



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**157TH LEGISLATIVE DAY**

**THURSDAY, MAY 15, 2008**

**12:04 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**157th Legislative Day**

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The Senate met pursuant to adjournment.  
Senator Terry Link, Waukegan, Illinois, presiding.  
Prayer by Reverend Jeff Chitwood, South Side Christian Church, Springfield, Illinois.  
Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, May 14, 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.

**MESSAGES FROM THE PRESIDENT**

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

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

May 15, 2008

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

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Ira Silverstein to resume his position on the Senate Judiciary-Civil Committee. This appointment is effective immediately.

Sincerely,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

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

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

May 15, 2008

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

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Ira Silverstein to resume his position on the Senate Judiciary-Criminal Committee. This appointment is effective immediately.

Sincerely,  
s/Emil Jones, Jr.  
Senate President

[May 15, 2008]

cc: Senate Minority Leader Frank Watson

### 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 804  
 Senate Floor Amendment No. 2 to Senate Bill 970  
 Senate Floor Amendment No. 4 to Senate Bill 1029  
 Senate Floor Amendment No. 3 to Senate Bill 2654  
 Senate Floor Amendment No. 1 to Senate Bill 2736

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

Senate Floor Amendment No. 1 to House Bill 4175  
 Senate Floor Amendment No. 2 to House Bill 4602  
 Senate Floor Amendment No. 2 to House Bill 4754  
 Senate Floor Amendment No. 2 to House Bill 5195

### PRESENTATION OF RESOLUTIONS

#### SENATE RESOLUTION NO. 708

Offered by Senator Wilhelmi and all Senators:  
 Mourns the death of Susan K. Morton, Nee Kingsbury, of Joliet.

#### SENATE RESOLUTION NO. 709

Offered by Senator Wilhelmi and all Senators:  
 Mourns the death of Bernadine C. Hudson of Joliet.

#### SENATE RESOLUTION NO. 710

Offered by Senator Hultgren and all Senators:  
 Mourns the death of Robert E. Lee of Batavia.

#### SENATE RESOLUTION NO. 711

Offered by Senator Hultgren and all Senators:  
 Mourns the death of U.S. Army Staff Sergeant Robert J. Miller of Oviedo, Florida, formerly of Wheaton.

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

### REPORTS FROM STANDING COMMITTEES

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **House Bill No. 1809**, reported the same back with the recommendation that the bill do pass.  
 Under the rules, the bill was ordered to a second reading.

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **House Bills Numbered 3106 and 4726**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

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

Senate Amendment No. 8 to House Bill 824  
Senate Amendment No. 1 to House Bill 5494

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 **House Bills Numbered 2392, 4723, 4890, 5312, 5618 and 5666**, reported the same back with the recommendation that the bills do pass.

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

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **House Bill No. 5368**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Forby, Chairperson of the Committee on Labor, to which was referred **House Joint Resolution No. 78**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolution, as amended, be adopted.

Under the rules, **House Joint Resolution No. 78** was placed on the Secretary's Desk.

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 House Bill 4583

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 **House Bill No. 3679**, reported the same back with the recommendation that the bill do pass.

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

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

Senate Amendment No. 2 to Senate Bill 886

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

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred **House Bills Numbered 3286, 4567 and 5905**, reported the same back with the recommendation that the bills do pass.

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

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

Senate Amendment No. 2 to Senate Bill 1908

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 **House Bill No. 4602**, reported the same back with the recommendation that the bill do pass.

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

Senator Haine, Chairperson of the Committee on Insurance, to which was referred **House Bill No. 1432**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator 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. 1 to House Bill 4255

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

Senator Lightford, Chairperson of the Committee on Education, to which was referred **House Bills Numbered 4159, 4229, 4252, 4309, 4522 and 5717**, reported the same back with the recommendation that the bills do pass.

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

Senator Lightford, Chairperson of the Committee on Education, to which was referred **House Bills Numbered 1141, 5038 and 5077**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Crotty, Chairperson of the Committee on Local Government, to which was referred **House Bill No. 3441**, reported the same back with the recommendation that the bill do pass.

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

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary Civil Law, to which was referred **House Bills Numbered 5121 and 5148**, reported the same back with the recommendation that the bills do pass.

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

Senator Munoz, Chairperson of the Committee on Transportation, to which was referred **House Bill No. 5204**, reported the same back with the recommendation that the bill do pass.

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

Senator Raoul, Chairperson of the Committee on Pensions and Investments, to which was referred **House Bill No. 5120**, reported the same back with the recommendation that the bill do pass.

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

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred **House Bill No. 5069**, reported the same back with the recommendation that the bill do pass.

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

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred **House Bill No. 1040**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

**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 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. 5849

A bill for AN ACT concerning local government.

Passed the House, May 13, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bill No. 5849** 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. 2747

A bill for AN ACT concerning corrections, which may be referred to as the Access to Religious Ministry Act of 2008.

HOUSE BILL NO. 4988

A bill for AN ACT concerning juveniles.

HOUSE BILL NO. 4742

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 5310

A bill for AN ACT concerning conservation.

HOUSE BILL NO. 5369

A bill for AN ACT concerning local government.

HOUSE BILL NO. 5469

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 5492

A bill for AN ACT concerning regulation.

Passed the House, May 14, 2008.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 2747, 4742, 4988, 5310, 5369, 5469 and 5492** 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. 3642

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4778

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 4940

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 5970

A bill for AN ACT concerning education.

Passed the House, May 14, 2008.

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MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 3642, 4778, 4940 and 5970** 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 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. 108**

WHEREAS, The members of the Illinois General Assembly wish to acknowledge the life of State Trooper Howard Cleff, who passed away on February 1, 2000; and

WHEREAS, Howard Cleff was born in 1914 in Birds, Illinois; he was hired by the Illinois State Police in 1941, where he attended the second class for motorcycle troopers at the Academy; he served for thirty-two years, receiving superior ratings every year; and

WHEREAS, He received the Sharp Shooter Award several times during his career, a commendation for apprehending a "ten most wanted" fugitive during the 1960s Cairo riots, and received a \$100 war bond for making the suggestion to paint white stripes on the shoulders of Illinois highways; and

WHEREAS, Howard Cleff retired from the Illinois State Police as a motorcycle trooper second class in September of 1973; and

WHEREAS, Howard Cleff, Badge number 212, is remembered as one of the best liked Illinois State Policemen; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we remember the life and career of Howard Cleff and designate that portion of US Route 50 around the north side of Lawrenceville as the Howard Cleff Memorial Highway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the designation of that portion of US Route 50 around the north side of Lawrenceville as the Howard Cleff Memorial Highway; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Howard Cleff and to the Secretary of the Illinois Department of Transportation.

Adopted by the House, May 1, 2008.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 108 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 adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

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**HOUSE JOINT RESOLUTION NO. 97**

BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Board of Higher Education establish a task force to study issues related to dual credit; and be it further

RESOLVED, That the task force shall consist of one member of the House of Representatives appointed by the Speaker of the House of Representatives, one member of the House of Representatives appointed by the Minority Leader of the House of Representatives, one member of the Senate appointed by the President of the Senate, one member of the Senate appointed by the Minority Leader of the Senate, one representative of the Illinois Community College Board appointed by the Chairperson of the Illinois Community College Board, one representative of the State Board of Education appointed by the Chairperson of the State Board of Education, one representative of a professional teachers' organization appointed by that organization, one representative of another professional teachers' organization appointed by that organization, and 2 representatives from the higher education community appointed by the Board of Higher Education; and be it further

RESOLVED, That the task force shall report its findings to the General Assembly on or before December 1, 2009; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Board of Higher Education.

Adopted by the House, May 14, 2008.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 97 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 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. 117**

WHEREAS, The State of Illinois, through its Department of Natural Resources, has provided a captive-reared pheasant hunting program since 1946; and

WHEREAS, The captive-reared pheasants are released on public lands for hunting; and

WHEREAS, The Department of Natural Resources' Controlled Pheasant Hunting Program (CPHP) is now provided at 18 public hunting areas geographically distributed throughout Illinois; and

WHEREAS, The Controlled Pheasant Hunting Program provides an important and irreplaceable hunting experience for many hunters; and

WHEREAS, Illinois is highly urbanized, and 95% of all the land in the State is privately owned with limited hunting access; and

WHEREAS, The State's wild pheasant population has declined over the past 30 years; and

WHEREAS, The combination of limited hunting access and the decline in wild pheasant populations results in many hunters relying on public hunting areas for their sport and recreation; and

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WHEREAS, With the urbanization and development of so much of Illinois, public hunting areas are the sole source for urban hunters; and

WHEREAS, Public hunting areas are the most accessible for the State's active senior and handicapped hunters; and

WHEREAS, In 2006, 46,850, or 97.7% of the pheasants harvested on public lands were captive-reared pheasants from the 18 public hunting areas; and

WHEREAS, In 2006, only 1,100 wild pheasants were harvested from the remaining 19 public hunting areas where captive-reared pheasant are not released; and

WHEREAS, Illinois realized in excess of 29,000 pheasant hunter trips under the Controlled Pheasant Hunting Program; and

WHEREAS, Considerable revenues are realized from the State's vast population of pheasant hunters each and every season; and

WHEREAS, Pheasant hunters pay a \$15 daily access fee for using the Department of Natural Resources' controlled pheasant hunting areas; and

WHEREAS, Pheasant hunters must also purchase an Illinois hunting license and most also purchase the \$5.50 Habitat stamp; and

WHEREAS, Illinois hunters contribute to the State's \$5.8 million Pitman-Roberson apportionment through the federal excise tax paid on sporting arms and ammunition; and

WHEREAS, Illinois pheasant hunters contribute significantly to the local economies surrounding State-controlled hunting areas; and

WHEREAS, The Department of Natural Resources operates 3 Wildlife Propagation Centers; and

WHEREAS, These unique pheasant production facilities were constructed at a cost of nearly \$8 million; and

WHEREAS, In 2007, 65,000 mature pheasants raised at the Wildlife Propagation Centers were released on the State's controlled pheasant hunting lands; and

WHEREAS, Without the Department of Natural Resources' Controlled Pheasant Hunting Program, pheasant hunting in Illinois would virtually cease to exist; and

WHEREAS, Illinois pheasant hunters would be displaced and not have adequate access to hunting areas, especially in the State's expanding urban regions; and

WHEREAS, The revenues realized by both the State and the local economies within the State would suffer considerably without the continuation of the State's Controlled Pheasant Hunting Program; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we recognize the financial and professional investment committed by the State in creating its progressive and advanced propagation centers; and be it further

RESOLVED, We acknowledge and understand the significance of the State's Controlled Pheasant Hunting Program operated by the Department of Natural Resources; and be it further

RESOLVED, We encourage and expect the continuation and maintenance of the Controlled Pheasant Hunting Program to insure access and availability for pheasant hunters from throughout Illinois; and be

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it further

RESOLVED, That suitable copies of this resolution be presented to the Director of Natural Resources and the Governor.

Adopted by the House, May 14, 2008.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 117 was referred to the Committee on Rules.

**MESSAGE FROM THE COMPTROLLER**

OFFICE OF THE COMPTROLLER

**DANIEL W. HYNES**  
COMPTROLLER

ROOM 201  
STATE HOUSE  
SPRINGFIELD, ILLINOIS 62706

May 14, 2008

To the Honorable  
Members of the State Senate  
Ninety-Fifth General Assembly

Please be advised that I have reappointed the following named persons to the following positions enumerated below pursuant to Public Act 93-617:

As Inspector General, Office of the State Comptroller, **Mr. Michael J. Drake** for a term running through June 30, 2013 (Salaried)

As Commissioner on the Executive Ethics Commission, **Mr. James J. Faught** for a term running through June 30, 2012 (Salaried)

I respectfully ask for concurrence in the confirmation of these appointments by your honorable body.

Sincerely,  
s/Daniel W. Hynes  
Comptroller

**INTRODUCTION OF BILLS**

**SENATE BILL NO. 3041.** Introduced by Senator Burzynski, a bill for AN ACT concerning appropriations.

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

**SENATE BILL NO. 3042.** Introduced by Senator Wilhelmi, a bill for AN ACT concerning appropriations.

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

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

[May 15, 2008]

**House Bill No. 628**, sponsored by Senator Frerichs, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 2747**, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 3642**, sponsored by Senator Syverson, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4319**, sponsored by Senator Hultgren, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4350**, sponsored by Senator Frerichs, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4778**, sponsored by Senator Crotty, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 4988**, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5310**, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5369**, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5469**, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5492**, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5940**, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5970**, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 6310**, sponsored by Senator Schoenberg, was taken up, read by title a first time and referred to the Committee on Rules.

#### **EXCUSED FROM ATTENDANCE**

On motion of Senator Righter, Senator Dillard was excused from attendance due to district business.

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

On motion of Senator Lightford, **House Bill No. 1351** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Clayborne, **House Bill No. 2133** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Lightford, **House Bill No. 3446** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 3446**

AMENDMENT NO. 1. Amend House Bill 3446 as follows:

by replacing line 6 on page 1 through line 16 on page 14 with the following:

"(5 ILCS 140/7) (from Ch. 116, par. 207)

Sec. 7. Exemptions.

(1) The following shall be exempt from inspection and copying:

(a) Information specifically prohibited from disclosure by federal or State law or rules and regulations adopted under federal or State law.

(b) Information that, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy. Information exempted under this subsection (b) shall include but is not limited to:

(i) files and personal information maintained with respect to clients, patients, residents, students or other individuals receiving social, medical, educational, vocational, financial, supervisory or custodial care or services directly or indirectly from federal agencies or public bodies;

(ii) personnel files and personal information maintained with respect to employees, appointees or elected officials of any public body or applicants for those positions;

(iii) files and personal information maintained with respect to any applicant, registrant or licensee by any public body cooperating with or engaged in professional or occupational registration, licensure or discipline;

(iv) information required of any taxpayer in connection with the assessment or collection of any tax unless disclosure is otherwise required by State statute;

(v) information revealing the identity of persons who file complaints with or provide information to administrative, investigative, law enforcement or penal agencies; provided, however, that identification of witnesses to traffic accidents, traffic accident reports, and rescue reports may be provided by agencies of local government, except in a case for which a criminal investigation is ongoing, without constituting a clearly unwarranted per se invasion of personal privacy under this subsection; and

(vi) the names, addresses, or other personal information of participants and registrants in park district, forest preserve district, and conservation district programs.

(c) Records compiled by any public body for administrative enforcement proceedings and any law enforcement or correctional agency for law enforcement purposes or for internal matters of a public body, but only to the extent that disclosure would:

(i) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency;

(ii) interfere with pending administrative enforcement proceedings conducted by any public body;

(iii) deprive a person of a fair trial or an impartial hearing;

(iv) unavoidably disclose the identity of a confidential source or confidential information furnished only by the confidential source;

(v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct;

(vi) constitute an invasion of personal privacy under subsection (b) of this Section;

(vii) endanger the life or physical safety of law enforcement personnel or any other person; or

(viii) obstruct an ongoing criminal investigation.

(d) Criminal history record information maintained by State or local criminal justice agencies, except the following which shall be open for public inspection and copying:

(i) chronologically maintained arrest information, such as traditional arrest logs

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or blotters;

- (ii) the name of a person in the custody of a law enforcement agency and the charges for which that person is being held;
- (iii) court records that are public;
- (iv) records that are otherwise available under State or local law; or
- (v) records in which the requesting party is the individual identified, except as provided under part (vii) of paragraph (c) of subsection (1) of this Section.

"Criminal history record information" means data identifiable to an individual and consisting of descriptions or notations of arrests, detentions, indictments, informations, pre-trial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal ordinances) and the nature of any disposition arising therefrom, including sentencing, court or correctional supervision, rehabilitation and release. The term does not apply to statistical records and reports in which individuals are not identified and from which their identities are not ascertainable, or to information that is for criminal investigative or intelligence purposes.

- (e) Records that relate to or affect the security of correctional institutions and detention facilities.

(f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.

(g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of the trade secrets or information may cause competitive harm, including:

- (i) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(ii) All trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this item does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this item does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm.

Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.

(h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.

(i) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.

(j) Test questions, scoring keys and other examination data used to administer an academic examination or determined the qualifications of an applicant for a license or employment.

(k) Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, but only to the extent that disclosure would compromise security, including but not limited to water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings.

- (l) Library circulation and order records identifying library users with specific

materials.

(m) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.

(n) Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.

(o) Information received by a primary or secondary school, college or university under its procedures for the evaluation of faculty members by their academic peers.

(p) Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.

(q) Documents or materials relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying.

(r) Drafts, notes, recommendations and memoranda pertaining to the financing and marketing transactions of the public body. The records of ownership, registration, transfer, and exchange of municipal debt obligations, and of persons to whom payment with respect to these obligations is made.

(s) The records, documents and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under the Eminent Domain Act, records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt until a sale is consummated.

(t) Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool.

(u) Information concerning a university's adjudication of student or employee grievance or disciplinary cases, to the extent that disclosure would reveal the identity of the student or employee and information concerning any public body's adjudication of student or employee grievances or disciplinary cases, except for the final outcome of the cases.

(v) Course materials or research materials used by faculty members.

(w) Information related solely to the internal personnel rules and practices of a public body.

(x) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is otherwise required by State law.

(y) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(z) Manuals or instruction to staff that relate to establishment or collection of liability for any State tax or that relate to investigations by a public body to determine violation of any criminal law.

(aa) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(bb) Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.

(cc) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.



(dd) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(ee) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(ff) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

(gg) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(hh) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act.

(ii) Beginning July 1, 1999, information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act.

(jj) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(kk) Information and data concerning the distribution of surcharge moneys collected and remitted by wireless carriers under the Wireless Emergency Telephone Safety Act.

(ll) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.

(mm) Maps and other records regarding the location or security of generation, transmission, distribution, storage, gathering, treatment, or switching facilities owned by a utility or by the Illinois Power Agency.

(nn) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(oo) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(pp) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(qq) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act. This subsection (qq) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(rr) Information contained in or related to proposals, bids, or negotiations related to electric power procurement under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act that is determined to be confidential and proprietary by the Illinois Power Agency or by the Illinois Commerce Commission.

(ss) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.

(2) This Section does not authorize withholding of information or limit the availability of records to the public, except as stated in this Section or otherwise provided in this Act.

(Source: P.A. 94-280, eff. 1-1-06; 94-508, eff. 1-1-06; 94-664, eff. 1-1-06; 94-931, eff. 6-26-06; 94-953, eff. 6-27-06; 94-1055, eff. 1-1-07; 95-331, eff. 8-21-07; 95-481, eff. 8-28-07.)"; and

on page 21, line 23, by replacing "2007" with "2008".

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

On motion of Senator Garrett, **House Bill No. 3733** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 3733**

AMENDMENT NO. 1. Amend House Bill 3733 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Power Agency Act is amended by adding Section 1-37 as follows:  
(20 ILCS 3855/1-37 new)

Sec. 1-37. Agency review on clean coal technologies.

(a) It is the goal of the State that by January 1, 2015, 10% of the energy used in the State shall be derived from coal gasification or other clean coal technologies.

(b) By March 1, 2015, the Agency shall:

(1) review the amount of energy derived from coal gasification by utilities under its jurisdiction;  
and

(2) prepare a report concerning the findings of the review that creates future goals.

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

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

On motion of Senator Clayborne, **House Bill No. 4174** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Schoenberg, **House Bill No. 4199** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Clayborne, **House Bill No. 4283** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hultgren, **House Bill No. 4450** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 4549** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 4549**

AMENDMENT NO. 1. Amend House Bill 4549 by deleting line 26 on page 10 through line 22 on page 11.

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

On motion of Senator Pankau, **House Bill No. 4838** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **House Bill No. 5082** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 5082**

AMENDMENT NO. 1. Amend House Bill 5082 on page 7, by replacing lines 7 and 8 with the following:

"the Criminal Code of 1961, while serving a sentence in a penal institution or while in pre-trial detention in a county jail, the".

[May 15, 2008]

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

On motion of Senator Jacobs, **House Bill No. 5086** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **House Bill No. 5318** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 5729** having been printed, was taken up and read by title a second time.

Senator Delgado offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO HOUSE BILL 5729**

AMENDMENT NO. 1. Amend House Bill 5729 on page 1, immediately below line 3, by inserting the following:

"Section 3. The Hospital Licensing Act is amended by changing Section 4.5 as follows:  
(210 ILCS 85/4.5)

Sec. 4.5. Hospital with multiple locations; single license.

(a) A hospital located in a county with fewer than 3,000,000 inhabitants may apply to the Department for approval to conduct its operations from more than one location within the county under a single license.

(a-5) A hospital located in a county with 3,000,000 or more inhabitants may apply to the Department for approval to conduct its operations from more than one hospital within the county under a single license if the distance between each hospital to be combined under one license is no more than one-half mile and both hospitals were operated by a single health system on January 1, 2008.

(b) The facilities or buildings at those locations must be owned or operated together by a single corporation or other legal entity serving as the licensee and must share:

(1) a single board of directors with responsibility for governance, including financial oversight and the authority to designate or remove the chief executive officer;

(2) a single medical staff accountable to the board of directors and governed by a single set of medical staff bylaws, rules, and regulations with responsibility for the quality of the medical services; and

(3) a single chief executive officer, accountable to the board of directors, with management responsibility.

(c) Each hospital building or facility that is located on a site geographically separate from the campus or premises of another hospital building or facility operated by the licensee must, at a minimum, individually comply with the Department's hospital licensing requirements for emergency services.

(d) The hospital shall submit to the Department a comprehensive plan in relation to the waiver or waivers requested describing the services and operations of each facility or building and how common services or operations will be coordinated between the various locations. With the exception of items required by subsection (c), the Department is authorized to waive compliance with the hospital licensing requirements for specific buildings or facilities, provided that the hospital has documented which other building or facility under its single license provides that service or operation, and that doing so would not endanger the public's health, safety, or welfare. Nothing in this Section relieves a hospital from the requirements of the Health Facilities Planning Act.

(Source: P.A. 89-171, eff. 7-19-95.)"

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Sullivan, **House Bill No. 5776** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 5776**

[May 15, 2008]

AMENDMENT NO. 1. Amend House Bill 5776 by replacing line 20 on page 1 through line 19 on page 2 with "database."

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

On motion of Senator Althoff, **House Bill No. 5930** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **House Bill No. 1809** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **House Bill No. 2392** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 3106** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 3106**

AMENDMENT NO. 1. Amend House Bill 3106 by replacing everything after the enacting clause with the following:

"Section 5. The Eminent Domain Act is amended by changing the heading of Part 5 of Article 25 as follows:

(735 ILCS 30/Art. 25, Pt. 5 heading)

Part 5. ~~New~~ Quick-take Powers

(Source: P.A. 94-1055, eff. 1-1-07; 95-706, eff. 1-8-08.)"

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

On motion of Senator Murphy, **House Bill No. 4159** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bivins, **House Bill No. 4229** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Jones, **House Bill No. 4309** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 4522** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 4567** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 4602** was taken up, read by title a second time and ordered to a third reading.

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

On motion of Senator Bivins, **House Bill No. 4726** having been printed, was taken up and read by title a second time.

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

**AMENDMENT TO HOUSE BILL 4726**

AMENDMENT NO. 1. Amend House Bill 4726 by replacing everything after the enacting clause with the following:

[May 15, 2008]

"Section 5. The State Officials and Employees Ethics Act is amended by adding Section 5-60 as follows:

(5 ILCS 430/5-60 new)

Sec. 5-60. Administrative leave during pending criminal matter.

(a) If any officer or government employee is placed on administrative leave, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution and that officer or government employee is removed from office or employment due to his or her resultant criminal conviction, then the officer or government employee is indebted to the State for all compensation and the value of all benefits received during the administrative leave and must forthwith pay the full amount to the State.

(b) As a matter of law and without the necessity of the adoption of an ordinance or resolution under Section 70-5, if any officer or government employee of a governmental entity is placed on administrative leave, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution and that officer or government employee is removed from office or employment due to his or her resultant criminal conviction, then the officer or government employee is indebted to the governmental entity for all compensation and the value of all benefits received during the administrative leave and must forthwith pay the full amount to the governmental entity.

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

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

On motion of Senator Harmon, **House Bill No. 4890** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 5038** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 5038**

AMENDMENT NO. 1. Amend House Bill 5038 by replacing line 12 on page 2 through line 9 on page 3 with the following:

"increased. At least 20% of each grant awarded from the Early Childhood Education Block Grant shall be used for technology. The State Board of Education shall determine what qualifies as technology, which shall exclude administrative costs."

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

On motion of Senator Forby, **House Bill No. 5077** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 5077**

AMENDMENT NO. 1. Amend House Bill 5077 by replacing everything after the enacting clause with the following:

"Section 5. The High Technology School-to-Work Act is amended by adding Section 50 as follows:  
(20 ILCS 701/50 new)

Sec. 50. School-to-work grant program for high school students. The Department shall establish a separate school-to-work grant program for high school students to focus on writing and digital literacy or media production or both. Use of grant funds is limited to project activities that include designing in-school and related work-based and digital literacy curriculum with embedded technology standards, developing instruction materials, and hardware or software or both to support student writing and digital literacy activities. Sections 30, 35, and 45 of this Act do not apply to the grant program established under this Section.

Section 10. The School Code is amended by changing Section 2-3.135 as follows:  
(105 ILCS 5/2-3.135)

(Section scheduled to be repealed on August 31, 2010)

Sec. 2-3.135. Technology immersion pilot project.

(a) The State Board of Education shall by rule establish a technology immersion pilot project to provide a wireless laptop computer to each student, teacher, and relevant administrator in a participating school and implement the use of software, on-line courses, and other appropriate learning technologies that have been shown to improve academic achievement and the progress measures listed in subsection (f) of this Section.

(b) The pilot project shall be for a period of at least 6 years. The State Board shall establish a procedure and develop criteria for the administration of the pilot project. In administering the pilot project, the State Board shall:

- (1) select participating school districts or schools;
- (2) define the conditions for the distribution and use of laptop computers and other technologies;
- (3) purchase and distribute laptop computers and other technologies;
- (4) enter into contracts as necessary to implement the pilot project;
- (5) monitor local pilot project implementation; and
- (6) conduct a final evaluation of the pilot project.

(c) The Technology Immersion Pilot Project Fund is created as a special fund in the State treasury. All money in the Technology Immersion Pilot Project Fund shall be used, subject to appropriation, by the State Board for the pilot project. To implement the pilot project, the State Board may use any funds appropriated by the General Assembly for the purposes of the pilot project as well as any gift, grant, or donation given for the pilot project. The State Board may solicit and accept a gift, grant, or donation of any kind from any source, including from a foundation, private entity, governmental entity, or institution of higher education, for the implementation of the pilot project. Funds for the pilot project may not be used for the construction of a building or other facility.

The State Board shall use pilot project funds for the following:

- (1) the purchase of wireless laptop computers so that each student, teacher, and relevant administrator in a participating classroom has a wireless laptop computer for use at school and at home;
- (2) the purchase of other equipment, including additional computer hardware and software;
- (3) the hiring of technical support staff for school districts or schools participating in the pilot project; and
- (4) the purchase of technology-based learning materials and resources.

~~The State Board may not allocate more than \$10 million for the pilot project.~~ The pilot project may be implemented only if sufficient funds are available under this Section for that purpose.

(d) A school district may apply to the State Board for the establishment of a technology immersion pilot project for the entire district or for a particular school or group of schools in the district.

The State Board shall select 7 school districts to participate in the pilot project. One school district shall be located in the City of Chicago, 3 school districts shall be located in the area that makes up the counties of DuPage, Kane, Lake, McHenry, Will, and that portion of Cook County that is located outside of the City of Chicago, and 3 school districts shall be located in the remainder of the State.

The State Board shall select the participating districts and schools for the pilot project based on each district's or school's need for the pilot project. In selecting participants, the State Board shall consider the following criteria:

- (1) whether the district or school has limited access to educational resources that could be improved through the use of wireless laptop computers and other technologies;
- (2) whether the district or school has the following problems and whether those problems can be mitigated through the use of wireless laptop computers and other technologies:
  - (A) documented teacher shortages in critical areas;
  - (B) limited access to advanced placement courses;
  - (C) low rates of satisfactory performance on assessment instruments under Section 2-3.64 of this Code; and
  - (D) high dropout rates;
- (3) the district's or school's readiness to incorporate technology into its classrooms;
- (4) the possibility of obtaining a trained technology support staff and high-speed Internet services for the district or school; and
- (5) the methods the district or school will use to measure the progress of the pilot

project in the district or school in accordance with subsection (f) of this Section.

The State Board shall if possible select at least 9 schools to participate in the pilot project, with at least 3 from the school district located in the City of Chicago and one from each of the other school districts selected.

(e) Each participating school district or school shall establish a technology immersion committee to assist in developing and implementing the technology immersion pilot project.

The school board of a participating district or of a district in which a participating school is located shall appoint individuals to the committee. The committee may be composed of the following:

- (1) educators;
- (2) district-level administrators;
- (3) community leaders;
- (4) parents of students who attend a participating school; and
- (5) any other individual the school board finds appropriate.

The committee shall develop an academic improvement plan that details how the pilot project should be implemented in the participating district or school. In developing the academic improvement plan, the committee shall consider (i) the educational problems in the district or school that could be mitigated through the implementation of the pilot project and (ii) the technological and nontechnological resources that are necessary to ensure the successful implementation of the pilot project.

The committee shall recommend to the school board how the pilot project funds should be used to implement the academic improvement plan. The committee may recommend annually any necessary changes in the academic improvement plan to the school board. The State Board must approve the academic improvement plan or any changes in the academic improvement plan before disbursing pilot project funds to the school board.

(f) The school board of each school district participating in the pilot project shall send an annual progress report to the State Board no later than August 1 of each year that the district is participating in the pilot project. The report must state in detail the type of plan being used in the district or school and the effect of the pilot project on the district or school, including the following:

- (1) the academic progress of students who are participating in the pilot project, as measured by performance on assessment instruments;
  - (2) if applicable, a comparison of student progress in a school or classroom that is participating in the pilot project as compared with student progress in the schools or classrooms in the district that are not participating in the pilot project;
  - (3) any elements of the pilot project that contribute to improved student performance on assessment instruments administered under Section 2-3.64 of this Code or any other assessment instrument required by the State Board;
  - (4) any cost savings and improved efficiency relating to school personnel and the maintenance of facilities;
  - (5) any effect on student dropout and attendance rates;
  - (6) any effect on student enrollment in higher education;
  - (7) any effect on teacher performance and retention;
  - (8) any improvement in communications among students, teachers, parents, and administrators;
  - (9) any improvement in parental involvement in the education of the parent's child;
  - (10) any effect on community involvement and support for the district or school; and
  - (11) any increased student proficiency in technologies that will help prepare the student for becoming a member of the workforce.
- (g) Each student participating in the pilot project may retain the wireless laptop computer provided under the pilot project as long as the student is enrolled in a school in a participating school district.
- (h) After the expiration of the 6-year pilot project, the State Board shall review the pilot project based on the annual reports the State Board receives from the school board of participating school districts.
- (i) This Section is repealed on August 31, 2010.
- (Source: P.A. 95-387, eff. 8-30-07.)

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

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

On motion of Senator Haine, **House Bill No. 5312** was taken up, read by title a second time and ordered to a third reading.

[May 15, 2008]

On motion of Senator Kotowski, **House Bill No. 5368** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 5368**

AMENDMENT NO. 1. Amend House Bill 5368 on page 2, line 1, by replacing "Labor" with "Employment Security".

On motion of Senator Demuzio, **House Bill No. 5666** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 5717** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hultgren, **House Bill No. 5905** was taken up, read by title a second time and ordered to a third reading.

**REPORTS FROM RULES COMMITTEE**

Senator Hendon, Chairperson of the Committee on Rules, reported that the Committee recommends that **House Bill No. 5141** be re-referred from the Committee on Labor to the Committee on Rules.

Senator Hendon, Chairperson of the Committee on Rules, during its May 15, 2008 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **HOUSE BILL 4605.**

Commerce and Economic Development: **HOUSE BILLS 4470 and 4553.**

Education: **HOUSE BILLS 2210, 4374, 4537 and 5338.**

Environment and Energy: **HOUSE BILLS 4622 and 5773.**

Executive: **HOUSE BILL 5141.**

Human Services: **HOUSE BILLS 4573 and 5192.**

Insurance: **HOUSE BILLS 4379, 4390 and 5595.**

Judiciary Criminal Law: **HOUSE BILLS 4578, 4628, 5191 and 5524.**

Local Government: **HOUSE BILLS 4147 and 4167.**

Public Health: **HOUSE BILL 5251.**

Revenue: **HOUSE BILL 4548.**

Transportation: **HOUSE BILLS 4694, 5159 and 5288.**

Senator Hendon, Chairperson of the Committee on Rules, during its May 15, 2008 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committees of the Senate:

[May 15, 2008]



Environment and Energy: **Senate Joint Resolution No. 93.**

Local Government: **Senate Resolution No. 658**

State Government and Veterans Affairs: **Senate Resolutions numbered 574 and 589.**

Senator Hendon, Chairperson of the Committee on Rules, during its May 15, 2008 meeting, reported the following House Resolution has been assigned to the indicated Standing Committee of the Senate:

Higher Education: **House Joint Resolution No. 36.**

**MESSAGE FROM THE PRESIDENT**

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

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

May 15, 2008

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

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish May 22, 2008 as the Deadline for Substantive House Bills Out of Committee.

Sincerely,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

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

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

May 15, 2008

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

Dear Madam Secretary:

Pursuant to Senate Rule 2-10, please be advised that I am canceling session for Monday, May 19, 2008. The Senate will convene at 12:00 noon on Tuesday, May 20, 2008.

[May 15, 2008]

Sincerely,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

**RESOLUTIONS CONSENT CALENDAR**

**SENATE RESOLUTION NO. 701**

Offered by Senator Maloney and all Senators:  
Mourns the death of Joseph L. Graham.

**SENATE RESOLUTION NO. 702**

Offered by Senators Burzynski – Syverson – Lauzen and all Senators:  
Mourns the death of Robert L. Turner of Belvidere.

**SENATE RESOLUTION NO. 703**

Offered by Senator Righter and all Senators:  
Mourns the death of Fern Ellen Page of Shelbyville.

**SENATE RESOLUTION NO. 704**

Offered by Senator Haine and all Senators:  
Mourns the death of Nick Maggos of Alton.

**SENATE RESOLUTION NO. 705**

Offered by Senator Haine and all Senators:  
Mourns the death of Paul J. Stilwell of Godfrey.

**SENATE RESOLUTION NO. 706**

Offered by Senator Meeks and all Senators:  
Mourns the death of Emma Grier of Springfield.

**SENATE RESOLUTION NO. 708**

Offered by Senator Wilhelmi and all Senators:  
Mourns the death of Susan K. Morton, Nee Kingsbury, of Joliet.

**SENATE RESOLUTION NO. 709**

Offered by Senator Wilhelmi and all Senators:  
Mourns the death of Bernadine C. Hudson of Joliet.

**SENATE RESOLUTION NO. 710**

Offered by Senator Hultgren and all Senators:  
Mourns the death of Robert E. Lee of Batavia.

**SENATE RESOLUTION NO. 711**

Offered by Senator Hultgren and all Senators:  
Mourns the death of U.S. Army Staff Sergeant Robert J. Miller of Oviedo, Florida, formerly of Wheaton.

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

The Chair announced that Session has been canceled for Monday, May 19, 2008.

**PRESENTATION OF RESOLUTION**

[May 15, 2008]

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

**SENATE JOINT RESOLUTION NO. 100**

**RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN**, that when the two Houses adjourn on Thursday, May 15, 2008, the Senate stands adjourned until Tuesday, May 20, 2008 at 12:00 o'clock noon; and the House of Representatives stands adjourned until Friday, May 16, 2008, and when it adjourns on that day, it stands adjourned until Monday, May 19, 2008, at 4:00 o'clock p.m.

The motion prevailed.

And the resolution was adopted.

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

At the hour of 1:06 o'clock p.m., pursuant to **Senate Joint Resolution No. 100**, the Chair announced the Senate stand adjourned until Tuesday, May 20, 2008, at 12:00 o'clock noon.