Senate Bill 2005, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 2, line 15, by replacing "250,000" with "500,000".

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

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On motion of Senator Delgado, **Senate Bill No. 2012**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **Senate Bill No. 2014** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2014**

AMENDMENT NO. 1. Amend Senate Bill 2014 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 5-12012.1 as follows:  
(55 ILCS 5/5-12012.1)

Sec. 5-12012.1. Actions subject to de novo review; due process.

(a) Any ~~decision by the county board of any county, home rule or non-home rule, in regard to any petition or application for a special use, variance, rezoning, or other amendment to a zoning ordinance adopted by the county board of any county, home rule or non-home rule,~~ shall be subject to de novo judicial review as a legislative decision, regardless of whether the process in relation thereto ~~of its adoption~~ is considered administrative for other purposes. Any action seeking the judicial review of such a decision shall be commenced not later than 90 days after the date of the decision.

(b) The principles of substantive and procedural due process apply at all stages of the decision-making and review of all zoning decisions.

(Source: P.A. 94-1027, eff. 7-14-06.)

Section 10. The Township Code is amended by changing Section 110-50.1 as follows:  
(60 ILCS 1/110-50.1)

Sec. 110-50.1. Actions subject to de novo review; due process.

(a) Any ~~decision by the township board of any township in regard to any petition or application for a special use, variance, rezoning, or other amendment to a zoning ordinance adopted by the township board of any township~~ shall be subject to de novo judicial review as a legislative decision, regardless of whether the process in relation thereto ~~of its adoption~~ is considered administrative for other purposes. Any action seeking the judicial review of such a decision shall be commenced not later than 90 days after the date of the decision.

(b) The principles of substantive and procedural due process apply at all stages of the decision-making and review of all zoning decisions.

(Source: P.A. 94-1027, eff. 7-14-06.)

Section 15. The Illinois Municipal Code is amended by changing Section 11-13-25 as follows:  
(65 ILCS 5/11-13-25)

Sec. 11-13-25. Actions subject to de novo review; due process.

(a) Any ~~decision by the corporate authorities of any municipality, home rule or non-home rule, in regard to any petition or application for a special use, variance, rezoning, or other amendment to a zoning ordinance adopted by the corporate authorities of any municipality, home rule or non-home rule,~~ shall be subject to de novo judicial review as a legislative decision, regardless of whether the process in relation thereto ~~of its adoption~~ is considered administrative for other purposes. Any action seeking the judicial review of such a decision shall be commenced not later than 90 days after the date of the decision.

(b) The principles of substantive and procedural due process apply at all stages of the decision-making and review of all zoning decisions.

(Source: P.A. 94-1027, eff. 7-14-06.)".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 2017**, having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Haine, **Senate Bill No. 2031**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **Senate Bill No. 2034**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **Senate Bill No. 2047**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 2052** having been printed, was taken up, read by title a second time.

Senate Committee Amendment No. 1 was held in the Committee on Rules.

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

**AMENDMENT NO. 2 TO SENATE BILL 2052**

AMENDMENT NO. 2. Amend Senate Bill 2052 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Flood Prevention District Act.

Section 5. Creation; purpose.

(a) Madison, Monroe, and St. Clair Counties may each be designated independently and separately as a flood prevention district for the purpose of performing emergency levee repair and flood prevention in order to prevent the loss of life or property. The county board of any such county may declare an emergency and create a flood prevention district by the affirmative vote of the majority of the members of the county board.

(b) Two or more flood prevention districts may join together through an intergovernmental agreement, pursuant to the Intergovernmental Cooperation Act.

(c) Any district created under this Act shall be dissolved upon the later of (i) 25 years after the date the district is created or (ii) the payment of all obligations of the district under Section 20 of this Act and any federal reimbursement moneys to the county treasurer under Section 30 of this Act. A district may be dissolved earlier if all federal reimbursement moneys have been paid to the county treasurer and all obligations of the district have been paid, including its obligations related to bonds issued under Section 20 of this Act and any obligations incurred pursuant to an intergovernmental agreement.

Section 10. Commissioners.

The affairs of the district shall be managed by a board of 3 commissioners who shall be appointed by the chairman of the county board of the county in which the district is situated. All initial appointments under this Section must be made within 90 days after the district is organized. Of the initial appointments, one commissioner shall serve for a one-year term, one commissioner shall serve for a 2-year term, and one commissioner shall serve for a 3-year term, as determined by lot. Their successors shall be appointed for 3-year terms. No commissioner may serve for more than 20 years. All appointments must be made so that no more than 2 commissioners are from the same political party at the time of the appointment. With respect to appointments representing the minority party in the county, the minority party members of the county board may submit names for consideration to the chairman of the county board. Each commissioner must be a legal voter in the district. Commissioners shall serve without compensation, but may be reimbursed for reasonable expenses incurred in the performance of their duties.

Section 20. Powers of the district. A district formed under this Act shall have the following powers:

(1) To sue or be sued.

(2) To apply for and accept gifts, grants, and loans from any public agency or private entity.

(3) To enter into intergovernmental agreements to further ensure levee repair, levee construction or reconstruction, and flood prevention, including agreements with the United States Army Corps of Engineers or any other agency or department of the federal government.

(4) To undertake evaluation, planning, design, construction, and related activities that are determined to be urgently needed to stabilize, repair, restore, improve, or replace existing levees

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and other flood control systems.

(5) To address underseepage problems and old and deteriorating pumps, gates, pipes, electrical controls, and other infrastructure.

(6) To conduct evaluations of levees and other flood control facilities that protect urban areas, including the performance of floodplain mapping studies.

(7) To provide capital moneys for levee or river-related scientific studies, including the construction of facilities for such purposes.

(8) To borrow money or receive money from the United States Government or any agency thereof, or from any other public or private source, for the purposes of the District.

(9) To enter into agreements with private property owners.

(10) To issue revenue bonds, payable from revenue received from a retailers' occupation tax imposed under Section 25 of this Act, and from any other revenue sources available to the flood prevention district. These bonds may be issued with maturities not exceeding 25 years from the date of the bonds, and in such amounts as may be necessary to provide sufficient funds, together with interest, for the purposes of the District. These bonds shall bear interest at a rate of not more than the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract of sale, payable semi-annually, may be made registerable as to principal, and may be made payable and callable as provided on any date at a price of par and accrued interest under such terms and conditions as may be fixed by the ordinance authorizing the issuance of the bonds. Bonds issued under this Section are negotiable instruments. In case any officer whose signature appears on the bonds or coupons ceases to hold that office before the bonds are delivered, such officer's signature, shall nevertheless be valid and sufficient for all purposes, the same as though such officer had remained in office until the bonds were delivered. The bonds shall be sold in such manner and upon such terms as the board of commissioners shall determine, except that the selling price shall be such that the interest cost to the District of the proceeds of the bonds shall not exceed the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract of sale, payable semi-annually, computed to maturity according to the standard table of bond values. A request to issue revenue bonds by the Commission must be submitted for approval to the county board of the county in which the district is situated. The county board has 30 calendar days to approve the issuance of such bonds. If the county board does not approve or disapprove the issuance of the bonds within 30 calendar days after the receipt of such request, the request shall be deemed approved.

(11) To acquire property by gift, grant, or eminent domain, in accordance with the Eminent Domain Act. Any action by the District to acquire property by eminent domain requires the express approval of the county board.

(12) To retain professional staff to carry out the functions of the District. Any flood prevention district shall employ a Chief Supervisor of Construction and the Works with appropriate professional qualifications, including a degree in engineering, construction, hydrology, or a related field, or an equivalent combination of education and experience. The Chief Supervisor of Construction and the Works shall be vested with the authority to carry out the duties and mission of the Flood Prevention District, pursuant to the direction and supervision of the Board of Commissioners. The Chief Supervisor of Construction and the Works may hire additional staff as necessary to carry out the duties and mission of the district, including administrative support personnel. Two or more districts may, through an intergovernmental agreement, share the services of a Chief Supervisor of Construction and the Works, support staff, or both. If 2 districts are adjoining and share a common federal levee, they must retain the services of the same person as Chief Supervisor of Construction and the Works.

(13) To conduct an audit of any drainage, levee, or sanitary district within the territory of the flood prevention district.

#### Section 25. Retailers' occupation tax.

(a) If the Board of a flood prevention district determines that an emergency situation exists regarding levee repair or flood prevention, and upon an ordinance or resolution adopted by the affirmative vote of a majority of the members of the county board of the county in which the district is situated, it may impose a retailers' occupation tax upon all persons engaged in the business of selling tangible personal property at retail within the territory of the district for a period not to exceed 25 years or as required to repay the bonds issued pursuant to Section 20 of this Act. The tax rate shall be 0.25% of the gross receipts from all taxable sales made in the course of that business. The tax imposed under this Section and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the

State Department of Revenue. The Department shall have full power to administer and enforce this Section; to collect all taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder.

In the administration of and compliance with this subsection, the Department and persons who are subject to this subsection (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) are subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) shall employ the same modes of procedure as are set forth in Sections 1 through 1o, 2 through 2-70 (in respect to all provisions contained in those Sections other than the State rate of tax), 2a through 2h, 3 (except as to the disposition of taxes and penalties collected), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act as if those provisions were set forth in this subsection.

Persons subject to any tax imposed under this Section may reimburse themselves for their seller's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination in a single amount with State taxes that sellers are required to collect under the Use Tax Act, under any bracket schedules the Department may prescribe.

If a tax is imposed under this subsection (a), a tax shall also be imposed under subsection (b) of this Section.

(b) If a tax has been imposed under subsection (a), a service occupation tax shall also be imposed upon all persons within the territory of the district engaged in the business of making sales of service, who, as an incident to making the sales of service, transfer tangible personal property within the territory of the district, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax rate shall be 0.25% of the selling price of all tangible personal property transferred.

The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the State Department of Revenue. The Department shall have full power to administer and enforce this subsection; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder.

In the administration of and compliance with this subsection, the Department and persons who are subject to this subsection (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) employ the same modes of procedure as are set forth in Sections 2 (except that that reference to State in the definition of supplier maintaining a place of business in this State means the district), 2a through 2d, 3 through 3-50 (in respect to all provisions contained in those Sections other than the State rate of tax), 4 (except that the reference to the State shall be to the district), 5, 7, 8 (except that the jurisdiction to which the tax is a debt to the extent indicated in that Section 8 is the district), 9 (except as to the disposition of taxes and penalties collected), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State means the district), Section 15, 16, 17, 18, 19, and 20 of the Service Occupation Tax Act and all provisions of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, that charge may be stated in combination in a single amount with State tax that servicemen are authorized to collect under the Service Use Tax Act, under any bracket schedules the Department may prescribe.

(c) This additional tax may not be imposed on personal property titled or registered with an agency of the State; food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption); prescription and non-prescription medicines, drugs, and medical appliances; or insulin, urine testing materials, and syringes and needles used by diabetics.

(d) Nothing in this Section shall be construed to authorize the district to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by the State.

(e) The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act or a serviceman under the Service Occupation Tax Act permits the retailer or serviceman to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this Section.

(f) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes

and penalties collected under this Section to be deposited into the Flood Prevention Occupation Tax Fund, which shall be an unappropriated trust fund held outside the State treasury.

On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller that disbursement of stated sums of money to the counties from which retailers or servicemen have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to each county is equal to the amount (not including credit memoranda) collected from the county under this Section during the second preceding calendar month by the Department, (i) less 2% of that amount, which shall be deposited into the Tax Compliance and Administration Fund and shall be used by the Department in administering and enforcing the provisions of this Section on behalf of the county, (ii) plus an amount that the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body; (iii) less an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county; and (iv) less any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the county. When certifying the amount of a monthly disbursement to a county under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements within the previous 6 months from the time a miscalculation is discovered.

Within 10 days after receipt by the Comptroller from the Department of the disbursement certification to the counties provided for in this Section, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with directions contained in the certification.

If the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, then the Department shall notify the Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the Treasurer out of the Flood Prevention Occupation Tax Fund.

(g) If a flood prevention district board imposes a tax under this Section, then the board shall, by ordinance, discontinue the tax upon the payment of all bonded indebtedness of the District. The tax shall not be discontinued until all bonded indebtedness of the District has been paid.

(h) Any ordinance imposing the tax under this Section, or any ordinance that discontinues the tax, must be certified by the county clerk and filed with the Illinois Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax or change in the rate as of the first day of January next following the filing.

(j) This Section may be cited as the Flood Prevention Occupation Tax Law.

#### Section 30. Disbursement of federal funds.

(a) Any reimbursements for the construction of flood protection facilities shall be appropriated to each county flood prevention district in accordance with the location of the specific facility for which the federal appropriation is made.

(b) If there are federal reimbursements to a county flood prevention district for construction of flood protection facilities that were built using revenues authorized by this Act, those funds shall be used for early retirement of bonds issued in accordance with this Act.

(c) When all bond obligations of the District have been paid, any remaining federal reimbursement moneys shall be remitted to the county treasurer for deposit into a special fund for the continued long-term maintenance of federal levees and flood protection facilities, pursuant to the direction of the county board.

Section 35. Financial audit of the Commission. A financial audit of the Commission shall be conducted annually by a certified public accountant (CPA) that is licensed at the time of the audit by the Illinois Department of Financial and Professional Regulation. The CPA shall meet all of the general standards concerning qualifications, independence, due professional care, and quality control as required by the Government Auditing Standards, 1994 Revision, Chapter 3, including the requirements for continuing professional education and external peer review. The financial audit is to be performed in accordance with generally accepted auditing standards issued by the American Institute of Certified Public Accountants (AICPA) for field work and reporting, generally accepted government auditing standards (GAGAS) and AICPA Statements on Auditing Standards (SAS) current at the time the audit is commenced. The audit shall be made publicly available and sent to the county board chairman of the

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county in which the district is situated and to the Illinois Secretary of State.

Section 40. Budget of the Commission. The Commission shall adopt an annual budget by August 31 of each year for the fiscal year beginning October 1. Such budget shall include expected revenues by source and expenditures by project or by function for the following year. The budget must be approved by the county board of the county in which the district is situated prior to any expenditure by the Commission for the fiscal year beginning October 1. The county board must approve or disapprove the budget of the commission within 30 calendar days after the budget is received by the county board. If the county board does not act to approve or disapprove the budget within 30 calendar days of receipt, it shall stand as approved.

In addition, the Commission shall submit an annual report to the county board by August 31 of each year detailing the activities of the district. This report must also include any information submitted to the flood prevention district by a drainage, levee, or sanitary district in accordance with Section 4-45 of the Illinois Drainage Code or Section 2-2 of the Metro-East Sanitary District Act.

Section 45. Procurement. The Commission shall conduct all procurements in accordance with the requirements of the Local Government Professional Services Selection Act and any competitive bid requirements contained in Section 5-1022 of the Counties Code.

Section 50. Contracts for construction. A request for any construction contract of more than \$10,000 by the Commission must be submitted for approval to the county board of the county in which the district is situated. The county board has 30 calendar days to approve the construction contract. If the county board does not approve or disapprove the construction contract within 30 calendar days after the receipt of such request, the request shall be deemed approved.

Section 60. The Intergovernmental Cooperation Act is amended by adding Section 3.9 as follows:  
(5 ILCS 220/3.9 new)

Sec. 3.9. Flood prevention. Two or more county flood prevention districts may enter into an intergovernmental agreement to provide any services authorized in the Flood Prevention District Act.

Section 70. The Illinois Governmental Ethics Act is amended by changing Section 4A-101 as follows:  
(5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

Sec. 4A-101. Persons required to file. The following persons shall file verified written statements of economic interests, as provided in this Article:

- (a) Members of the General Assembly and candidates for nomination or election to the General Assembly.
- (b) Persons holding an elected office in the Executive Branch of this State, and candidates for nomination or election to these offices.
- (c) Members of a Commission or Board created by the Illinois Constitution, and candidates for nomination or election to such Commission or Board.
- (d) Persons whose appointment to office is subject to confirmation by the Senate.
- (e) Holders of, and candidates for nomination or election to, the office of judge or associate judge of the Circuit Court and the office of judge of the Appellate or Supreme Court.
- (f) Persons who are employed by any branch, agency, authority or board of the government of this State, including but not limited to, the Illinois State Toll Highway Authority, the Illinois Housing Development Authority, the Illinois Community College Board, and institutions under the jurisdiction of the Board of Trustees of the University of Illinois, Board of Trustees of Southern Illinois University, Board of Trustees of Chicago State University, Board of Trustees of Eastern Illinois University, Board of Trustees of Governor's State University, Board of Trustees of Illinois State University, Board of Trustees of Northeastern Illinois University, Board of Trustees of Northern Illinois University, Board of Trustees of Western Illinois University, or Board of Trustees of the Illinois Mathematics and Science Academy, and are compensated for services as employees and not as independent contractors and who:
  - (1) are, or function as, the head of a department, commission, board, division, bureau, authority or other administrative unit within the government of this State, or who exercise similar authority within the government of this State;
  - (2) have direct supervisory authority over, or direct responsibility for the formulation, negotiation, issuance or execution of contracts entered into by the State in the amount of \$5,000 or more;

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- (3) have authority for the issuance or promulgation of rules and regulations within areas under the authority of the State;
  - (4) have authority for the approval of professional licenses;
  - (5) have responsibility with respect to the financial inspection of regulated nongovernmental entities;
  - (6) adjudicate, arbitrate, or decide any judicial or administrative proceeding, or review the adjudication, arbitration or decision of any judicial or administrative proceeding within the authority of the State;
  - (7) have supervisory responsibility for 20 or more employees of the State; or
  - (8) negotiate, assign, authorize, or grant naming rights or sponsorship rights regarding any property or asset of the State, whether real, personal, tangible, or intangible.
  - (g) Persons who are elected to office in a unit of local government, and candidates for nomination or election to that office, including regional superintendents of school districts.
  - (h) Persons appointed to the governing board of a unit of local government, or of a special district, and persons appointed to a zoning board, or zoning board of appeals, or to a regional, county, or municipal plan commission, or to a board of review of any county, and persons appointed to the Board of the Metropolitan Pier and Exposition Authority and any Trustee appointed under Section 22 of the Metropolitan Pier and Exposition Authority Act, and persons appointed to a board or commission of a unit of local government who have authority to authorize the expenditure of public funds. This subsection does not apply to members of boards or commissions who function in an advisory capacity.
    - (i) Persons who are employed by a unit of local government and are compensated for services as employees and not as independent contractors and who:
      - (1) are, or function as, the head of a department, division, bureau, authority or other administrative unit within the unit of local government, or who exercise similar authority within the unit of local government;
      - (2) have direct supervisory authority over, or direct responsibility for the formulation, negotiation, issuance or execution of contracts entered into by the unit of local government in the amount of \$1,000 or greater;
      - (3) have authority to approve licenses and permits by the unit of local government; this item does not include employees who function in a ministerial capacity;
      - (4) adjudicate, arbitrate, or decide any judicial or administrative proceeding, or review the adjudication, arbitration or decision of any judicial or administrative proceeding within the authority of the unit of local government;
      - (5) have authority to issue or promulgate rules and regulations within areas under the authority of the unit of local government; or
      - (6) have supervisory responsibility for 20 or more employees of the unit of local government.
    - (j) Persons on the Board of Trustees of the Illinois Mathematics and Science Academy.
    - (k) Persons employed by a school district in positions that require that person to hold an administrative or a chief school business official endorsement.
    - (l) Special government agents. A "special government agent" is a person who is directed, retained, designated, appointed, or employed, with or without compensation, by or on behalf of a statewide executive branch constitutional officer to make an ex parte communication under Section 5-50 of the State Officials and Employees Ethics Act or Section 5-165 of the Illinois Administrative Procedure Act.
    - (m) Members of the board of commissioners of any flood prevention district.
- This Section shall not be construed to prevent any unit of local government from enacting financial disclosure requirements that mandate more information than required by this Act.  
(Source: P.A. 93-617, eff. 12-9-03; 93-816, eff. 7-27-04.)

Section 75. The Illinois Drainage Code is amended by adding Section 4-45 as follows:  
(70 ILCS 605/4-45 new)

Sec. 4-45. Flood prevention districts; reporting requirement; control. If a flood prevention district has been formed under the Flood Prevention District Act, the flood prevention district shall have the exclusive authority to repair, construct, or reconstruct levees within the territory of the flood prevention district. If any part of the territory of a drainage district, levee district, or sanitary district overlaps with the territory of a flood prevention district, the drainage district, levee district, or sanitary district shall operate under the direction of the board of commissioners of the flood prevention district with respect to

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the repair, construction, or reconstruction of levees. In addition, the board of commissioners of any such drainage, levee, or sanitary district must comply with any requests for information by the board of commissioners of the flood prevention district, including, but not limited to, requests for information concerning past, present, and future contracts; employees of the drainage, levee, or sanitary district; finances of the drainage, levee, or sanitary district; and other activities of the drainage, levee, or sanitary district. This information must be submitted to the board of commissioners of the flood prevention district within 30 days after the request is received.

Section 80. The Metro-East Sanitary District Act of 1974 is amended by changing Section 2-2 as follows:

(70 ILCS 2905/2-2) (from Ch. 42, par. 502-2)

Sec. 2-2.

To lay out, locate, establish and construct one or more levees or embankments of such size, material and character as may be required to protect the district against overflow from any river, or tributary stream, or water-course, and to lay out, establish and construct all such other or additional improvements or works as may be auxiliary or incidental thereto, or promotive of the sanitary purposes contemplated in this Act; and to maintain, repair, change, enlarge and add to such levees, embankments, improvements and work as may be necessary or proper to meet future requirements for the accomplishment of the purposes aforesaid.

To the extent that any part of the territory of the District overlaps with a flood prevention district that is formed under the Flood Prevention District Act, the flood prevention district shall have the exclusive authority to repair, construct, or reconstruct levees within the territory of the flood prevention district. The District shall operate under the direction of the board of commissioners of the flood prevention district with respect to the repair, construction, or reconstruction of levees within the territory of the flood prevention district. In addition, the board of the District must comply with any requests for information by the board of commissioners of the flood prevention district, including, but not limited to, requests for information concerning past, present, and future contracts; employees of the District; finances of the District; and other activities of the District. This information must be submitted to the board of commissioners of the flood prevention district within 30 days after the request is received.

(Source: P.A. 78-1017.)

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

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Koehler, **Senate Bill No. 2053**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **Senate Bill No. 2077**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **Senate Bill No. 2097**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Brady, **Senate Bill No. 2102**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Clayborne, **Senate Bill No. 2105** having been printed, was taken up, read by title a second time.

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

#### **AMENDMENT NO. 1 TO SENATE BILL 2105**

AMENDMENT NO. 1. Amend Senate Bill 2105 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by changing Section 16-115 as follows:  
(220 ILCS 5/16-115)

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Sec. 16-115. Certification of alternative retail electric suppliers.

(a) Any alternative retail electric supplier must obtain a certificate of service authority from the Commission in accordance with this Section before serving any retail customer or other user located in this State. An alternative retail electric supplier may request, and the Commission may grant, a certificate of service authority for the entire State or for a specified geographic area of the State.

(b) An alternative retail electric supplier seeking a certificate of service authority shall file with the Commission a verified application containing information showing that the applicant meets the requirements of this Section. The alternative retail electric supplier shall publish notice of its application in the official State newspaper within 10 days following the date of its filing. No later than 45 days after the application is properly filed with the Commission, and such notice is published, the Commission shall issue its order granting or denying the application.

(c) An application for a certificate of service authority shall identify the area or areas in which the applicant intends to offer service and the types of services it intends to offer. Applicants that seek to serve residential or small commercial retail customers within a geographic area that is smaller than an electric utility's service area shall submit evidence demonstrating that the designation of this smaller area does not violate Section 16-115A. An applicant that seeks to serve residential or small commercial retail customers may state in its application for certification any limitations that will be imposed on the number of customers or maximum load to be served.

(d) The Commission shall grant the application for a certificate of service authority if it makes the findings set forth in this subsection based on the verified application and such other information as the applicant may submit:

(1) That the applicant possesses sufficient technical, financial and managerial resources and abilities to provide the service for which it seeks a certificate of service authority. In determining the level of technical, financial and managerial resources and abilities which the applicant must demonstrate, the Commission shall consider (i) the characteristics, including the size and financial sophistication, of the customers that the applicant seeks to serve, and (ii) whether the applicant seeks to provide electric power and energy using property, plant and equipment which it owns, controls or operates. In addition, in determining financial resources, the Commission shall consider equally all commercially available ratings of the applicant or license holder, or both, including, but not limited to, ratings from bond-issuing agencies as well as commercial ratings for privately-held companies without public debt. The Commission shall also consider any equivalency ratings consistent with generally accepted rating practices. The Commission shall not promulgate any rules more or less favorable to applicants or license holders, or both, with a public debt rating over those without a public debt rating;

(2) That the applicant will comply with all applicable federal, State, regional and industry rules, policies, practices and procedures for the use, operation, and maintenance of the safety, integrity and reliability, of the interconnected electric transmission system;

(3) That the applicant will only provide service to retail customers in an electric utility's service area that are eligible to take delivery services under this Act;

(4) That the applicant will comply with such informational or reporting requirements as the Commission may by rule establish and provide the information required by Section 16-112. Any data related to contracts for the purchase and sale of electric power and energy shall be made available for review by the Staff of the Commission on a confidential and proprietary basis and only to the extent and for the purposes which the Commission determines are reasonably necessary in order to carry out the purposes of this Act;

(5) (Blank);

(6) With respect to an applicant that seeks to serve residential or small commercial retail customers, that the area to be served by the applicant and any limitations it proposes on the number of customers or maximum amount of load to be served meet the provisions of Section 16-115A, provided, that the Commission can extend the time for considering such a certificate request by up to 90 days, and can schedule hearings on such a request;

(7) That the applicant meets the requirements of subsection (a) of Section 16-128; and

(8) That the applicant will comply with all other applicable laws and regulations.

(e) A retail customer that owns a cogeneration or self-generation facility and that seeks certification only to provide electric power and energy from such facility to retail customers at separate locations which customers are both (i) owned by, or a subsidiary or other corporate affiliate of, such applicant and (ii) eligible for delivery services, shall be granted a certificate of service authority upon filing an application and notifying the Commission that it has entered into an agreement with the relevant electric utilities pursuant to Section 16-118. Provided, however, that if the retail customer owning such

cogeneration or self-generation facility would not be charged a transition charge due to the exemption provided under subsection (f) of Section 16-108 prior to the certification, and the retail customers at separate locations are taking delivery services in conjunction with purchasing power and energy from the facility, the retail customer on whose premises the facility is located shall not thereafter be required to pay transition charges on the power and energy that such retail customer takes from the facility.

(f) The Commission shall have the authority to promulgate rules and regulations to carry out the provisions of this Section. On or before May 1, 1999, the Commission shall adopt a rule or rules applicable to the certification of those alternative retail electric suppliers that seek to serve only nonresidential retail customers with maximum electrical demands of one megawatt or more which shall provide for (i) expedited and streamlined procedures for certification of such alternative retail electric suppliers and (ii) specific criteria which, if met by any such alternative retail electric supplier, shall constitute the demonstration of technical, financial and managerial resources and abilities to provide service required by subsection (d) (1) of this Section, such as a requirement to post a bond or letter of credit, from a responsible surety or financial institution, of sufficient size for the nature and scope of the services to be provided; demonstration of adequate insurance for the scope and nature of the services to be provided; and experience in providing similar services in other jurisdictions. (Source: P.A. 95-130, eff. 1-1-08.)

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Wilhelmi, **Senate Bill No. 2110** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2110**

AMENDMENT NO. 1. Amend Senate Bill 2110 on page 2, by replacing lines 2 through 12 with the following:

"performed for environmental remediation of real property at the following sites or facilities:

(A) all sites or facilities that are listed as proposed or final on the National Priorities List pursuant to Section 105 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. 9601 et seq.);

(B) all sites or facilities undergoing remediation pursuant to an administrative order issued pursuant to Section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. 9601 et seq.);

(C) all sites or facilities that are owned or operated by a department, agency, or instrumentality of the United States that are undergoing remediation pursuant to Section 120 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. 9601 et seq.);

(D) all sites or facilities undergoing remediation pursuant to a settlement agreement pursuant to Section 122 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. 9601 et seq.);

(E) all sites or facilities undergoing remediation pursuant to Section 3008(h) of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et seq.);

(F) all sites or facilities undergoing remediation pursuant to Section 7003 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et seq.); or

(G) all sites or facilities undergoing remediation pursuant to a court or board order issued pursuant to the Illinois Environmental Protection Act (415 ILCS 5/) with the approval of the Agency."; and

on page 7, line 15, after "State", by inserting the following:

", including but not limited to interests compliant with 35 Ill. Adm. Code 742, Subpart J."

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There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Koehler, **Senate Bill No. 2112**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **Senate Bill No. 2129**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Millner, **Senate Bill No. 2137**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Risinger, **Senate Bill No. 2157** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2157**

AMENDMENT NO. 1. Amend Senate Bill 2157 on page 1, line 18, by changing "of" to "is".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Risinger, **Senate Bill No. 2158**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bomke, **Senate Bill No. 2159**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 2162** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2162**

AMENDMENT NO. 1. Amend Senate Bill 2162 on page 2, line 11, by changing "2007" to "2009".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Demuzio, **Senate Bill No. 2165** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2165**

AMENDMENT NO. 1. Amend Senate Bill 2165 on page 4, line 16, before the period, by inserting the following: ", such that the adjusted rate is no lower than the rate in effect on June 30, 1995; and

on page 6, line 5, before the period, by inserting the following: ", such that the adjusted rate is no lower than the rate in effect on July 1, 1998".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 2190** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2190**

AMENDMENT NO. 1. Amend Senate Bill 2190 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Sections 9-1.7 and 9-1.8 as follows:  
(10 ILCS 5/9-1.7) (from Ch. 46, par. 9-1.7)

Sec. 9-1.7. "Local political committee" means the candidate himself or any individual, trust, partnership, committee, association, corporation, or other organization or group of persons which:

(a) accepts contributions or grants or makes expenditures during any 12-month period in an aggregate amount exceeding \$3,000 on behalf of or in opposition to a candidate or candidates for public office who are required by the Illinois Governmental Ethics Act to file statements of economic interests with the county clerk, or on behalf of or in opposition to a candidate or candidates for election to the office of ward or township committeeman in counties of 3,000,000 or more population;

(b) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$3,000 in support of or in opposition to any question of public policy to be submitted to the electors of an area encompassing no more than one county. The \$3,000 threshold established in this paragraph (b) applies to any receipts or expenditures received or made with the purpose of securing a place on the ballot for, advocating the defeat or passage of, or engaging in electioneering communication regarding the question of public policy regardless of the method of initiation of the question of public policy and regardless of whether petitions have been circulated or filed with the appropriate office or whether the question has been adopted and certified by the governing body;

(c) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$3,000 and has as its primary purpose the furtherance of governmental, political or social values, is organized on a not-for-profit basis, and which publicly endorses or publicly opposes a candidate or candidates for public office who are required by the Illinois Governmental Ethics Act to file statements of economic interest with the County Clerk or a candidate or candidates for the office of ward or township committeeman in counties of 3,000,000 or more population; or

(d) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$3,000 for electioneering communications relating to any candidate or candidates described in paragraph (a) or any question of public policy described in paragraph (b).

(Source: P.A. 93-847, eff. 7-30-04.)

(10 ILCS 5/9-1.8) (from Ch. 46, par. 9-1.8)

Sec. 9-1.8. "State political committee" means the candidate himself or any individual, trust, partnership, committee, association, corporation, or any other organization or group of persons which--

(a) accepts contributions or grants or makes expenditures during any 12-month period in an aggregate amount exceeding \$3,000 on behalf of or in opposition to a candidate or candidates for public office who are required by the Illinois Governmental Ethics Act to file statements of economic interests with the Secretary of State,

(b) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$3,000 in support of or in opposition to any question of public policy to be submitted to the electors of an area encompassing more than one county. The \$3,000 threshold established in this paragraph (b) applies to any receipts or expenditures received or made with the purpose of securing a place on the ballot for, advocating the defeat or passage of, or engaging in electioneering communication regarding the question of public policy regardless of the method of initiation of the question of public policy and regardless of whether petitions have been circulated or filed with the appropriate office or whether the question has been adopted and certified by the governing body,

(c) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$3,000 and has as its primary purpose the furtherance of governmental, political or social values, is organized on a not-for-profit basis, and which publicly endorses or publicly opposes a candidate or candidates for public office who are required by the Illinois Governmental Ethics Act to file statements of economic interest with the Secretary of State, or

(d) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$3,000 for electioneering communications relating to any candidate or candidates described in paragraph (a) or any question of public policy described in paragraph (b).

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(Source: P.A. 93-847, eff. 7-30-04.)".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 2191**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **Senate Bill No. 2198** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2198**

AMENDMENT NO. 1. Amend Senate Bill 2198 on page 3, line 1, by replacing "possession," with "manufacture".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

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

On motion of Senator Wilhelmi, **Senate Bill No. 2294**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peterson, **Senate Bill No. 2304**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Brady, **Senate Bill No. 2365**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Millner, **Senate Bill No. 2382**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **Senate Bill No. 2401**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **Senate Bill No. 2407**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **Senate Bill No. 2429**, 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. 2476**, having been printed, was taken up, read by title a second time and held on the order of second reading.

On motion of Senator Kotowski, **Senate Bill No. 2494**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Kotowski, **Senate Bill No. 2509**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 2520**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 2526**, having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Raoul, **Senate Bill No. 2529**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **Senate Bill No. 2558** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2558**

AMENDMENT NO. 1. Amend Senate Bill 2558, on page 10, line 18, by replacing "person" with "member".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

**RESOLUTIONS CONSENT CALENDAR**

**SENATE RESOLUTION 575**

Offered by Senator Dillard and all Senators:  
Mourns the death of James "Jim" Robert Mansell of Hinsdale.

**SENATE RESOLUTION 576**

Offered by Senator Forby and all Senators:  
Mourns the death of Lester Saxe of Benton.

**SENATE RESOLUTION 577**

Offered by Senator Forby and all Senators:  
Mourns the death of Rosemary Berkel Crisp of Marion.

**SENATE RESOLUTION 578**

Offered by Senator Forby and all Senators:  
Mourns the death of Tressa (DeMattei) Sevenski of Benton.

**SENATE RESOLUTION 579**

Offered by Senator Demuzio and all Senators:  
Mourns the death of Mary L. Sowerby of Thayer.

**SENATE RESOLUTION 583**

Offered by Senator Link and all Senators:  
Mourns the death of Dennis R. Cobb of Waukegan.

**SENATE RESOLUTION 584**

Offered by Senator Forby and all Senators:  
Mourns the death of William Joseph "Bill" Lamont of West Frankfort.

**SENATE RESOLUTION 585**

Offered by Senator Wilhelmi and all Senators:  
Mourns the death of Ken Armstrong O'Brien of Joliet, formerly of Frankfort.

**SENATE RESOLUTION 586**

Offered by Senator Sandoval and all Senators:  
Mourns the death of Catalina Garcia of Cicero.

**SENATE RESOLUTION 587**

Offered by Senator DeLeo and all Senators:  
Mourns the death of Raymond F. Shroyer of Sandwich.

**SENATE RESOLUTION 588**

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Offered by Senator Link and all Senators:  
Mourns the death of A. Richard "Dick" Powers of Vernon Hills.

**SENATE RESOLUTION 591**

Offered by Senator Haine and all Senators:  
Mourns the death of Collinsville Mayor Stanley Schaeffer.

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

**PRESENTATION OF RESOLUTIONS**

Senator Halvorson offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

**SENATE JOINT RESOLUTION NO. 87**

**RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN**, that when the two Houses adjourn on Thursday, March 13, 2008, the Senate stands adjourned until Wednesday, March 19, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Wednesday, March 26, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, April 01, 2008, at 12:00 o'clock noon; and the House of Representatives stands adjourned until Tuesday, March 18, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Thursday, March 20, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, March 25, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Thursday, March 27, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, April 01, 2008.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

At the hour of 1:25 o'clock p.m., Senator Martinez presiding.

Senator Watson and Senator Emil Jones, Jr., President of the Senate; and all Senators, offered the following Senate Resolution:

**SENATE RESOLUTION NO. 592**

WHEREAS, The members of the Illinois Senate wish to honor the life of former Illinois State Representative and Senator Adeline Geo-Karis of Zion, who passed away on February 10, 2008; and

WHEREAS, Senator Adeline Geo-Karis was an exemplary lawmaker who was held in the highest regard for her thirty-three years of public service in the Illinois General Assembly, which commenced in the Illinois House of Representatives and concluded in the Illinois Senate; and

WHEREAS, Senator Geo-Karis was known as the beloved matriarch of the Senate Chamber and was particularly honored to be recognized as the Dean of the Senate; she was known for her many years of devoted and highly respected service to her State and her country; and

WHEREAS, Senator Adeline Geo-Karis was born on March 29, 1918, in Tegeas, Greece; she came to the United States in 1922; in the course of her illustrious life, she became well known as a proud

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American, political pioneer, and beloved public steward; and

WHEREAS, Senator Adeline Geo-Karis attended Northwestern University; she received her L.L.B. from DePaul University and was the only female in her class; and

WHEREAS, Senator Adeline Geo-Karis devoted many decades to improving the lives of the people of Lake County, working hard throughout her lengthy career to advance the public good and safeguard freedom; and

WHEREAS, Senator Adeline Geo-Karis served as a lieutenant commander with Top Secret Clearance in the United States Naval Reserves, an Assistant State's Attorney, a Justice of the Peace, Mayor of Zion, a State Representative, and a State Senator; and

WHEREAS, Senator Adeline Geo-Karis headed her own law firm in Zion; she was a municipal attorney for Mundelein, Vernon Hills, Libertyville Township, and Long Grove School District, and was elected Justice of the Peace in Lake County; and

WHEREAS, Senator Adeline Geo-Karis broke down many gender walls in the course of her career; she was the first woman ever to be appointed to the position of Assistant State's Attorney in Lake County; she was the first female to be elected Mayor of Zion; she went on to become the first Lake County woman elected to the Illinois House of Representatives and the Illinois Senate; and

WHEREAS, Senator Adeline Geo-Karis was the first woman in Illinois' history ever to serve in the Senate Leadership, serving for ten years as Assistant Senate Majority Leader; and

WHEREAS, Senator Adeline Geo-Karis served as the Minority Spokesman for the Senate Executive Appointments Committee and was one of only two Republican Senators to serve as co-chairperson of a committee in the 94th General Assembly; and

WHEREAS, Senator Adeline Geo-Karis was a strong advocate for veterans; she served as Chairperson of the Senate Republican Task Force on Veterans, where she worked to protect our men and women in the Armed Forces; and

WHEREAS, Senator Adeline Geo-Karis worked in a bipartisan manner to enact legislation for strong crime control and to benefit veterans, senior citizens, children, people with disabilities, and the working majority; and

WHEREAS, Senator Adeline Geo-Karis pioneered legislation on gasohol, solar energy, and other alternative energy resources, and she was commended for her sponsorship of the Nuclear Safety Preparedness Act, the Alternative Energy Act, and laws to increase safety on Illinois lakes, among many others; and

WHEREAS, Senator Adeline Geo-Karis successfully sponsored and supported important crime-control legislation and was a proud sponsor of the "Guilty but Mentally Ill" law; and

WHEREAS, Senator Adeline Geo-Karis was recognized for her commitment and support of Illinois' business community, senior citizens, and agriculture, resulting in better lives and more opportunities for many of her constituents; and

WHEREAS, Senator Adeline Geo-Karis' commitment to aiding and advancing the needs of Illinois' veterans and Armed Forces was a testament to the highest form of compassion, patriotism, and human decency; and

WHEREAS, Senator Adeline Geo-Karis was very proud of her American citizenship, yet cherished her Greek heritage, working hard to assist and support the Greek community throughout her public career; and

WHEREAS, Senator Adeline Geo-Karis was a member of St. Demetrios Greek Orthodox Church in Waukegan; she was past president of the Parish Board of Trustees and Ladies Auxiliary, and the former

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choir director; and

WHEREAS, In honor of Senator Adeline Geo-Karis' dedication to the people of Illinois, the Illinois Beach State Park in Zion was renamed after her in 2006; and

WHEREAS, The passing of Senator Adeline Geo-Karis will be mourned greatly by her fellow legislators, admirers, and constituents, who will fondly remember her for her intelligence, compassion, and graciousness; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the loss of Senator Adeline Geo-Karis and honor the memory of this legendary legislator and her many good deeds; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of former Senator Adeline Geo-Karis as an expression of our respect and as a symbol of our sincere sympathy.

Senator Watson, having asked and obtained unanimous consent to suspend the rules for the immediate consideration of the foregoing resolution, moved its adoption.

The motion prevailed.

And the resolution was adopted.

At the hour of 2:10 o'clock p.m., pursuant to **Senate Joint Resolution No. 87**, the Chair announced the Senate stand adjourned until Wednesday, March 19, 2008, in perfunctory session.