



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**145TH LEGISLATIVE DAY**

**THURSDAY, APRIL 10, 2008**

**2:42 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**145th Legislative Day**

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The Senate met pursuant to adjournment.  
 Senator James A. DeLeo, Chicago, Illinois, presiding.  
 Prayer by Pastor Jeff Smith, Modesto Christian Church, Modesto, Illinois.  
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, April 9, 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.

### **REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

IDOT Annual Report 2007 Inside and Out, submitted by the Department of Transportation.

CGFA March 2008 Monthly Briefing, submitted by the Commission on Government Forecasting and Accountability.

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

### **LEGISLATIVE MEASURES FILED**

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

Senate Floor Amendment No. 2 to Senate Bill 1865  
 Senate Floor Amendment No. 2 to Senate Bill 1985  
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### **PRESENTATION OF RESOLUTIONS**

#### **SENATE RESOLUTION 643**

Offered by Senator Forby and all Senators:  
 Mourns the death of Jack Sandusky of Joppa.

#### **SENATE RESOLUTION 644**

Offered by Senator E. Jones and all Senators:

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Mourns the death of Leon Finney, Sr., of Chicago.

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

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

**SENATE RESOLUTION NO. 645**

WHEREAS, In an Act enacted by the Fifth General Assembly and approved on February 12, 1827, the road from Springfield to Peoria was declared a State Road; and

WHEREAS, The Springfield to Peoria Road became Illinois' major artery for trade, commerce, passenger stage and mail delivery in the early 19th century; and

WHEREAS, Abraham Lincoln traveled this road as an attorney in the Eighth Judicial Circuit and during his campaign for the Presidency and he also sponsored legislation affecting the road; and

WHEREAS, The description of the Trail is as follows: the route leading north from Springfield using present day nomenclature would be from the Springfield city street Peoria Road. This street joins with Business 55 and crosses the Sangamon River as Business 55. Before reaching the town of Sherman, the original route veers to the west side of Sherman onto Old Tipton School Road still heading north. At the "T" intersection which is Andrew Road, the route turns west until the next intersection which is Illinois Route 124 heading north. The route continues north on Illinois Route 124 through the intersection of Illinois Route 123 and becomes Fancy Prairie Road. The route now enters Menard County. Continue north on Fancy Prairie Road until the road curves to the east with an intersection to the north. Turn north onto Peoria Road and continue north to a "T" intersection which is Middletown Blacktop. Turn east to the town of Middletown. The route is now in Logan County. The route leads north from Middletown connecting with the town of New Holland via 100th East Avenue. Leading north from New Holland on 100th East Avenue continue north until reaching Illinois Route 136. Turn east on Illinois Route 136 and continue to 300th East Avenue. Turn north on 300th East Avenue, which is Delavan Road and continue to the town of Delavan. The route is now in Tazewell County. Leading north from Delavan on Locust Street, continue until intersecting Springfield Road at Mackinaw Creek. The route continues north on Springfield Road passing through the village of Dillon and on to the town of Groveland. From Groveland continue on Springfield Road to the city of East Peoria. At East Peoria, Springfield Road connects with East Washington Street. Turning west on Washington Street which crosses the Illinois River on the Bob Michel Bridge, ending near the Franklin Street Bridge Monument in Riverfront Park in the City of Peoria; and

WHEREAS, The original trail is still intact today; it has made a significant contribution to the development of Springfield, Peoria, and all points in between; and in conjunction with the Abraham Lincoln Bicentennial, a special designation for this scenic and historic corridor is appropriate; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the A. Lincoln and Springfield to Peoria Stage Road be designated along the route cited in this Resolution; and be it further

RESOLVED, That the Illinois Department of Transportation is requested, in consultation with the Lincoln Heritage Foundation of Logan County and others, to erect at suitable locations, consistent with State regulations, plaques or signs giving notice of the name; and be it further

RESOLVED, That units of local government that maintain any portion of the Road are urged to enhance areas along the road and to erect at suitable locations, plaques or signs that have been designed by the Illinois Department of Transportation in consultation with the Lincoln Heritage Foundation of

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Logan County and others that gives notice of the name; and be it further

RESOLVED, That the Illinois Historic Preservation Agency and the Illinois Bureau of Tourism are requested to post on their Agency websites, and to produce brochures and other related matter that makes the Road known to the public; and be it further

RESOLVED, That copies of this resolution be presented to the Illinois Secretary of Transportation, the Illinois Historic Preservation Agency, Illinois Bureau of Tourism, and the Lincoln Heritage Foundation of Logan County and each of the local governments having jurisdiction over any portion of the Road.

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

**SENATE JOINT RESOLUTION NO. 93**

WHEREAS, Properly-planted and cared-for trees provide communities throughout Illinois with great benefit and enjoyment; and

WHEREAS, Improper tree placement and maintenance are a contributing cause of power outage and pose a safety risk to residents; and

WHEREAS, Electric utilities in Illinois currently participate in 4-year vegetation management schedules to provide electric reliability to customers throughout the State; and

WHEREAS, Local governments and utilities have worked together on tree trimming and vegetation management programs that have balanced the need for electric reliability with the desire of communities to preserve as many trees as possible; and

WHEREAS, There are existing programs that nurseries and other retailers may participate in that identify proper trees that may be planted near power lines; and

WHEREAS, The Arbor Day Foundation has worked with the United States Department of Agriculture Forest Service's Urban and Community Forestry Advisory Council on the Right Tree in the Right Place project; and

WHEREAS, The City of Chicago's Bureau of Forestry, in cooperation with the United States Forest Service, conducts an outreach program for fourth-grade students within the Chicago Public Schools in recognition of Arbor Day on April 25, 2008, that emphasizes proper tree care, especially planting the right tree in the right place; and

WHEREAS, Arbor Day, which falls on the last Friday of April, is a nationally-celebrated observance that encourages tree planting and care; and

WHEREAS, Continued and improved cooperation between electric utilities and communities throughout Illinois will be required to protect both trees and electric reliability; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we recognize the week of Arbor Day as Right Tree Right Place Week and that we encourage communities and electric utilities throughout the State to use the week to review and improve their education and outreach efforts with regards to proper tree placement; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Lawrence A. DuBose.

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## MESSAGES FROM THE HOUSE

A message from the House by  
Mr. Mahoney, Clerk:

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

### HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 28

HC0028 Engrossed

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 7 to Article III of the Illinois Constitution as follows:

#### ARTICLE III

#### SUFFRAGE AND ELECTIONS

#### SECTION 7. RECALL OF EXECUTIVE OFFICERS AND MEMBERS OF THE GENERAL ASSEMBLY

(a) Electors may petition for the recall of an executive branch officer as identified in Section 1 of Article V or a member of the General Assembly. If the recall petition is valid, on a separate ballot the question "Shall (officer) be recalled from the office of (office)" must be submitted to the electors, along with the names of any candidates certified for the successor election, at a special election called by the State Board of Elections or at a regularly scheduled election to occur not more than 100 days after the date of certification of the recall petition. The officer or member subject to recall may be a candidate in the successor election.

(b) An executive branch officer or member of the General Assembly is immediately removed upon certification of the recall election results if a majority of the electors voting on the question vote to recall the officer or member. If an officer or member is recalled, the candidate who receives the highest number of votes in the successor election is elected successor for the balance of the term. Once a recall election petition is certified, the petition may not be withdrawn and another recall petition may not be initiated against that officer or member during the remainder of his or her current term of office.

(c) Any elector of the State, or the applicable Legislative or Representative District, may file an affidavit with the State Board of Elections providing notice of intent to circulate a petition to recall an officer or member no sooner than 6 months after the beginning of the officer's or member's current term of office. The affidavit must identify the name of the officer or member and the office to be recalled, the name and address of the proponents of the recall petition, and the date of filing with the State Board of Elections. A recall petition shall not be circulated prior to filing the affidavit, and a recall petition must be filed with the State Board of Elections no later than 160 days after filing the affidavit.

(d) A petition to recall an executive branch officer must include signatures of electors of the State equal to at least 12% of the total votes cast for the office in the election at which the officer was elected, with signatures equal to at least 1% of the vote for the office from at least 5 separate counties. A petition to recall a member of the General Assembly must be signed by electors of the respective Legislative District or Representative District equal to at least 20% of the total votes cast for the office in the election at which the member was elected. The form, circulation, and manner of filing a recall petition shall comply with the requirements provided by law for a statewide advisory public question, except the deadlines set forth in this Section.

(e) A recall petition is valid unless an objection is made within 45 days after the date the petition is filed, and an objection to the recall petition may be made in the same manner as to a candidate for the office subject to recall. The State Board of Elections shall certify the recall petition not more than 105 days after the date the recall petition is filed. Any recall petition or election pending on the date of the next general election at which a candidate for the office subject to recall is elected is moot.

(f) If a recall election is initiated, the name of no successor candidate may appear on the ballot unless a nominating petition has been filed with the State Board of Elections no more than 40 days after filing of the recall petition. The nominating petition of an established party candidate must contain the same number of signatures and be circulated in the same manner as an established party candidate for nomination to the office subject to recall, except the petition must be circulated no more than 40 days

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prior to the last day for filing nomination petitions. The nominating petition of an independent or new party candidate must contain the same number of signatures and be circulated in the same manner as an independent or new party candidate, respectively, for election to the office subject to recall, except the petition must be circulated no more than 40 days prior to the last day for filing nomination petitions. A nominating petition may be objected to in the same manner as a candidate for the office subject to recall, unless otherwise provided by law. The State Board of Elections shall certify a valid nominating petition not more than 105 days after the date the recall petition is filed.

(g) An election to determine whether to recall an executive officer or member of the General Assembly and to elect a successor shall be proclaimed by the State Board of Elections and held not less than 60 days and no more than 100 days after the date of certification of the recall petition.

(h) The provisions of this Section are self-executing and judicially enforceable.

#### SCHEDULE

The State Board of Elections shall proceed, as soon as all the returns are received but no later than 31 days after the election, to canvass the votes given for and against this Constitutional Amendment, as shown by the abstracts of votes cast. If this Constitutional Amendment is approved by either three-fifths of those voting on the question or a majority of those voting in the election, then the State Board of Elections shall declare the adoption of this Constitutional Amendment and it shall, upon declaration of its adoption, take effect and become a part of the Constitution of this State. This Schedule supersedes and applies notwithstanding any statute to the contrary, and no other requirements, including without limitation proclamation of the results of the vote or notice by publication, are necessary for its effectiveness.

Passed the House, April 8, 2008.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 28 was referred to the Committee on Rules.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4466

A bill for AN ACT concerning criminal law.

Passed the House, April 8, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bill No. 4466** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 3653

A bill for AN ACT concerning insurance.

HOUSE BILL NO. 4157

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4175

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 4206

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4223

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A bill for AN ACT concerning insurance.  
HOUSE BILL NO. 4303  
A bill for AN ACT concerning health.  
Passed the House, April 9, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 3653, 4157, 4175, 4206, 4223 and 4303** were taken up, ordered printed and placed on first reading.

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

HOUSE BILL NO. 4132  
A bill for AN ACT concerning local government.  
HOUSE BILL NO. 4176  
A bill for AN ACT concerning transportation.  
HOUSE BILL NO. 4203  
A bill for AN ACT concerning transportation.  
HOUSE BILL NO. 4352  
A bill for AN ACT concerning civil law.  
HOUSE BILL NO. 4605  
A bill for AN ACT concerning agriculture.  
HOUSE BILL NO. 4714  
A bill for AN ACT concerning public aid.  
Passed the House, April 9, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4132, 4176, 4203, 4352, 4605 and 4714** were taken up, ordered printed and placed on first reading.

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

HOUSE BILL NO. 4252  
A bill for AN ACT concerning children.  
HOUSE BILL NO. 4700  
A bill for AN ACT concerning local government.  
HOUSE BILL NO. 4745  
A bill for AN ACT concerning criminal law.  
HOUSE BILL NO. 5093  
A bill for AN ACT concerning State government.  
HOUSE BILL NO. 5323  
A bill for AN ACT concerning employment.  
Passed the House, April 9, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4252, 4700, 4745, 5093 and 5323** were taken up, ordered printed and placed on first reading.

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A message from the House by  
Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4369  
A bill for AN ACT concerning people living in poverty.  
HOUSE BILL NO. 4613  
A bill for AN ACT concerning criminal law.  
HOUSE BILL NO. 5251  
A bill for AN ACT concerning public aid.  
HOUSE BILL NO. 5653  
A bill for AN ACT concerning criminal law.  
HOUSE BILL NO. 5732  
A bill for AN ACT concerning education.  
Passed the House, April 9, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4369, 4613, 5251, 5653 and 5732** were taken up, ordered printed and placed on first reading.

A message from the House by  
Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4611  
A bill for AN ACT concerning housing.  
HOUSE BILL NO. 4766  
A bill for AN ACT concerning local government.  
HOUSE BILL NO. 5082  
A bill for AN ACT concerning criminal law.  
HOUSE BILL NO. 5240  
A bill for AN ACT concerning education.  
HOUSE BILL NO. 5536  
A bill for AN ACT concerning transportation.  
HOUSE BILL NO. 5579  
A bill for AN ACT concerning aging.  
HOUSE BILL NO. 5907  
A bill for AN ACT concerning transportation.  
Passed the House, April 9, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4611, 4766, 5082, 5240, 5536, 5579 and 5907** were taken up, ordered printed and placed on first reading.

A message from the House by  
Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4692  
A bill for AN ACT concerning criminal law.  
HOUSE BILL NO. 4869  
A bill for AN ACT concerning civil law.

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HOUSE BILL NO. 5006

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 6302

A bill for AN ACT concerning revenue.

Passed the House, April 9, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4692, 4869, 5006 and 6302** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4788

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 5142

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 5350

A bill for AN ACT concerning appropriations.

HOUSE BILL NO. 5607

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 5650

A bill for AN ACT concerning aging.

HOUSE BILL NO. 5981

A bill for AN ACT concerning local government.

Passed the House, April 9, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4788, 5142, 5350, 5607, 5650 and 5981** were taken up, ordered printed and placed on first reading.

## MESSAGE FROM THE GOVERNOR

2008-1

### EXECUTIVE ORDER TO CONSOLIDATE CERTAIN APPLICATION DEVELOPMENT, HUMAN RESOURCES, PERSONNEL, PAYROLL, TIMEKEEPING, PROCUREMENT, AND FINANCIAL PROCESSES

WHEREAS, numerous State agencies independently perform similar administrative functions, including human resources, personnel, payroll, timekeeping, procurement, and financial processes (the "Common Administrative Functions");

WHEREAS, numerous State agencies independently perform similar application development and maintenance functions (the "Common Application Development Functions");

WHEREAS, State agencies charged with environmental and economic development duties perform Common Administrative Functions and Common Application Development Functions, including: the Environmental Protection Agency, the Department of Natural Resources, the Department of Commerce and Economic Opportunity, the Department of Transportation, the Department of Agriculture, the Illinois Finance Authority, the Illinois Housing Development Authority, the Department of Labor, the Historic Preservation Agency, and the Capital Development Board (the "Environmental and Economic Development Affected Agencies");

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WHEREAS, State agencies charged with healthcare duties perform Common Administrative Functions, including: the Department of Healthcare and Family Services, Department of Veterans' Affairs and the Department of Public Health (the "Healthcare Affected Agencies");

WHEREAS, State agencies charged with social services duties perform Common Administrative Functions, including: the Department of Children and Family Services, the Council on Developmental Disabilities, the Department of Employment Security, the Guardianship and Advocacy Commission, the Department of Human Services, the Department on Aging, and the Violence Prevention Authority (the "Social Services Affected Agencies," collectively with the Environmental and Economic Development Affected Agencies and the Healthcare Affected Agencies, the "Affected Agencies");

WHEREAS, State agencies, including the Affected Agencies, employ different standards and procedures to deliver Common Administrative Functions, reducing the ability of all State agencies to share management knowledge and capitalize on synergies and economies of scale to the ultimate benefit of the taxpayers and all Illinoisans;

WHEREAS, State agencies, including the Environmental and Economic Development Affected Agencies, employ different standards and procedures to deliver Common Application Development Functions, reducing the ability of all State agencies to share management knowledge and capitalize on synergies and economies of scale and skill to the ultimate benefit of taxpayers and all Illinoisans;

WHEREAS, combining Common Administrative Functions and Common Application Development Functions would, among other things, improve the State's ability to effectively provide services to State agencies, promote cross-training, improve career development for State employees, improve interactivity of State operations, and eliminate duplicate functions within State agencies;

WHEREAS, combining Common Administrative Functions facilitates the establishment of uniform accounting, payroll, and human resource processes with the Illinois Office of the Comptroller and the Office of the Auditor General;

WHEREAS, Article V, Section 11 of the Illinois Constitution authorizes the Governor to reassign functions or reorganize executive agencies that are directly responsible to him by means of executive order; and

WHEREAS, Section 3.2 of the Executive Reorganization Implementation Act, 15 ILCS 15/3.2, provides that "Reorganization" includes the transfer of functions from one agency to another.

THEREFORE, I hereby order:

#### I. TRANSFER OF FUNCTIONS AND CREATION OF NEW DIVISIONS

- A. Effective June 1, 2008, a Division of Shared Services is created within the Department of Transportation. The Environmental and Economic Development Affected Agencies' Common Application Development Functions and Common Administrative Functions and all associated powers, duties, rights, and responsibilities attendant thereto shall be transferred to and consolidated under the jurisdiction of the Department of Transportation, Division of Shared Services, which will provide services for the benefit of the Environmental and Economic Development Affected Agencies, provided however, that those functions that are unique to an Environmental and Economic Development Affected Agency or that are inextricably integrated with the statutory mandate of such Environmental and Economic Development Affected Agency shall not be deemed Common Administrative Functions and shall not be transferred pursuant to this Executive Order. Functions inextricably integrated with the statutory mandate of Environmental and Economic Development Affected Agencies include, but are not limited to, the authority to: issue certain permits and licenses and collect fees; impose statutory fines and penalties; oversee and manage the natural resources and environmental policies of the State; and plan, develop, and regulate the State's transportation infrastructure.

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- B. Effective June 1, 2008, a Division of Shared Services is created within the Department of Healthcare and Family Services. The Healthcare Affected Agencies' Common Administrative Functions and all associated powers, duties, rights, and responsibilities attendant thereto shall be transferred to and consolidated under the jurisdiction of the Department of Healthcare and Family Services, Division of Shared Services, which will provide services for the benefit of the Healthcare Affected Agencies, provided however, that those functions that are unique to a Healthcare Affected Agency or that are inextricably integrated with the statutory mandate of such Healthcare Affected Agency shall not be deemed Common Administrative Functions and shall not be transferred pursuant to this Executive Order. Functions inextricably integrated with the statutory mandate of Healthcare Affected Agencies include, but are not limited to: the testing and regulation of the safety of food, water, and drugs; the enforcement of certain standards of quality in hospitals and nursing homes; the enforcement of child support payment; and the oversight of certain healthcare and support programs.
- C. Effective June 1, 2008, a Division of Shared Services is created within the Department of Human Services. The Social Services Affected Agencies' Common Administrative Functions and all associated powers, duties, rights, and responsibilities attendant thereto shall be transferred to and consolidated under the jurisdiction of the Department of Human Services, Division of Shared Services, which will provide services for the benefit of the Social Services Affected Agencies, provided however, that those functions that are unique to a Social Services Affected Agency or that are inextricably integrated with the statutory mandate of such Social Services Affected Agency shall not be deemed Common Administrative Functions and shall not be transferred pursuant to this Executive Order. Functions inextricably integrated with the statutory mandate of Social Services Affected Agencies include, but are not limited to: the development and oversight of certain support, employment, care, and training programs; and the oversight of services and health benefit and prevention programs.
- D. The statutory powers, duties, rights, responsibilities, and liabilities of the Affected Agencies associated with the Common Administrative Functions derive from, among others, the following statutory provisions:
1. Civil Administrative Code of Illinois (Executive Branch): 20 ILCS 5/5-645.
  2. Environmental Protection Agency: 415 ILCS 5/4.
  3. Department of Natural Resources: 20 ILCS 801/1-15 *et seq.*; 20 ILCS 805/805 *et seq.*; 20 ILCS 1905/1905-10, 150, 200.
  4. Department of Commerce and Economic Opportunity: 20 ILCS 605/605-10 *et seq.*
  5. Department of Transportation: 20 ILCS 2705/2705-10, 15, 100 – 175, 550, 555.
  6. Department of Agriculture: 20 ILCS 205/205-10, 400, 445.
  7. Historic Preservation Agency: 20 ILCS 3405/5, 11, 16.
  8. Capital Development Board: 20 ILCS 3105/8 *et seq.*
  9. Department of Healthcare and Family Services: 20 ILCS 2205/2205-5; 305 ILCS 5/12-1 *et seq.*
  10. Department of Public Health: 20 ILCS 2305/2; 20 ILCS 2310/2310-10 *et seq.*
  11. Department on Aging: 20 ILCS 105/4, 4.01, 5, 5.01, 6.05; 20 ILCS 110/110-5.
  12. Department of Children and Family Services: 20 ILCS 505/3 *et seq.*; 20 ILCS 510/510-10 *et seq.*
  13. Department of Human Services: 20 ILCS 310/310-5; 20 ILCS 1305/1-20 *et seq.*; 20 ILCS 1305/80-15 *et seq.*; 20 ILCS 1705/3, 4, 4.2, 6, 16.1, 19, 20, 21, 28, 44; 20 ILCS 1710/1710-10 *et seq.*

14. Department of Veterans' Affairs: 20 ILCS 2805/2, 2.01a, 2.07, 3.
15. Illinois Finance Authority: 20 ILCS 3501/801-15, 30, 40.
16. Illinois Housing Development Authority: 20 ILCS 3805/4, 7.
17. Department of Labor: 20 ILCS 1505 *et seq.*
18. Department of Employment Security: 20 ILCS 1005/1005-1 *et seq.*
19. Council on Developmental Disabilities: 20 ILCS 4010/2003.
20. Guardianship and Advocacy Commission: 20 ILCS 3955/3 *et seq.*
21. Violence Prevention Authority: 20 ILCS 4027/10, 15.

## II. EFFECT OF TRANSFERS

The powers, duties, rights, and responsibilities transferred by the Affected Agencies and consolidated in the new Divisions of Shared Services shall not be affected by this Executive Order, except that such Common Administrative Functions shall be performed by the new Divisions of Shared Services as of the effective date of the transfers.

- A. Personnel employed by the Environmental and Economic Development Affected Agencies who are engaged in the performance of those Common Administrative Functions and Common Application Development Functions transferred to the Department of Transportation, Division of Shared Services, by this Executive Order may be transferred to the Department of Transportation, Division of Shared Services, pursuant to the direction of the Governor or his designee. Personnel employed by the Healthcare Affected Agencies who are engaged in the performance of those Common Administrative Functions transferred to the Department of Healthcare and Family Services, Division of Shared Services, by this Executive Order may be transferred to the Department of Healthcare and Family Services, Division of Shared Services, pursuant to the direction of the Governor or his designee. Personnel employed by the Social Services Affected Agencies who are engaged in the performance of those Common Administrative Functions transferred by this Executive Order may be transferred to the Department of Human Services, Division of Shared Services, pursuant to the direction of the Governor or his designee.
- B. All books, records, papers, documents, state property (real and personal), contracts, and pending business pertaining exclusively to the powers, duties, rights, and responsibilities transferred by this Executive Order from the Affected Agencies to the appropriate Division of Shared Services, including but not limited to, material in electronic or magnetic format and necessary computer hardware and software, shall be delivered to the Divisions of Shared Services.
- C. All unexpended appropriations and balances and other funds available for use in connection with any of the Common Administrative Functions and Common Application Development Functions of the Affected Agencies transferred by this Executive Order to the appropriate Division of Shared Services may be transferred for use by the appropriate Division of Shared Services for the Common Administrative Functions and Common Application Development Functions pursuant to the direction of the Governor or his designee. Unexpended balances transferred must be expended for the purpose for which the appropriations were originally made.

## III. SAVINGS CLAUSE

- A. The rights, powers, duties, and functions transferred to the Department of Transportation, the Department of Healthcare and Family Services, and the Department of Human Services by this Executive Order shall be vested in, and shall be exercised by, the respective Departments. Each act done in exercise of such rights, powers, duties, and functions shall have the same legal effect as if done by the Affected Agencies or the divisions, officers, or employees from which they were transferred.

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- B. Every person or officer shall be subject to the same obligations and duties and any penalties, civil or criminal, arising therefrom, and shall have the same rights arising from the exercise of such rights, powers, and duties as had been exercised by the Affected Agencies from which they were transferred.
- C. Whenever reports or notices are now required to be made or given or paper or documents furnished or served by any person in regard to the Common Administrative Functions and the Common Application Development Functions transferred to or upon the Affected Agencies from which the Common Administrative Functions were transferred, the same shall be made, given, furnished, or served in the same manner to or upon the Department of Transportation, Division of Shared Services, the Department of Healthcare and Family Services, Division of Shared Services, or the Department of Human Services, Division of Shared Services, as appropriate.
- D. This Executive Order shall not affect any act completed, ratified, or canceled as well as any right occurring or established, or any action or proceeding had or commenced in an administrative, civil, or criminal cause regarding the Common Administrative Functions and the Common Application Development Functions transferred, but such proceedings may be continued by the Department of Transportation, Division of Shared Services, the Department of Healthcare and Family Services, Division of Shared Services, or the Department of Human Services, Division of Shared Services, as appropriate.
- E. This Executive Order shall not affect the legality of any rules in the Illinois Administrative Code regarding the Common Administrative Functions and the Common Application Development Functions transferred in this Executive Order that are in force on the effective date of this Executive Order. If necessary, however, the Affected Agencies shall propose, adopt, or repeal rules, rule amendments, and rule recodifications as appropriate to effectuate this Executive Order.

#### IV. SEVERABILITY

If any provision of this Executive Order or its application to any person or circumstances is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which should be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared severable.

#### V. EFFECTIVE DATE

This Executive Order shall become effective on the 61<sup>st</sup> day after its delivery to the General Assembly.

s/Rod R. Blagojevich  
Governor

Issued by Governor: March 31, 2008

Filed with Secretary of State: March 31, 2008

The foregoing Executive Order was referred to the Committee on Rules.

#### INTRODUCTION OF BILL

**SENATE BILL NO. 3031.** Introduced by Senator Risinger, a bill for AN ACT concerning regulation.

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

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**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME**

**House Bill No. 1890**, sponsored by Senator Hendon, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 3653**, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4160**, sponsored by Senator Cullerton, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4225**, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4303**, sponsored by Senator Hendon, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4369**, sponsored by Senator Frerichs, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4451**, sponsored by Senator Meeks, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4506**, sponsored by Senator Hendon, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4549**, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4611**, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4622**, sponsored by Senator Meeks, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4700**, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4723**, sponsored by Senator Frerichs, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4788**, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4466**, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4839**, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4843**, sponsored by Senator Frerichs, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4869**, sponsored by Senator Dillard, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5095**, sponsored by Senator Schoenberg, was taken up, read by title a first time and referred to the Committee on Rules.

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**House Bill No. 5150**, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5215**, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5230**, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5251**, sponsored by Senator Delgado, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5285**, sponsored by Senator Hendon, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5607**, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5907**, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5981**, sponsored by Senator Cronin, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 6302**, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Rules.

#### REPORTS FROM STANDING COMMITTEES

Senator Forby, Chairperson of the Committee on Labor, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2216

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

Senator Delgado, Chairperson of the Committee on Licensed Activities, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 885

Senate Amendment No. 1 to Senate Bill 2760

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Lightford, Chairperson of the Committee on Education, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 848

Senate Amendment No. 1 to Senate Bill 2042

Senate Amendment No. 1 to Senate Bill 2170

Senate Amendment No. 2 to Senate Bill 2293

Senate Amendment No. 3 to Senate Bill 2293

Senate Amendment No. 2 to Senate Bill 2402

Senate Amendment No. 1 to Senate Bill 2482

Senate Amendment No. 1 to Senate Bill 2487

Senate Amendment No. 2 to Senate Bill 2685

Senate Amendment No. 1 to Senate Bill 2688  
Senate Amendment No. 1 to Senate Bill 2858

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

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

Senate Amendment No. 1 to Senate Bill 2111  
Senate Amendment No. 1 to Senate Bill 2722  
Senate Amendment No. 2 to Senate Bill 2725  
Senate Amendment No. 3 to Senate Bill 2827

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Crotty, Chairperson of the Committee on Local Government, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2677  
Senate Amendment No. 1 to Senate Bill 2679  
Senate Amendment No. 2 to Senate Bill 2824

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Garrett, Chairperson of the Committee on Public Health, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Resolution No. 481

Senate Amendment No. 2 to Senate Bill 1900  
Senate Amendment No. 2 to Senate Bill 1925  
Senate Amendment No. 1 to Senate Bill 2506

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Wilhelmi, Chairperson of the Committee on Judiciary Criminal Law, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2118  
Senate Amendment No. 2 to Senate Bill 2713

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

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

Senate Amendment No. 2 to Senate Bill 2362

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

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

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Senate Amendment No. 1 to Senate Bill 2407  
Senate Amendment No. 2 to Senate Bill 2906

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Clayborne, Chairperson of the Committee on Environment and Energy, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to Senate Bill 2110  
Senate Amendment No. 1 to Senate Bill 2129  
Senate Amendment No. 3 to Senate Bill 2163

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Meeks, Chairperson of the Committee on Human Services, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 1933  
Senate Amendment No. 1 to Senate Bill 2505  
Senate Amendment No. 1 to Senate Bill 2656

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 993  
Senate Amendment No. 1 to Senate Bill 1890  
Senate Amendment No. 1 to Senate Bill 2332  
Senate Amendment No. 2 to Senate Bill 2344  
Senate Amendment No. 1 to Senate Bill 2632

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 801  
Senate Amendment No. 1 to Senate Bill 2342  
Senate Amendment No. 1 to Senate Bill 2678  
Senate Amendment No. 1 to Senate Bill 2854

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Halvorson, Vice-Chairperson of the Committee on Executive, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 879  
Senate Amendment No. 1 to Senate Bill 2231  
Senate Amendment No. 1 to Senate Bill 2374  
Senate Amendment No. 1 to Senate Bill 2757

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2413

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

Senator Haine, Chairperson of the Committee on Insurance, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 2486

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

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Resolution No. 612**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 612** was placed on the Secretary's Desk.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Joint Resolution No. 91**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 91** was placed on the Secretary's Desk.

#### REPORT FROM RULES COMMITTEE

Senator Halvorson, Chairperson of the Committee on Rules, during its April 10, 2008 meeting, reported the following Resolutions have been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Joint Resolution Constitutional Amendment No. 92; House Joint Resolution Constitutional Amendment No. 28**

Senator Halvorson, Chairperson of the Committee on Rules, during its April 10, 2008 meeting, reported the following Executive Order has been assigned to the indicated Standing Committee of the Senate:

Executive: **E.O. 2008-1**

#### REPORT FROM STANDING COMMITTEE

Senator Hendon, Chairperson of the Committee on Executive Appointments, moved that the Senate resolve itself into Executive Session to consider the report of that Committee relative to the Governor's and Secretary of State's Message appointments.

The motion prevailed.

#### EXECUTIVE SESSION

[April 10, 2008]

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of January 10, 2008, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

**COURT OF CLAIMS**

To be a Judge of the Court of Claims for a term commencing January 4, 2008 and ending January 16, 2012:

Robert J. Steffen  
Salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

Yeas 55; Nays None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of February 14, 2008, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

**DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION**

To be a Director of the Department of Financial and Professional Regulation for a term commencing February 4, 2008 and ending January 19, 2009:

Robert E. Meza  
Salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointments. And on that motion, a call of the roll was had resulting as follows:

Yeas 55; Nays None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of January 10, 2008, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

**CARNIVAL AMUSEMENT SAFETY BOARD**

To be a member of the Carnival Amusement Safety Board for a term commencing December 21, 2007 and ending January 17, 2011:

William W. Sparks  
Non-salaried

**COMMUNITY COLLEGE BOARD, ILLINOIS**

To be a member of the Illinois Community College Board for a term commencing January 9, 2008 and ending June 30, 2013:

Thomas G. Pulver  
Non-salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointments. And on that motion, a call of the roll was had resulting as follows:

Yeas 57; Nays None.

The following voted in the affirmative:

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

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Demuzio  
Dillard

Kotowski  
Lauzen

Raoul  
Righter

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of February 14, 2008, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

**ILLINOIS WORKFORCE INVESTMENT BOARD**

To be a member of the Illinois Workforce Investment Board for a term commencing February 8, 2008 and ending July 1, 2009:

Thomas J. Prinske  
Non-salaried

To be a member of the Illinois Workforce Investment Board for a term commencing February 8, 2008 and ending July 1, 2010:

Tom Ashby  
Non-salaried

To be a member of the Illinois Workforce Investment Board for a term commencing February 8, 2008 and ending July 1, 2010:

Rosalind Bruce  
Non-salaried

To be a member of the Illinois Workforce Investment Board for a term commencing February 8, 2008 and ending July 1, 2010:

Earl S. Moldovan  
Non-salaried

To be a member of the Illinois Workforce Investment Board for a term commencing February 8, 2008 and ending July 1, 2010:

John D. Rico  
Non-salaried

To be a member of the Illinois Workforce Investment Board for a term commencing February 8, 2008 and ending July 1, 2010:

Beverly Diane Williams  
Non-salaried

Senator Hendon moved that the Senate advise and consent to the foregoing appointments. And on that motion, a call of the roll was had resulting as follows:

Yeas 56; Nays None.

The following voted in the affirmative:

Allthoff  
Bivins

Forby  
Frerichs

Lightford  
Link

Risinger  
Rutherford

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senator Hendon, Chairperson of the Committee on Executive Appointments, to which was referred the to the Senate of Secretary of State's Message to the Senate of September 20, 2007, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

**EXECUTIVE INSPECTOR GENERAL FOR THE OFFICE OF THE SECRETARY OF STATE**

To be Executive Inspector General for the Office of the Secretary of State for a term ending December 31, 2012.

Nathan Maddox  
(Salaried)

**COMMISSIONER OF THE MERIT COMMISSION FOR THE OFFICE OF THE SECRETARY OF STATE**

To be Commissioner of the Merit Commission for the Office of the Secretary of State for a term ending November 7, 2013.

Judith A. Myers  
(Salaried)

To be Commissioner of the Merit Commission for the Office of the Secretary of State for a term ending November 7, 2013.

Duane Noland  
(Salaried)

Senator Hendon moved that the Senate advise and consent to the foregoing appointments. And on that motion, a call of the roll was had resulting as follows:

Yeas 57; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bivins	Frerichs	Link	Rutherford
Bomke	Garrett	Luechtefeld	Sandoval
Bond	Haine	Maloney	Schoenberg
Brady	Halvorson	Martinez	Steans
Burzynski	Harmon	Meeks	Sullivan

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Clayborne	Hendon	Millner	Syverson
Cronin	Holmes	Munoz	Trotter
Crotty	Hultgren	Murphy	Viverito
Cullerton	Hunter	Noland	Watson
Dahl	Jacobs	Pankau	Wilhelmi
DeLeo	Jones, J.	Peterson	Mr. President
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

On motion of Senator Hendon, the Executive Session arose and the Senate resumed consideration of business.

Senator DeLeo, presiding.

### HOUSE BILL RECALLED

On motion of Senator Hendon, **House Bill No. 2482** was recalled from the order of third reading to the order of second reading.

Senator Hendon moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion prevailed.

Senator Hendon moved that Amendment No. 1 to **House Bill No. 2482** be ordered to lie on the table.

The motion to table prevailed.

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

On motion of Senator Hendon, **House Bill No. 2482**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 56; Nays None.

The following voted in the affirmative:

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

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

[April 10, 2008]

Ordered that the Secretary inform the House of Representatives thereof.

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

Senator Hunter moved that Senate **Resolution No. 481**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

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

**AMENDMENT NO. 1 TO SENATE RESOLUTION 481**

AMENDMENT NO. 1. Amend Senate Resolution 481 on page 6, line 13, by changing "for" to "from".

Senator Hunter offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO SENATE RESOLUTION 481**

AMENDMENT NO. 2. Amend Senate Resolution 481, AS AMENDED, as follows: in the first resolved clause, by replacing "asthma; and be it further" with "asthma."; and by deleting the second and third resolved clauses.

The motion prevailed.

And the amendment was adopted.

Senator Hunter moved that **Senate Resolution No. 481**, as amended, be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Hultgren moved that **Senate Resolution No. 484**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Hultgren moved that Senate Resolution No. 484 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Radogno moved that **Senate Resolution No. 546**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Radogno moved that Senate Resolution No. 546 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Dillard moved that **Senate Resolution No. 550**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Dillard moved that Senate Resolution No. 550 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Harmon moved that **Senate Resolution No. 554**, on the Secretary's Desk, be taken up for immediate consideration.

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The motion prevailed.  
 Senator Harmon moved that Senate Resolution No. 554 be adopted.  
 The motion prevailed.  
 And the resolution was adopted.

Senator Demuzio moved that **Senate Resolution No. 565**, on the Secretary's Desk, be taken up for immediate consideration.  
 The motion prevailed.  
 Senator Demuzio moved that Senate Resolution No. 565 be adopted.  
 The motion prevailed.  
 And the resolution was adopted.

Senator J. Jones moved that **Senate Joint Resolution No. 77**, on the Secretary's Desk, be taken up for immediate consideration.  
 The motion prevailed.  
 Senator J. Jones moved that Senate Joint Resolution No. 77 be adopted.  
 And on that motion a call of the roll was had resulting as follows:

Yeas 55; Nays None.

The following voted in the affirmative:

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

The motion prevailed.  
 And the resolution was adopted.  
 Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Demuzio moved that **Senate Joint Resolution No. 78**, on the Secretary's Desk, be taken up for immediate consideration.  
 The motion prevailed.  
 Senator Demuzio moved that Senate Joint Resolution No. 78 be adopted.  
 And on that motion a call of the roll was had resulting as follows:

Yeas 55; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lauzen	Raoul
Bivins	Frerichs	Lightford	Righter
Bomke	Garrett	Link	Risinger
Bond	Haine	Luechtefeld	Rutherford

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Burzynski	Halvorson	Maloney	Sandoval
Clayborne	Harmon	Martinez	Schoenberg
Cronin	Hendon	Meeks	Steans
Crotty	Holmes	Millner	Sullivan
Cullerton	Hultgren	Munoz	Syverson
Dahl	Hunter	Murphy	Trotter
DeLeo	Jacobs	Noland	Viverito
Delgado	Jones, J.	Pankau	Watson
Demuzio	Koehler	Peterson	Mr. President
Dillard	Kotowski	Radogno	

The motion prevailed.

And the resolution was adopted.

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

Senator Maloney moved that **Senate Joint Resolution No. 83**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

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

**AMENDMENT NO. 1 TO SENATE JOINT RESOLUTION 83**

AMENDMENT NO. 1. Amend Senate Joint Resolution 83 on page 2, line 14, by replacing "Director of Labor" with "Department of Employment Security"; and

on page 2, lines 23 and 24, by replacing "shall hold 3 statewide" with "may hold"; and

on page 3, line 1, after "workers and", by inserting "will".

Senator Maloney moved that Senate Joint Resolution No. 83, as amended, be adopted.

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

Yeas 56; Nays None.

The following voted in the affirmative:

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

The motion prevailed.

And the resolution, as amended, was adopted.

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

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Senator Raoul moved that **House Joint Resolution No. 21**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

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

**AMENDMENT NO. 1 TO HOUSE JOINT RESOLUTION 21**

AMENDMENT NO. 1. Amend House Joint Resolution 21 on page 4, line 10, by replacing "2007" with "2008".

Senator Raoul moved that House Joint Resolution No. 21, as amended, be adopted. And on that motion a call of the roll was had resulting as follows:

Yeas 55; Nays None.

The following voted in the affirmative:

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

The motion prevailed.

And the resolution, as amended, was adopted.

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

Senator Hultgren moved that **House Joint Resolution No. 82**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Hultgren moved that House Joint Resolution No. 82 be adopted.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Schoenberg moved that **Senate Resolution No. 612**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Schoenberg moved that Senate Resolution No. 612 be adopted.

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

Yeas 56; Nays None.

The following voted in the affirmative:

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

The motion prevailed.  
And the resolution was adopted.

Senator Raoul moved that **Senate Joint Resolution No. 91**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.  
Senator Raoul moved that Senate Joint Resolution No. 91 be adopted.  
The motion prevailed.  
And the resolution was adopted.

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

#### SENATE BILL RECALLED

On motion of Senator Maloney, **Senate Bill No. 2293** was recalled from the order of third reading to the order of second reading.

Senator Maloney offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO SENATE BILL 2293

AMENDMENT NO. 2. Amend Senate Bill 2293, AS AMENDED, in Section 10, in the introductory clause, by replacing "Section 3-27.1" with "Sections 3-27.1 and 7-23.1"; and

in Section 10, immediately below the end of Sec. 3-27.1, by inserting the following:

"(110 ILCS 805/7-23.1) (from Ch. 122, par. 107-23.1)

Sec. 7-23.1. Contracts. The board shall let all contracts (other than those excepted by Section 3-27.1 of this Act) for supplies, materials or work involving an expenditure in excess of \$25,000 or a lower amount as required by board policy ~~\$10,000~~ by competitive bidding as provided in Section 3-27.1 of this Act.

(Source: P.A. 92-648, eff. 7-11-02.)".

The motion prevailed.  
And the amendment was adopted and ordered printed.  
Senator Maloney offered the following amendment and moved its adoption:

#### AMENDMENT NO. 3 TO SENATE BILL 2293

AMENDMENT NO. 3. Amend Senate Bill 2293 on page 6, line 2, after "Code", by inserting "and any contracts for services related to the preparation and delivery of food and all ancillary services".

The motion prevailed.  
And the amendment was adopted and ordered printed.

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There being no further amendments, the foregoing Amendments numbered 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

### READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cullerton, **Senate Bill No. 2295**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 56; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Clayborne, **Senate Bill No. 2296**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 56; Nays None.

The following voted in the affirmative:

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

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Dillard	Lauzen	Righter
Forby	Lightford	Risinger

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

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

On motion of Senator Raoul, **Senate Bill No. 2303**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 56; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Garrett, **Senate Bill No. 2311**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Rutherford
Bivins	Garrett	Luechtefeld	Sandoval
Bomke	Haine	Maloney	Schoenberg
Bond	Halvorson	Martinez	Steans
Burzynski	Harmon	Meeks	Sullivan
Clayborne	Hendon	Millner	Syverson
Cronin	Holmes	Munoz	Trotter
Crotty	Hultgren	Murphy	Viverito
Cullerton	Hunter	Noland	Watson
Dahl	Jacobs	Pankau	Wilhelmi

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DeLeo	Jones, J.	Peterson	Mr. President
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	
Forby	Lightford	Risinger	

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

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

On motion of Senator Cullerton, **Senate Bill No. 2322**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays 1; Present 1.

The following voted in the affirmative:

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

The following voted in the negative:

Hultgren

The following voted present:

Murphy

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

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

On motion of Senator Cullerton, **Senate Bill No. 2326**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 56; Nays None.

The following voted in the affirmative:

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

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

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

#### SENATE BILL RECALLED

On motion of Senator Schoenberg, **Senate Bill No. 2332** was recalled from the order of third reading to the order of second reading.

Senator Schoenberg offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO SENATE BILL 2332

AMENDMENT NO. 1. Amend Senate Bill 2332 on page 4, in line 7 by deleting "(i)"; and on page 4, by replacing lines 8 through 13 with "Assembly to be available during that year."; and on page 4, by replacing line 23 with the following:

"(b) By February 1, 2009 and by February 1 of each year"; and

on page 5, by replacing line 13 with the following:

"By May 1, 2009 and by May 1 of each year thereafter"; and

on page 5, by replacing lines 18 through 23 with the following:

"the Governor and the General Assembly. The General Assembly may disapprove the report in whole or in part within 60 calendar days after its delivery to the General Assembly by adoption of a resolution by a record vote of a majority of the members elected in one house."; and

by deleting line 7 on page 6 through line 17 on page 7.

The motion prevailed.

And the amendment was adopted and ordered printed.

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

#### READING BILL OF THE SENATE A THIRD TIME

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On motion of Senator Wilhelm, **Senate Bill No. 2340**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 55; Nays None.

The following voted in the affirmative:

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

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

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

#### SENATE BILL RECALLED

On motion of Senator Wilhelm, **Senate Bill No. 2344** was recalled from the order of third reading to the order of second reading.

Senator Wilhelm offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO SENATE BILL 2344

AMENDMENT NO. 2. Amend Senate Bill 2344 on page 2, lines 3 and 4, by replacing "fund established by this Section" with "Facilities Management Revolving Fund ~~fund established by this Section~~".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

#### READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Clayborne, **Senate Bill No. 2348**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 56; Nays None.

The following voted in the affirmative:

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

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

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

#### SENATE BILL RECALLED

On motion of Senator Cronin, **Senate Bill No. 2362** was recalled from the order of third reading to the order of second reading.

Senator Cronin offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO SENATE BILL 2362

AMENDMENT NO. 2. Amend Senate Bill 2362, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 4-108 as follows:

(40 ILCS 5/4-108) (from Ch. 108 1/2, par. 4-108)

Sec. 4-108. Creditable service.

(a) Creditable service is the time served as a firefighter of a municipality. In computing creditable service, furloughs and leaves of absence without pay exceeding 30 days in any one year shall not be counted, but leaves of absence for illness or accident regardless of length, and periods of disability for which a firefighter received no disability pension payments under this Article, shall be counted.

(b) Furloughs and leaves of absence of 30 days or less in any one year may be counted as creditable service, if the firefighter makes the contribution to the fund that would have been required had he or she not been on furlough or leave of absence. To qualify for this creditable service, the firefighter must pay the required contributions to the fund not more than 90 days subsequent to the termination of the furlough or leave of absence, to the extent that the municipality has not made such contribution on his or her behalf.

(c) Creditable service includes:

(1) Service in the military, naval or air forces of the United States entered upon when

the person was an active firefighter, provided that, upon applying for a permanent pension, and in accordance with the rules of the board the firefighter pays into the fund the amount that would have been contributed had he or she been a regular contributor during such period of service, if and to the extent that the municipality which the firefighter served made no such contributions in his or her behalf. The total amount of such creditable service shall not exceed 5 years, except that any firefighter who on July 1, 1973 had more than 5 years of such creditable service shall receive the total amount thereof as of that date.

(1.5) Up to 24 months of service in the military, naval, or air forces of the United States that was served prior to employment by a municipality or fire protection district as a firefighter. To receive the credit for the military service prior to the employment as a firefighter, the firefighter must apply in writing to the fund within 3 months after the effective date of this amendatory Act of the 95th General Assembly and must make contributions to the fund equal to (i) the employee contributions that would have been required had the service been rendered as a member, plus (ii) an amount determined by the

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fund to be equal to the employer's normal cost of the benefits accrued for that military service, plus (iii) interest at the rate of 6% per year, compounded annually from the first date of membership in the fund to the date of payment on items (i) and (ii). The changes to this paragraph (1.5) by this amendatory Act of the 95th General Assembly apply only to participating employees in service on or after its effective date.

(2) Service prior to July 1, 1976 by a firefighter initially excluded from participation by reason of age who elected to participate and paid the required contributions for such service.

(3) Up to 8 years of service by a firefighter as an officer in a statewide firefighters' association when he is on a leave of absence from a municipality's payroll, provided that (i) the firefighter has at least 10 years of creditable service as an active firefighter, (ii) the firefighter contributes to the fund the amount that he would have contributed had he remained an active member of the fund, and (iii) the employee or statewide firefighter association contributes to the fund an amount equal to the employer's required contribution as determined by the board.

(4) Time spent as an on-call fireman for a municipality, calculated at the rate of one year of creditable service for each 5 years of time spent as an on-call fireman, provided that (i) the firefighter has at least 18 years of creditable service as an active firefighter, (ii) the firefighter spent at least 14 years as an on-call firefighter for the municipality, (iii) the firefighter applies for such creditable service within 30 days after the effective date of this amendatory Act of 1989, (iv) the firefighter contributes to the Fund an amount representing employee contributions for the number of years of creditable service granted under this subdivision (4), based on the salary and contribution rate in effect for the firefighter at the date of entry into the Fund, to be determined by the board, and (v) not more than 3 years of creditable service may be granted under this subdivision (4).

Except as provided in Section 4-108.5, creditable service shall not include time spent as a volunteer firefighter, whether or not any compensation was received therefor. The change made in this Section by Public Act 83-0463 is intended to be a restatement and clarification of existing law, and does not imply that creditable service was previously allowed under this Article for time spent as a volunteer firefighter.

(5) Time served between July 1, 1976 and July 1, 1988 in the position of protective inspection officer or administrative assistant for fire services, for a municipality with a population under 10,000 that is located in a county with a population over 3,000,000 and that maintains a firefighters' pension fund under this Article, if the position included firefighting duties, notwithstanding that the person may not have held an appointment as a firefighter, provided that application is made to the pension fund within 30 days after the effective date of this amendatory Act of 1991, and the corresponding contributions are paid for the number of years of service granted, based upon the salary and contribution rate in effect for the firefighter at the date of entry into the pension fund, as determined by the Board.

(6) Service before becoming a participant by a firefighter initially excluded from participation by reason of age who becomes a participant under the amendment to Section 4-107 made by this amendatory Act of 1993 and pays the required contributions for such service.

(7) Up to 3 years of time during which the firefighter receives a disability pension under Section 4-110, 4-110.1, or 4-111, provided that (i) the firefighter returns to active service after the disability for a period at least equal to the period for which credit is to be established and (ii) the firefighter makes contributions to the fund based on the rates specified in Section 4-118.1 and the salary upon which the disability pension is based. These contributions may be paid at any time prior to the commencement of a retirement pension. The firefighter may, but need not, elect to have the contributions deducted from the disability pension or to pay them in installments on a schedule approved by the board. If not deducted from the disability pension, the contributions shall include interest at the rate of 6% per year, compounded annually, from the date for which service credit is being established to the date of payment. If contributions are paid under this subdivision (c)(7) in excess of those needed to establish the credit, the excess shall be refunded. This subdivision (c)(7) applies to persons receiving a disability pension under Section 4-110, 4-110.1, or 4-111 on the effective date of this amendatory Act of the 91st General Assembly, as well as persons who begin to receive such a disability pension after that date.

(Source: P.A. 94-856, eff. 6-15-06.)

Section 90. The State Mandates Act is amended by adding Section 8.32 as follows:  
(30 ILCS 805/8.32 new)

Sec. 8.32. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 95th

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General Assembly.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

### READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Righter, **Senate Bill No. 2366**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 55; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Holmes, **Senate Bill No. 2394**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Risinger
Bivins	Garrett	Luechtefeld	Rutherford
Bomke	Haine	Maloney	Sandoval
Bond	Halvorson	Martinez	Schoenberg
Burzynski	Harmon	Meeks	Steans
Clayborne	Hendon	Millner	Sullivan
Cronin	Holmes	Munoz	Syverson
Cullerton	Hultgren	Murphy	Trotter

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Dahl	Jacobs	Noland	Viverito
DeLeo	Jones, J.	Pankau	Watson
Delgado	Koehler	Peterson	Wilhelmi
Demuzio	Kotowski	Radogno	Mr. President
Dillard	Lauzen	Raoul	
Forby	Lightford	Righter	

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

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

### SENATE BILLS RECALLED

On motion of Senator Demuzio, **Senate Bill No. 2407** was recalled from the order of third reading to the order of second reading.

Senator Demuzio offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO SENATE BILL 2407

AMENDMENT NO. 1. Amend Senate Bill 2407 by replacing everything after the enacting clause with the following:

"Section 5. The Fish and Aquatic Life Code is amended by adding Section 20-82 as follows:  
(515 ILCS 5/20-82 new)

Sec. 20-82. Asian Carp Reduction Pilot Program.

(a) Subject to appropriation, the Department of Natural Resources shall establish a one-year pilot program to stimulate the bulk harvest of Bighead Carp (*hypophthalmichthys nobilis*) and Silver Carp (*hypophthalmichthys molitrix*) in the Illinois River and to increase the number of native fish.

(b) The General Assembly may appropriate an amount not to exceed \$3,000,000 to the Department of Natural Resources for the purposes of this pilot program. From the amounts appropriated, the Department may enter into contracts with licensed commercial fishermen and other organizations for the administration, staffing, materials, and equipment necessary for the program, and the Department may also use appropriated funds to establish grants to natural resource conservation organizations that serve the Illinois River basin for the purposes of this program.

(c) The pilot program shall include the development of a scientific plan to reduce or remove Bighead Carp and Silver Carp from the river system.

(d) The Department shall issue a report with the results of the Asian Carp Reduction Pilot Program to the General Assembly no later than December 31, 2009.

(e) This Section is repealed on January 1, 2010.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the 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. 2413** was recalled from the order of third reading to the order of second reading.

Senator Demuzio offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO SENATE BILL 2413

AMENDMENT NO. 1. Amend Senate Bill 2413 on page 1, line 4, after "The", by inserting "Public Community College Act".

The motion prevailed.

And the amendment was adopted and ordered printed.

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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.

### READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Koehler, **Senate Bill No. 2434**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Holmes, **Senate Bill No. 2444**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 55; Nays None.

The following voted in the affirmative:

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

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

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

On motion of Senator Jacobs, **Senate Bill No. 2461**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 55; Nays None.

The following voted in the affirmative:

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

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

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

#### SENATE BILL RECALLED

On motion of Senator Lightford, **Senate Bill No. 2482** was recalled from the order of third reading to the order of second reading.

Senator Lightford offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO SENATE BILL 2482

AMENDMENT NO. 1. Amend Senate Bill 2482 as follows:

on page 1, line 5, by replacing "1C-2," with "1A-4, 1A-10, 1C-2, 2-3.11,"; and

on page 1, line 5, after "2-3.117," by inserting "10-20.40, 13B-65.10,"; and

on page 1, line 5, before "14C-2", by inserting "14-15.01,"; and

on page 1, line 6, by replacing "and 27-24.4" with "27-24.4, and 34-18.34"; and

on page 1, immediately below line 6, by inserting the following:

"(105 ILCS 5/1A-4) (from Ch. 122, par. 1A-4)

(Text of Section before amendment by P.A. 95-626)

Sec. 1A-4. Powers and duties of the Board.

A. (Blank).

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B. The Board shall determine the qualifications of and appoint a chief education officer, to be known as the State Superintendent of Education, who may be proposed by the Governor and who shall serve at the pleasure of the Board and pursuant to a performance-based contract linked to statewide student performance and academic improvement within Illinois schools. Upon expiration or buyout of the contract of the State Superintendent of Education in office on the effective date of this amendatory Act of the 93rd General Assembly, a State Superintendent of Education shall be appointed by a State Board of Education that includes the 7 new Board members who were appointed to fill seats of members whose terms were terminated on the effective date of this amendatory Act of the 93rd General Assembly. Thereafter, a State Superintendent of Education must, at a minimum, be appointed at the beginning of each term of a Governor after that Governor has made appointments to the Board. A performance-based contract issued for the employment of a State Superintendent of Education entered into on or after the effective date of this amendatory Act of the 93rd General Assembly must expire no later than February 1, 2007, and subsequent contracts must expire no later than February 1 each 4 years thereafter. No contract shall be extended or renewed beyond February 1, 2007 and February 1 each 4 years thereafter, but a State Superintendent of Education shall serve until his or her successor is appointed. Each contract entered into on or before January 8, 2007 with a State Superintendent of Education must provide that the State Board of Education may terminate the contract for cause, and the State Board of Education shall not thereafter be liable for further payments under the contract. With regard to this amendatory Act of the 93rd General Assembly, it is the intent of the General Assembly that, beginning with the Governor who takes office on the second Monday of January, 2007, a State Superintendent of Education be appointed at the beginning of each term of a Governor after that Governor has made appointments to the Board. The State Superintendent of Education shall not serve as a member of the State Board of Education. The Board shall set the compensation of the State Superintendent of Education who shall serve as the Board's chief executive officer. The Board shall also establish the duties, powers and responsibilities of the State Superintendent, which shall be included in the State Superintendent's performance-based contract along with the goals and indicators of student performance and academic improvement used to measure the performance and effectiveness of the State Superintendent. The State Board of Education may delegate to the State Superintendent of Education the authority to act on the Board's behalf, provided such delegation is made pursuant to adopted board policy or the powers delegated are ministerial in nature. The State Board may not delegate authority under this Section to the State Superintendent to (1) nonrecognize school districts, (2) withhold State payments as a penalty, or (3) make final decisions under the contested case provisions of the Illinois Administrative Procedure Act unless otherwise provided by law.

C. The powers and duties of the State Board of Education shall encompass all duties delegated to the Office of Superintendent of Public Instruction on January 12, 1975, except as the law providing for such powers and duties is thereafter amended, and such other powers and duties as the General Assembly shall designate. The Board shall be responsible for the educational policies and guidelines for public schools, pre-school through grade 12 and Vocational Education in the State of Illinois. The Board shall analyze the present and future aims, needs, and requirements of education in the State of Illinois and recommend to the General Assembly the powers which should be exercised by the Board. The Board shall recommend the passage and the legislation necessary to determine the appropriate relationship between the Board and local boards of education and the various State agencies and shall recommend desirable modifications in the laws which affect schools.

D. Two members of the Board shall be appointed by the chairperson to serve on a standing joint Education Committee, 2 others shall be appointed from the Board of Higher Education, 2 others shall be appointed by the chairperson of the Illinois Community College Board, and 2 others shall be appointed by the chairperson of the Human Resource Investment Council. The Committee shall be responsible for making recommendations concerning the submission of any workforce development plan or workforce training program required by federal law or under any block grant authority. The Committee will be responsible for developing policy on matters of mutual concern to elementary, secondary and higher education such as Occupational and Career Education, Teacher Preparation and Certification, Educational Finance, Articulation between Elementary, Secondary and Higher Education and Research and Planning. The joint Education Committee shall meet at least quarterly and submit an annual report of its findings, conclusions, and recommendations to the State Board of Education, the Board of Higher Education, the Illinois Community College Board, the Human Resource Investment Council, the Governor, and the General Assembly. All meetings of this Committee shall be official meetings for reimbursement under this Act.

E. Five members of the Board shall constitute a quorum. A majority vote of the members appointed, confirmed and serving on the Board is required to approve any action, except that the 7 new Board

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members who were appointed to fill seats of members whose terms were terminated on the effective date of this amendatory act of the 93rd General Assembly may vote to approve actions when appointed and serving.

Using the most recently available data, the ~~The~~ Board shall prepare and submit to the General Assembly and the Governor on or before January 14, 1976 and annually thereafter a report or reports of its findings and recommendations. Such annual report shall contain a separate section which provides a critique and analysis of the status of education in Illinois and which identifies its specific problems and recommends express solutions therefor. Such annual report also shall contain the following information for the preceding year ending on June 30: each act or omission of a school district of which the State Board of Education has knowledge as a consequence of scheduled, approved visits and which constituted a failure by the district to comply with applicable State or federal laws or regulations relating to public education, the name of such district, the date or dates on which the State Board of Education notified the school district of such act or omission, and what action, if any, the school district took with respect thereto after being notified thereof by the State Board of Education. The report shall also include the statewide high school dropout rate by grade level, sex and race and the annual student dropout rate of and the number of students who graduate from, transfer from or otherwise leave bilingual programs. The Auditor General shall annually perform a compliance audit of the State Board of Education's performance of the reporting duty imposed by this amendatory Act of 1986. A regular system of communication with other directly related State agencies shall be implemented.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Council, as required by Section 3.1 of the General Assembly Organization Act, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

F. Upon appointment of the 7 new Board members who were appointed to fill seats of members whose terms were terminated on the effective date of this amendatory Act of the 93rd General Assembly, the Board shall review all of its current rules in an effort to streamline procedures, improve efficiency, and eliminate unnecessary forms and paperwork.

(Source: P.A. 93-1036, eff. 9-14-04.)

(Text of Section after amendment by P.A. 95-626)

Sec. 1A-4. Powers and duties of the Board.

A. (Blank).

B. The Board shall determine the qualifications of and appoint a chief education officer, to be known as the State Superintendent of Education, who may be proposed by the Governor and who shall serve at the pleasure of the Board and pursuant to a performance-based contract linked to statewide student performance and academic improvement within Illinois schools. Upon expiration or buyout of the contract of the State Superintendent of Education in office on the effective date of this amendatory Act of the 93rd General Assembly, a State Superintendent of Education shall be appointed by a State Board of Education that includes the 7 new Board members who were appointed to fill seats of members whose terms were terminated on the effective date of this amendatory Act of the 93rd General Assembly. Thereafter, a State Superintendent of Education must, at a minimum, be appointed at the beginning of each term of a Governor after that Governor has made appointments to the Board. A performance-based contract issued for the employment of a State Superintendent of Education entered into on or after the effective date of this amendatory Act of the 93rd General Assembly must expire no later than February 1, 2007, and subsequent contracts must expire no later than February 1 each 4 years thereafter. No contract shall be extended or renewed beyond February 1, 2007 and February 1 each 4 years thereafter, but a State Superintendent of Education shall serve until his or her successor is appointed. Each contract entered into on or before January 8, 2007 with a State Superintendent of Education must provide that the State Board of Education may terminate the contract for cause, and the State Board of Education shall not thereafter be liable for further payments under the contract. With regard to this amendatory Act of the 93rd General Assembly, it is the intent of the General Assembly that, beginning with the Governor who takes office on the second Monday of January, 2007, a State Superintendent of Education be appointed at the beginning of each term of a Governor after that Governor has made appointments to the Board. The State Superintendent of Education shall not serve as a member of the State Board of Education. The Board shall set the compensation of the State Superintendent of Education who shall serve as the Board's chief executive officer. The Board shall also establish the duties, powers and responsibilities of the State Superintendent, which shall be included in the State Superintendent's

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performance-based contract along with the goals and indicators of student performance and academic improvement used to measure the performance and effectiveness of the State Superintendent. The State Board of Education may delegate to the State Superintendent of Education the authority to act on the Board's behalf, provided such delegation is made pursuant to adopted board policy or the powers delegated are ministerial in nature. The State Board may not delegate authority under this Section to the State Superintendent to (1) nonrecognize school districts, (2) withhold State payments as a penalty, or (3) make final decisions under the contested case provisions of the Illinois Administrative Procedure Act unless otherwise provided by law.

C. The powers and duties of the State Board of Education shall encompass all duties delegated to the Office of Superintendent of Public Instruction on January 12, 1975, except as the law providing for such powers and duties is thereafter amended, and such other powers and duties as the General Assembly shall designate. The Board shall be responsible for the educational policies and guidelines for public schools, pre-school through grade 12 and Vocational Education in the State of Illinois. The Board shall analyze the present and future aims, needs, and requirements of education in the State of Illinois and recommend to the General Assembly the powers which should be exercised by the Board. The Board shall recommend the passage and the legislation necessary to determine the appropriate relationship between the Board and local boards of education and the various State agencies and shall recommend desirable modifications in the laws which affect schools.

D. Two members of the Board shall be appointed by the chairperson to serve on a standing joint Education Committee, 2 others shall be appointed from the Board of Higher Education, 2 others shall be appointed by the chairperson of the Illinois Community College Board, and 2 others shall be appointed by the chairperson of the Human Resource Investment Council. The Committee shall be responsible for making recommendations concerning the submission of any workforce development plan or workforce training program required by federal law or under any block grant authority. The Committee will be responsible for developing policy on matters of mutual concern to elementary, secondary and higher education such as Occupational and Career Education, Teacher Preparation and Certification, Educational Finance, Articulation between Elementary, Secondary and Higher Education and Research and Planning. The joint Education Committee shall meet at least quarterly and submit an annual report of its findings, conclusions, and recommendations to the State Board of Education, the Board of Higher Education, the Illinois Community College Board, the Human Resource Investment Council, the Governor, and the General Assembly. All meetings of this Committee shall be official meetings for reimbursement under this Act. On the effective date of this amendatory Act of the 95th General Assembly, the Joint Education Committee is abolished.

E. Five members of the Board shall constitute a quorum. A majority vote of the members appointed, confirmed and serving on the Board is required to approve any action, except that the 7 new Board members who were appointed to fill seats of members whose terms were terminated on the effective date of this amendatory act of the 93rd General Assembly may vote to approve actions when appointed and serving.

Using the most recently available data, the Board shall prepare and submit to the General Assembly and the Governor on or before January 14, 1976 and annually thereafter a report or reports of its findings and recommendations. Such annual report shall contain a separate section which provides a critique and analysis of the status of education in Illinois and which identifies its specific problems and recommends express solutions therefor. Such annual report also shall contain the following information for the preceding year ending on June 30: each act or omission of a school district of which the State Board of Education has knowledge as a consequence of scheduled, approved visits and which constituted a failure by the district to comply with applicable State or federal laws or regulations relating to public education, the name of such district, the date or dates on which the State Board of Education notified the school district of such act or omission, and what action, if any, the school district took with respect thereto after being notified thereof by the State Board of Education. The report shall also include the statewide high school dropout rate by grade level, sex and race and the annual student dropout rate of and the number of students who graduate from, transfer from or otherwise leave bilingual programs. The Auditor General shall annually perform a compliance audit of the State Board of Education's performance of the reporting duty imposed by this amendatory Act of 1986. A regular system of communication with other directly related State agencies shall be implemented.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Council, as required by Section 3.1 of the General Assembly Organization Act, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of

Section 7 of the State Library Act.

F. Upon appointment of the 7 new Board members who were appointed to fill seats of members whose terms were terminated on the effective date of this amendatory Act of the 93rd General Assembly, the Board shall review all of its current rules in an effort to streamline procedures, improve efficiency, and eliminate unnecessary forms and paperwork.

(Source: P.A. 95-626, eff. 6-1-08.)

(105 ILCS 5/1A-10)

Sec. 1A-10. Divisions of Board. The State Board of Education shall, before April 1, 2005, create divisions within the Board, including without limitation the following:

- (1) Teaching and Learning Services for All Children.
- (2) School Support Services for All Schools.
- (3) Fiscal Support Services.
- (4) ~~(Blank). Special Education Services.~~
- (5) Internal Auditor.
- (6) Human Resources.

The State Board of Education may, after consultation with the General Assembly, add any divisions or functions to the Board that it deems appropriate and consistent with Illinois law.

(Source: P.A. 93-1036, eff. 9-14-04.); and

on page 1, line 11, by replacing "(b)" with "~~(b)~~"; and

on page 1, line 12, by replacing "~~(e)~~" with "(c)"; and

on page 2, immediately below line 5, by inserting the following:

"(105 ILCS 5/2-3.11) (from Ch. 122, par. 2-3.11)

Sec. 2-3.11. Report to Governor and General Assembly. Using the most recently available data, to ~~to~~ report to the Governor and General Assembly annually on or before January 14 the condition of the schools of the State for the preceding year, ending on June 30.

Such annual report shall contain reports of the State Teacher Certification Board; the schools of the State charitable institutions; reports on driver education, special education, and transportation; and for such year the annual statistical reports of the State Board of Education, including the number and kinds of school districts; number of school attendance centers; number of men and women teachers; enrollment by grades; total enrollment; total days attendance; total days absence; average daily attendance; number of elementary and secondary school graduates; assessed valuation; tax levies and tax rates for various purposes; amount of teachers' orders, anticipation warrants, and bonds outstanding; and number of men and women teachers and total enrollment of private schools. The report shall give for all school districts receipts from all sources and expenditures for all purposes for each fund; the total operating expense, the per capita cost, and instructional expenditures; federal and state aids and reimbursements; new school buildings, and recognized schools; together with such other information and suggestions as the State Board of Education may deem important in relation to the schools and school laws and the means of promoting education throughout the state.

In this Section, "instructional expenditures" means the annual expenditures of school districts properly attributable to expenditure functions defined in rules of the State Board of Education as: 1100 (Regular Education); 1200-1220 (Special Education); 1250 (Ed. Deprived/Remedial); 1400 (Vocational Programs); 1600 (Summer School); 1650 (Gifted); 1800 (Bilingual Programs); 1900 (Truant Alternative); 2110 (Attendance and Social Work Services); 2120 (Guidance Services); 2130 (Health Services); 2140 (Psychological Services); 2150 (Speech Pathology and Audiology Services); 2190 (Other Support Services Pupils); 2210 (Improvement of Instruction); 2220 (Educational Media Services); 2230 (Assessment and Testing); 2540 (Operation and Maintenance of Plant Services); 2550 (Pupil Transportation Service); 2560 (Food Service); 4110 (Payments for Regular Programs); 4120 (Payments for Special Education Programs); 4130 (Payments for Adult Education Programs); 4140 (Payments for Vocational Education Programs); 4170 (Payments for Community College Programs); 4190 (Other payments to in-state government units); and 4200 (Other payments to out of state government units).

(Source: P.A. 93-679, eff. 6-30-04.); and

on page 6, immediately below line 2, by inserting the following:

"(105 ILCS 5/10-20.40)

Sec. 10-20.40. Student biometric information.

(a) For the purposes of this Section, "biometric information" means any information that is collected through an identification process for individuals based on their unique behavioral or physiological characteristics, including fingerprint, hand geometry, voice, or facial recognition or iris or retinal scans.

(b) School districts that collect biometric information from students shall adopt policies that require, at a minimum, all of the following:

(1) Written permission from the individual who has legal custody of the student, as defined in Section 10-20.12b of this Code, or from the student if he or she has reached the age of 18.

(2) The discontinuation of use of a student's biometric information under either of the following conditions:

(A) upon the student's graduation or withdrawal from the school district; or

(B) upon receipt in writing of a request for discontinuation by the individual having legal custody of the student or by the student if he or she has reached the age of 18.

(3) The destruction of all of a student's biometric information within 30 days after the use of the biometric information is discontinued in accordance with item (2) of this subsection (b).

(4) The use of biometric information solely for identification or fraud prevention.

(5) A prohibition on the sale, lease, or other disclosure of biometric information to another person or entity, unless:

(A) the individual who has legal custody of the student or the student, if he or she has reached the age of 18, consents to the disclosure; or

(B) the disclosure is required by court order.

(6) The storage, transmittal, and protection of all biometric information from disclosure.

(c) Failure to provide written consent under item (1) of subsection (b) of this Section by the individual who has legal custody of the student or by the student, if he or she has reached the age of 18, must not be the basis for refusal of any services otherwise available to the student.

(d) Student biometric information may be destroyed without notification to or the approval of a local records commission under the Local Records Act if destroyed within 30 days after the use of the biometric information is discontinued in accordance with item (2) of subsection (b) of this Section.

(Source: P.A. 95-232, eff. 8-16-07.)

(105 ILCS 5/13B-65.10)

Sec. 13B-65.10. Continuing professional development for teachers. Teachers may receive ~~continuing education units or~~ continuing professional development units, subject to the provisions of Section 13B-65.5 of this Code, for professional development related to alternative learning.

(Source: P.A. 92-42, eff. 1-1-02.); and

on page 7, immediately below line 18, by inserting the following:

"(105 ILCS 5/14-15.01) (from Ch. 122, par. 14-15.01)

Sec. 14-15.01. Community and Residential Services Authority.

(a) (1) The Community and Residential Services Authority is hereby created and shall consist of the following members:

A representative of the State Board of Education;

Four representatives of the Department of Human Services appointed by the Secretary of Human Services, with one member from the Division of Community Health and Prevention, one member from the Division ~~the Office~~ of Developmental Disabilities ~~of the Division of Disability and Behavioral Health Services~~, one member from the Division ~~the Office~~ of Mental Health ~~of the Division of Disability and Behavioral Health Services~~, and one member from the Division ~~of the Office~~ of Rehabilitation Services ~~of the Division of Disability and Behavioral Health Services~~;

A representative of the Department of Children and Family Services;

A representative of the Department of Juvenile Justice Corrections;

A representative of the Department of Healthcare and Family Services;

A representative of the Attorney General's Disability Rights Advocacy Division;

The Chairperson and Minority Spokesperson of the House and Senate Committees on Elementary and Secondary Education or their designees; and

Six persons appointed by the Governor. Five of such appointees shall be experienced or knowledgeable relative to provision of services for individuals with a behavior disorder or a severe emotional disturbance and shall include representatives of both the private and public sectors, except that no more than 2 of those 5 appointees may be from the public sector and at least 2 must be or have been directly involved in provision of services to such individuals. The remaining member appointed by the Governor shall be or shall have been a parent of an individual with a behavior disorder or a severe

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emotional disturbance, and that appointee may be from either the private or the public sector.

(2) Members appointed by the Governor shall be appointed for terms of 4 years and shall continue to serve until their respective successors are appointed; provided that the terms of the original appointees shall expire on August 1, 1990, ~~and the term of the additional member appointed under this amendatory Act of 1992 shall commence upon the appointment and expire August 1, 1994.~~ Any vacancy in the office of a member appointed by the Governor shall be filled by appointment of the Governor for the remainder of the term.

A vacancy in the office of a member appointed by the Governor exists when one or more of the following events occur:

- (i) An appointee dies;
- (ii) An appointee files a written resignation with the Governor;
- (iii) An appointee ceases to be a legal resident of the State of Illinois; or
- (iv) An appointee fails to attend a majority of regularly scheduled Authority meetings in a fiscal year.

Members who are representatives of an agency shall serve at the will of the agency head. Membership on the Authority shall cease immediately upon cessation of their affiliation with the agency. If such a vacancy occurs, the appropriate agency head shall appoint another person to represent the agency.

If a legislative member of the Authority ceases to be Chairperson or Minority Spokesperson of the designated Committees, they shall automatically be replaced on the Authority by the person who assumes the position of Chairperson or Minority Spokesperson.

(b) The Community and Residential Services Authority shall have the following powers and duties:

(1) To conduct surveys to determine the extent of need, the degree to which documented need is currently being met and feasible alternatives for matching need with resources.

(2) To develop policy statements for interagency cooperation to cover all aspects of service delivery, including laws, regulations and procedures, and clear guidelines for determining responsibility at all times.

(3) To recommend policy statements and provide information regarding effective programs for delivery of services to all individuals under 22 years of age with a behavior disorder or a severe emotional disturbance in public or private situations.

(4) To review the criteria for service eligibility, provision and availability established by the governmental agencies represented on this Authority, and to recommend changes, additions or deletions to such criteria.

(5) To develop and submit to the Governor, the General Assembly, the Directors of the agencies represented on the Authority, and the State Board of Education a master plan for individuals under 22 years of age with a behavior disorder or a severe emotional disturbance, including detailed plans of service ranging from the least to the most restrictive options; and to assist local communities, upon request, in developing or strengthening collaborative interagency networks.

(6) To develop a process for making determinations in situations where there is a dispute relative to a plan of service for individuals or funding for a plan of service.

(7) To provide technical assistance to parents, service consumers, providers, and member agency personnel regarding statutory responsibilities of human service and educational agencies, and to provide such assistance as deemed necessary to appropriately access needed services.

(c) (1) The members of the Authority shall receive no compensation for their services but shall be entitled to reimbursement of reasonable expenses incurred while performing their duties.

(2) The Authority may appoint special study groups to operate under the direction of the Authority and persons appointed to such groups shall receive only reimbursement of reasonable expenses incurred in the performance of their duties.

(3) The Authority shall elect from its membership a chairperson, vice-chairperson and secretary.

(4) The Authority may employ and fix the compensation of such employees and technical assistants as it deems necessary to carry out its powers and duties under this Act. Staff assistance for the Authority shall be provided by the State Board of Education.

(5) Funds for the ordinary and contingent expenses of the Authority shall be appropriated to the State Board of Education in a separate line item.

(d) (1) The Authority shall have power to promulgate rules and regulations to carry out its powers and duties under this Act.

(2) The Authority may accept monetary gifts or grants from the federal government or any agency thereof, from any charitable foundation or professional association or from any other reputable source for implementation of any program necessary or desirable to the carrying out of the general purposes of the Authority. Such gifts and grants may be held in trust by the Authority and expended in the exercise

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of its powers and performance of its duties as prescribed by law.

(3) The Authority shall submit an annual report of its activities and expenditures to the Governor, the General Assembly, the directors of agencies represented on the Authority, and the State Superintendent of Education.

(Source: P.A. 95-331, eff. 8-21-07.); and

on page 20, line 11, by replacing "June 30" with "July 15 ~~June 30~~"; and

on page 20, line 12, by replacing "upon forms prepared by" with "shall certify to ~~upon forms prepared by~~"; and

on page 20, line 13, by replacing "shall certify to the regional superintendent" with "shall certify to the regional superintendent"; and

on page 71, immediately below line 24, by inserting the following:

"(105 ILCS 5/34-18.34)

Sec. 34-18.34. Student biometric information.

(a) For the purposes of this Section, "biometric information" means any information that is collected through an identification process for individuals based on their unique behavioral or physiological characteristics, including fingerprint, hand geometry, voice, or facial recognition or iris or retinal scans.

(b) If the school district collects biometric information from students, the district shall adopt a policy that requires, at a minimum, all of the following:

(1) Written permission from the individual who has legal custody of the student, as defined in Section 10-20.12b of this Code, or from the student if he or she has reached the age of 18.

(2) The discontinuation of use of a student's biometric information under either of the following conditions:

(A) upon the student's graduation or withdrawal from the school district; or

(B) upon receipt in writing of a request for discontinuation by the individual having legal custody of the student or by the student if he or she has reached the age of 18.

(3) The destruction of all of a student's biometric information within 30 days after the use of the biometric information is discontinued in accordance with item (2) of this subsection (b).

(4) The use of biometric information solely for identification or fraud prevention.

(5) A prohibition on the sale, lease, or other disclosure of biometric information to another person or entity, unless:

(A) the individual who has legal custody of the student or the student, if he or she has reached the age of 18, consents to the disclosure; or

(B) the disclosure is required by court order.

(6) The storage, transmittal, and protection of all biometric information from disclosure.

(c) Failure to provide written consent under item (1) of subsection (b) of this Section by the individual who has legal custody of the student or by the student, if he or she has reached the age of 18, must not be the basis for refusal of any services otherwise available to the student.

(d) Student biometric information may be destroyed without notification to or the approval of a local records commission under the Local Records Act if destroyed within 30 days after the use of the biometric information is discontinued in accordance with item (2) of subsection (b) of this Section.

(Source: P.A. 95-232, eff. 8-16-07.)

Section 6. The Illinois School Student Records Act is amended by changing Section 6 as follows:  
(105 ILCS 10/6) (from Ch. 122, par. 50-6)

Sec. 6. (a) No school student records or information contained therein may be released, transferred, disclosed or otherwise disseminated, except as follows:

(1) To a parent or student or person specifically designated as a representative by a parent, as provided in paragraph (a) of Section 5;

(2) To an employee or official of the school or school district or State Board with current demonstrable educational or administrative interest in the student, in furtherance of such interest;

(3) To the official records custodian of another school within Illinois or an official with similar responsibilities of a school outside Illinois, in which the student has enrolled, or intends to enroll, upon the request of such official or student;

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(4) To any person for the purpose of research, statistical reporting or planning, provided that no student or parent can be identified from the information released and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records;

(5) Pursuant to a court order, provided that the parent shall be given prompt written notice upon receipt of such order of the terms of the order, the nature and substance of the information proposed to be released in compliance with such order and an opportunity to inspect and copy the school student records and to challenge their contents pursuant to Section 7;

(6) To any person as specifically required by State or federal law;

(6.5) To juvenile authorities when necessary for the discharge of their official duties who request information prior to adjudication of the student and who certify in writing that the information will not be disclosed to any other party except as provided under law or order of court. For purposes of this Section "juvenile authorities" means: (i) a judge of the circuit court and members of the staff of the court designated by the judge; (ii) parties to the proceedings under the Juvenile Court Act of 1987 and their attorneys; (iii) probation officers and court appointed advocates for the juvenile authorized by the judge hearing the case; (iv) any individual, public or private agency having custody of the child pursuant to court order; (v) any individual, public or private agency providing education, medical or mental health service to the child when the requested information is needed to determine the appropriate service or treatment for the minor; (vi) any potential placement provider when such release is authorized by the court for the limited purpose of determining the appropriateness of the potential placement; (vii) law enforcement officers and prosecutors; (viii) adult and juvenile prisoner review boards; (ix) authorized military personnel; (x) individuals authorized by court;

(7) Subject to regulations of the State Board, in connection with an emergency, to appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons;

(8) To any person, with the prior specific dated written consent of the parent designating the person to whom the records may be released, provided that at the time any such consent is requested or obtained, the parent shall be advised in writing that he has the right to inspect and copy such records in accordance with Section 5, to challenge their contents in accordance with Section 7 and to limit any such consent to designated records or designated portions of the information contained therein;

(9) To a governmental agency, or social service agency contracted by a governmental agency, in furtherance of an investigation of a student's school attendance pursuant to the compulsory student attendance laws of this State, provided that the records are released to the employee or agent designated by the agency;

(10) To those SHOCAP committee members who fall within the meaning of "state and local officials and authorities", as those terms are used within the meaning of the federal Family Educational Rights and Privacy Act, for the purposes of identifying serious habitual juvenile offenders and matching those offenders with community resources pursuant to Section 5-145 of the Juvenile Court Act of 1987, but only to the extent that the release, transfer, disclosure, or dissemination is consistent with the Family Educational Rights and Privacy Act; or

(11) To the Department of Healthcare and Family Services in furtherance of the requirements of Section 2-3.131, 3-14.29, 10-28, or 34-18.26 of the School Code or Section 10 of the School Breakfast and Lunch Program Act.

(12) To the State Board or another State government agency or between or among State government agencies in order to evaluate or audit federal and State programs or perform research and planning, but only to the extent that the release, transfer, disclosure, or dissemination is consistent with the federal Family Educational Rights and Privacy Act (20 U.S.C. 1221 et seq.).

(b) No information may be released pursuant to subparagraphs (3) or (6) of paragraph (a) of this Section 6 unless the parent receives prior written notice of the nature and substance of the information proposed to be released, and an opportunity to inspect and copy such records in accordance with Section 5 and to challenge their contents in accordance with Section 7. Provided, however, that such notice shall be sufficient if published in a local newspaper of general circulation or other publication directed generally to the parents involved where the proposed release of information is pursuant to subparagraph 6 of paragraph (a) in this Section 6 and relates to more than 25 students.

(c) A record of any release of information pursuant to this Section must be made and kept as a part of the school student record and subject to the access granted by Section 5. Such record of release shall be maintained for the life of the school student records and shall be available only to the parent and the

official records custodian. Each record of release shall also include:

- (1) The nature and substance of the information released;
- (2) The name and signature of the official records custodian releasing such information;
- (3) The name of the person requesting such information, the capacity in which such a request has been made, and the purpose of such request;
- (4) The date of the release; and
- (5) A copy of any consent to such release.

(d) Except for the student and his parents, no person to whom information is released pursuant to this Section and no person specifically designated as a representative by a parent may permit any other person to have access to such information without a prior consent of the parent obtained in accordance with the requirements of subparagraph (8) of paragraph (a) of this Section.

(e) Nothing contained in this Act shall prohibit the publication of student directories which list student names, addresses and other identifying information and similar publications which comply with regulations issued by the State Board.

(Source: P.A. 95-331, eff. 8-21-07.)

Section 7. The Illinois Summer School for the Arts Act is amended by adding Section 4.5 as follows:  
(105 ILCS 310/4.5 new)

Sec. 4.5. Transfer to State Board of Education.

(a) On the effective date of this amendatory Act of the 95th General Assembly, the board of trustees of the Illinois Summer School for the Arts is abolished and the terms of all members end. On that date, all of the powers, duties, assets, liabilities, employees, contracts, property, records, pending business, and unexpended appropriations of the board of trustees of the Illinois Summer School for the Arts are transferred to the State Board of Education.

(b) For purposes of the Successor Agency Act and Section 9b of the State Finance Act, the State Board of Education is declared to be the successor agency of the board of trustees of the Illinois Summer School for the Arts.

(c) Beginning on the effective date of this amendatory Act of the 95th General Assembly, references in statutes, rules, forms, and other documents to the board of trustees of the Illinois Summer School for the Arts shall, in appropriate contexts, be deemed to refer to the State Board of Education.

(d) Rules, standards, and procedures of the board of trustees of the Illinois Summer School for the Arts in effect on the effective date of this amendatory Act of the 95th General Assembly shall be deemed rules, standards, and procedures of the State Board of Education and shall remain in effect until amended or repealed by the State Board of Education.

Section 8. The Vocational Education Act is amended by changing Section 2 as follows:

(105 ILCS 435/2) (from Ch. 122, par. 697)

Sec. 2. Upon the effective date of this amendatory Act of 1975 and thereafter, any reference in this Act or any other Illinois statute to the Board of Vocational Education and Rehabilitation, as such reference pertains to vocational and technical education, means and refers to the State Board of Education. Notwithstanding the provisions of any Act or statute to the contrary, upon the effective date of this amendatory Act of 1975, the State Board of Education shall assume all powers and duties pertaining to vocational and technical education. The State Board of Education shall be responsible for policy and guidelines pertaining to vocational and technical education and shall exercise the following powers and duties:

(a) To co-operate with the federal government in the administration of the provisions of the Federal Vocational Education Law, to the extent and in the manner therein provided;

(b) To promote and aid in the establishment of schools and classes of the types and standards provided for in the plans of the Board, as approved by the federal government, and to co-operate with State agencies maintaining such schools or classes and with State and local school authorities in the maintenance of such schools and classes;

(c) To conduct and prepare investigations and studies in relation to vocational education and to publish the results of such investigations and studies;

(d) To promulgate reasonable rules and regulations relating to vocational and technical education;

(e) To report, in writing, to the Governor annually on or before the fourteenth day of January. The annual report shall contain (1) a statement to the extent to which vocational education has been established and maintained in the State; (2) a statement of the existing condition of vocational education in the State; (3) a statement of suggestions and recommendations with reference to the development of vocational education in the State; (4) ~~(blank); a statement of recommendations on programs and policies~~

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~~to overcome sex bias and sex stereotyping in vocational education programming and an assessment of the State's progress in achieving such goals prepared by the state vocational education sex equity coordinator pursuant to the Federal Vocational Education Law; and (5) an itemized statement of the amounts of money received from Federal and State sources, and of the objects and purposes to which the respective items of these several amounts have been devoted; and~~

(f) To make such reports to the federal government as may be required by the provisions of the Federal Vocational Education Law, and by the rules and regulations of the federal agency administering the Federal Vocational Education Law.

(g) To make grants subject to appropriation and to administer and promulgate rules and regulations to implement a vocational equipment program. The use of such grant funds shall be limited to obtaining equipment for vocational education programs, school shops and laboratories. The State Board of Education shall adopt appropriate regulations to administer this paragraph.

(Source: P.A. 86-560.); and

on page 72, immediately below line 5, by inserting the following:

"(105 ILCS 5/2-3.95 rep.); and

on page 72, immediately below line 6, by inserting the following:

"(105 ILCS 5/2-3.102 rep.); and

on page 72, immediately below line 7, by inserting the following:

"(105 ILCS 5/10-22.22a rep.) (105 ILCS 5/13B-40.5 rep.) (105 ILCS 5/13B-40.10 rep.) (105 ILCS 5/13B-40.15 rep.) (105 ILCS 5/13B-40.20 rep.) (105 ILCS 5/13B-40.25 rep.) (105 ILCS 5/13B-40.30 rep.); and

on page 72, immediately below line 11, by inserting the following:

"(105 ILCS 5/prec. Sec. 27-25 heading rep.) (105 ILCS 5/27-25 rep.) (105 ILCS 5/27-25.1 rep.) (105 ILCS 5/27-25.2 rep.) (105 ILCS 5/27-25.3 rep.) (105 ILCS 5/27-25.4 rep.); and

on page 72, line 13, after "2-3.94," by inserting "2-3.95,"; and

on page 72, line 14, after "2-3.99," by inserting "2-3.102,"; and

on page 72, line 14, after "2-3.124," by inserting "10-22.22a, 13B-40.5, 13B-40.10, 13B-40.15, 13B-40.20, 13B-40.25, 13B-40.30,"; and

on page 72, line 14, by replacing "and 27-23.2" with "27-23.2, 27-25, 27-25.1, 27-25.2, 27-25.3, and 27-25.4 and the heading preceding Section 27-25"; and

on page 72, immediately below line 14, by inserting the following:

"(105 ILCS 310/4 rep.) (105 ILCS 310/5 rep.)

Section 15. The Illinois Summer School for the Arts Act is amended by repealing Sections 4 and 5.

(105 ILCS 420/Act rep.)

Section 20. The Council on Vocational Education Act is repealed.

(105 ILCS 423/Act rep.)

Section 25. The Occupational Skill Standards Act is repealed.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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 630

Offered by Senator Lauzen and all Senators:

Mourns the death of James A. Murphy, formerly of Geneva and West Chicago.

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**SENATE RESOLUTION 631**

Offered by Senator Lauzen and all Senators:  
Mourns the death of William Roscoe of Big Rock, formerly of Aurora.

**SENATE RESOLUTION 632**

Offered by Senator Link and all Senators:  
Mourns the death of Allen J. Nelson, Jr., formerly of Lake Bluff.

**SENATE RESOLUTION 633**

Offered by Senator Link and all Senators:  
Mourns the death of John J. Deutsch of Waukegan.

**SENATE RESOLUTION 634**

Offered by Senator Link and all Senators:  
Mourns the death of Lena Losch of Waukegan.

**SENATE RESOLUTION 635**

Offered by Senator Link and all Senators:  
Mourns the death of Thomas J. Lee of Pleasant Prairie.

**SENATE RESOLUTION 636**

Offered by Senator Demuzio and all Senators:  
Mourns the death of Max Stewart of Raymond.

**SENATE RESOLUTION 637**

Offered by Senator Demuzio and all Senators:  
Mourns the death of Emily Elizabeth Kahl of Carlinville.

**SENATE RESOLUTION 638**

Offered by Senator Dillard and all Senators:  
Mourns the death of Mary V. Perina of Hinsdale.

**SENATE RESOLUTION 640**

Offered by Senator Forby and all Senators:  
Mourns the death of Nancy (Martin) Foder of West Frankfort.

**SENATE RESOLUTION 641**

Offered by Senator Hunter and all Senators:  
Mourns the death of Leon Taylor of Chicago.

**SENATE RESOLUTION 643**

Offered by Senator Forby and all Senators:  
Mourns the death of Jack Sandusky of Joppa.

**SENATE RESOLUTION 644**

Offered by Senator E. Jones and all Senators:  
Mourns the death of Leon Finney, Sr., of Chicago.

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

**MESSAGE FROM THE HOUSE**

A message from the House by  
Mr. Mahoney, Clerk:

[April 10, 2008]

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

**HOUSE JOINT RESOLUTION NO. 125**

**RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN**, that when the two Houses adjourn on Thursday, April 10, 2008, they stand adjourned until Tuesday, April 15, 2008 at 12:00 o'clock noon.

Adopted by the House, April 10, 2008.

MARK MAHONEY, Clerk of the House

By unanimous consent, on motion of Senator Halvorson, the foregoing message reporting House Joint Resolution No. 125 was taken up for immediate consideration.

Senator Halvorson moved that the Senate concur with the House in the adoption of the resolution. The motion prevailed.

And the Senate concurred with the House in the adoption of the resolution.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 4:39 o'clock p.m., pursuant to **House Joint Resolution No. 125**, the Chair announced the Senate stand adjourned until Tuesday, April 15, 2008, at 12:00 o'clock noon.

[April 10, 2008]