



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**168TH LEGISLATIVE DAY**

**TUESDAY, AUGUST 12, 2008**

**3:31 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**168th Legislative Day**

<b>Action</b>	<b>Page(s)</b>
Communication from the Minority Leader.....	4
Introduction of Senate Bills No'd. 3051-3056.....	19
Message from the President .....	3
Presentation of Senate Resolution No. 827 .....	7
Presentation of Senate Resolutions No'd. 797 - 826 .....	5
Report from Rules Committee.....	5
Report Received.....	4

<b>Bill Number</b>	<b>Legislative Action</b>	<b>Page(s)</b>
SR 0827	Committee on Rules.....	7
HB 4863	First Reading.....	20
HB 5730	First Reading.....	20
HJR 0132	Adopted.....	20

The Senate met pursuant to the directive of the President of the Senate.  
Honorable Emil Jones, Jr., President of the Senate, presiding.

The Journal of Thursday, July 10, 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

August 12, 2008

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

Dear Madam Secretary:

Pursuant to Rule 2-10, please be advised that the Senate will convene in Regular Session today at 3:05 p.m.

Very truly yours,  
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

August 12, 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 Rickey Hendon to resume his position as Chair and member on the Senate Rules Committee. This appointment is effective immediately.

Sincerely,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

[August 12, 2008]

**COMMUNICATION FROM MINORITY LEADER**

ILLINOIS STATE SENATE  
**FRANK C. WATSON**  
STATE SENATOR  
51<sup>ST</sup> SENATE DISTRICT

August 12, 2008

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

Dear Madam Secretary:

Pursuant to Rule 3-2, I hereby appoint Senator Dale Risinger to temporarily replace Senator Dale Righter as a member of the Senate Rules Committee. This appointment is effective immediately.

Sincerely,  
s/Frank Watson  
Senate Republican Leader

cc: Senate President Emil Jones  
Assistant Secretary of the Senate Scott Kaiser

**REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

All Kids Preliminary Report, July 2008, submitted by the Department of Healthcare and Family Services.

Illinois Stroke Task Force Annual Report to the General Assembly, submitted by the Department of Public Health.

Report pursuant to the Personal Information Protection Act, submitted by the Department of Human Services.

Land and Water Report, June 30, 2007, submitted by the Department of Natural Resources.

Report on Wind Energy, submitted by the Commission on Government Forecasting and Accountability.

Report designating Household Finance Corporation II and Affiliates and/or Successors as an Illinois High Impact Business, submitted by the Department of Commerce and Economic Opportunity.

Commission on Government Forecasting and Accountability's Monthly Briefing, June 2008, submitted by the Commission on Government Forecasting and Accountability.

YouthBuild 2007 Annual Report, submitted by the Department of Human Services.

2008 School Finance Authority Annual Report and Plan, Round Lake Area Schools Community Unit District 116, submitted by the Illinois State Board of Education.

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

[August 12, 2008]

Senator Link asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

Senator Risinger asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 3:33 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

**AFTER RECESS**

At the hour of 4:55 o'clock p.m., the Senate resumed consideration of business.  
Honorable Emil Jones, Jr., President of the Senate, presiding.

**REPORT FROM RULES COMMITTEE**

Senator Hendon, Chairperson of the Committee on Rules, reported that the following Legislative Measure has been approved for consideration:

**HJR 132**

The foregoing resolution was placed on the Secretary's Desk.

**PRESENTATION OF RESOLUTIONS**

**SENATE RESOLUTION NO. 797**

Offered by Senator Cullerton and all Senators:  
Mourns the death of Robert Emmett Hosty, Jr., of River Forest.

**SENATE RESOLUTION NO. 798**

Offered by Senator Murphy and all Senators:  
Mourns the death of Illinois Senator Virginia Macdonald of Arlington Heights.

**SENATE RESOLUTION NO. 799**

Offered by Senator Koehler and all Senators:  
Mourns the death of Pauline Heward of Peoria.

**SENATE RESOLUTION NO. 800**

Offered by Senator Althoff and all Senators:  
Mourns the death of John A. Mitchell of Crystal Lake.

**SENATE RESOLUTION NO. 801**

Offered by Senator Koehler and all Senators:  
Mourns the death of James Graves of Peoria.

**SENATE RESOLUTION NO. 802**

Offered by Senator Link and all Senators:  
Mourns the death of Ralph David Lauridsen of Waukegan.

**SENATE RESOLUTION NO. 803**

Offered by Senator Link and all Senators:  
Mourns the death of Richard Raymond Bairstow of Waukegan.

**SENATE RESOLUTION NO. 804**

Offered by Senator Link and all Senators:  
Mourns the death of Jesse C. Bankston, Jr., of Waukegan.

**SENATE RESOLUTION NO. 805**

Offered by Senator Link and all Senators:  
Mourns the death of Paul Henry Delfs of Waukegan.

**SENATE RESOLUTION NO. 806**

Offered by Senator Link and all Senators:  
Mourns the death of Kenneth Charles Anderson of Waukegan.

**SENATE RESOLUTION NO. 807**

Offered by Senator Link and all Senators:  
Mourns the death of Gary H. Swanson of Waukegan.

**SENATE RESOLUTION NO. 808**

Offered by Senator Link and all Senators:  
Mourns the death of James L. Ellis of North Chicago.

**SENATE RESOLUTION NO. 809**

Offered by Senator Link and all Senators:  
Mourns the death of Jack J. Thompson of North Chicago.

**SENATE RESOLUTION NO. 810**

Offered by Senator Dillard and all Senators:  
Mourns the death of the Reverend Duane Edward Heap.

**SENATE RESOLUTION NO. 811**

Offered by Senator Haine and all Senators:  
Mourns the death of George J. Moran of Belleville.

**SENATE RESOLUTION NO. 812**

Offered by Senator Haine and all Senators:  
Mourns the death of Peter Gonzales of Alton.

**SENATE RESOLUTION NO. 813**

Offered by Senator Clayborne and all Senators:  
Mourns the death of Darren Day.

**SENATE RESOLUTION NO. 814**

Offered by Senator Lauzen and all Senators:  
Mourns the death of John Burzynski, father of Senator Brad Burzynski.

**SENATE RESOLUTION NO. 815**

Offered by Senator Koehler and all Senators:  
Mourns the death of Camden Belfield of Waverly.

**SENATE RESOLUTION NO. 816**

Offered by Senator Watson and all Senators:  
Mourns the death of Edgar E. "Pete" Nicholls of Decatur.

**SENATE RESOLUTION NO. 817**

Offered by Senator Collins and all Senators:  
Mourns the death of Debra Anne Jackson.

**SENATE RESOLUTION NO. 818**

Offered by Senator Collins and all Senators:  
Mourns the death of Lena Leo Miles.

**SENATE RESOLUTION NO. 819**

Offered by Senator Haine and all Senators:  
Mourns the death of Dr. Gary Wayne Carstens of East Alton.

**SENATE RESOLUTION NO. 820**

Offered by Senator E. Jones and all Senators:  
Mourns the death of Richard Rita of Port Charlotte, Florida, formerly of Blue Island.

**SENATE RESOLUTION NO. 821**

Offered by Senator Demuzio and all Senators:  
Mourns the death of Jo Ellen Malham of Springfield.

**SENATE RESOLUTION NO. 822**

Offered by Senator Demuzio and all Senators:  
Mourns the death of Rosina M. Kasten of Carlinville.

**SENATE RESOLUTION NO. 823**

Offered by Senator Raoul and all Senators:  
Mourns the death of Bernard Jeffrey McCollough, famously known comedian Bernie Mac, of Chicago.

**SENATE RESOLUTION NO. 824**

Offered by Senator Wilhelmi and all Senators:  
Mourns the death of Louis J. "Corky" Sehring of St. Charles.

**SENATE RESOLUTION NO. 825**

Offered by Senator Wilhelmi and all Senators:  
Mourns the death of Donald J. Malloy of Varna, formerly of Bolingbrook.

**SENATE RESOLUTION NO. 826**

Offered by Senator Wilhelmi and all Senators:  
Mourns the death of John Sternisha.

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

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

**SENATE RESOLUTION NO. 827**

WHEREAS, One hundred years ago, Springfield, Illinois was familiar to people as the home of the 16th president, Abraham Lincoln; but on August 14, 1908, the city would enter the history books as the home of a terrible race riot; and

WHEREAS, According to a May 31, 2008 article in the State Journal-Register and other sources familiar with the events of the race riot, at the turn of the century racial tensions were high in the city because of the use of black workers as scabs labor during strikes; and

WHEREAS, On July 4, 1908, Clergy Ballard awoke to find a man standing near his daughter's bed; the intruder fled and Ballard gave chase; after catching up with the intruder, Ballard's throat was slashed with a straight razor; before he died, Ballard identified the assailant as Joe James, a black man with a long record of minor crimes; and

WHEREAS, White citizens of the town were enraged by the crime, thinking that the murder was the result of a thwarted sexual assault of a white woman by a black man; a crowd of whites caught James and beat him unconscious; the police rescued James, arrested him, and locked him in the city jail; and

[August 12, 2008]

WHEREAS, On Friday, August 14 of that same year, the local newspaper ran the story of a white woman, Mabel Hallam, who had allegedly been raped by a local black man, George Richardson; Hallam, the 21-year-old wife of a well-known streetcar conductor, claimed that the black caretaker had dragged her out of bed and assaulted her the night before; police arrested Richardson and took him to the city jail; and

WHEREAS, That evening, a crowd of white citizens gathered in downtown Springfield, outraged by the fact that two black men had allegedly committed brutal crimes against white townspeople; the crowd demanded the release of the prisoners, but Sheriff Charles Werner was able to remove the two from jail and transport them to safety in nearby Bloomington, with the help of restaurant owner Harry Loper; when the crowd learned that Loper had aided in the transport of the two black men, they walked to his restaurant, trashed the building, and torched his expensive automobile; and

WHEREAS, Later that evening, Governor Charles S. Deneen activated the State militia; the crowd directed their anger toward the rest of Springfield's minorities; they proceeded to Fishman's Hardware, owned by a Jewish businessman, and stole weapons to use in the further destruction of homes and businesses; then the mob moved on the Levee, a predominantly African-American area, and destroyed numerous black-owned businesses; as the crowd moved on towards the Badlands, another black neighborhood, they encountered a black barber named Scott Burton, who attempted to defend his business with a warning shot from a shotgun; he was killed when the crowd returned fire, his shop was burned, and his body was hung from a tree; and

WHEREAS, The mob then burned black-owned homes in the Badlands; an estimated 12,000 people had gathered to watch the houses burn; when firefighters arrived, people in the crowd impeded their progress and cut their hoses; African American citizens were forced to flee the town, find refuge with sympathetic whites, or hide in the State Arsenal; the National Guard was finally able to disperse the crowd late that night; and

WHEREAS, Saturday, August 15 saw 5,000 National Guard troops sent to the city to keep the peace, along with curiosity seekers and tourists who had read about the riots in the newspaper; the peace was soon broken, however, when a new mob formed and began marching toward the State Arsenal, where many black residents were being housed; when confronted by the National Guard, the crowd changed direction and instead walked to the home of 84-year-old black resident William Donnegan; although he had committed no crime, Donnegan was married to a white woman; when he came outside, the mob captured him, cut his throat, and lynched him in a tree in the schoolyard across the street from his home; and

WHEREAS, The riots ended, leaving 40 homes and 24 businesses in ruins, and seven people confirmed dead; a grand jury brought 107 indictments against individuals who had allegedly participated in the riots, but only one man was convicted; Mabel Hallam later admitted that her accusation of rape against George Richardson was false, and Richardson was released from jail; Joe James was convicted of the murder of Clergy Ballard and was hanged in the Sangamon County Jail on October 23, 1908; as a direct result of the Springfield Race Riot, a meeting was held in New York City to discuss solutions to racial problems, leading to the formation of the National Association for the Advancement of Colored People (NAACP); therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize this sad chapter in history and realize that from the aftermath comes insight and education, helping us to better deal with racial issues; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Springfield Chapter of the NAACP as a symbol of our respect.

#### MESSAGES FROM THE HOUSE

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

[August 12, 2008]



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

SENATE BILL NO. 392

A bill for AN ACT concerning liquor.

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

House Amendment No. 1 to SENATE BILL NO. 392

House Amendment No. 3 to SENATE BILL NO. 392

Passed the House, as amended, July 16, 2008.

MARK MAHONEY, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 392**

AMENDMENT NO. 1. Amend Senate Bill 392 on page 4, line 8, by replacing "alcoholic liquor" with "beer"; and

on page 4, line 14, by replacing "alcoholic liquor" with "beer".

**AMENDMENT NO. 3 TO SENATE BILL 392**

AMENDMENT NO. 3. Amend Senate Bill 392, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by changing Sections 4-2 and 6-2 as follows:  
(235 ILCS 5/4-2) (from Ch. 43, par. 111)

Sec. 4-2. The mayor or president of the board of trustees of each city, village or incorporated town or his or her designee, and the president or chairman of the county board or his or her designee, shall be the local liquor control commissioner for their respective cities, villages, incorporated towns and counties, and shall be charged with the administration in their respective jurisdictions of the appropriate provisions of this Act and of such ordinances and resolutions relating to alcoholic liquor as may be enacted as long as that official or his or her designee does not have a direct interest in the manufacture, sale, or distribution of alcoholic liquor; but the authority of the president or chairman of the county board or his or her designee shall extend only to that area in any county which lies outside the corporate limits of the cities, villages and incorporated towns therein and those areas which are owned by the county and are within the corporate limits of the cities, villages and incorporated towns with a population of less than 1,000,000, however, such county shall comply with the operating rules of the municipal ordinances affected when issuing their own licenses. If that official has a direct interest in the manufacture, sale, or distribution of alcoholic liquor, the council or board over which he or she presides must appoint, by majority vote of those elected or appointed, a liquor control commissioner other than that official, and that official shall not nominate or serve any other role in such appointment.

However, such mayor, president of the board of trustees or president or chairman of the county board or his or her designee may appoint a person or persons to assist him in the exercise of the powers and the performance of the duties herein provided for such local liquor control commissioner.

(Source: P.A. 94-747, eff. 5-8-06.)

(235 ILCS 5/6-2) (from Ch. 43, par. 120)

Sec. 6-2. Issuance of licenses to certain persons prohibited.

(a) Except as otherwise provided in subsection (b) of this Section and in paragraph (1) of subsection (a) of Section 3-12, no license of any kind issued by the State Commission or any local commission shall be issued to:

(1) A person who is not a resident of any city, village or county in which the premises covered by the license are located; except in case of railroad or boat licenses.

(2) A person who is not of good character and reputation in the community in which he resides.

(3) A person who is not a citizen of the United States.

(4) A person who has been convicted of a felony under any Federal or State law, unless the Commission determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in such person's application and the Commission's investigation. The burden of proof of sufficient rehabilitation shall be on the applicant.

(5) A person who has been convicted of being the keeper or is keeping a house of ill fame.

[August 12, 2008]

(6) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality.

(7) A person whose license issued under this Act has been revoked for cause.

(8) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.

(9) A copartnership, if any general partnership thereof, or any limited partnership thereof, owning more than 5% of the aggregate limited partner interest in such copartnership would not be eligible to receive a license hereunder for any reason other than residence within the political subdivision, unless residency is required by local ordinance.

(10) A corporation or limited liability company, if any member, officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision.

(10a) A corporation or limited liability company unless it is incorporated or organized in Illinois, or unless it is a foreign corporation or foreign limited liability company which is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois. The Commission shall permit and accept from an applicant for a license under this Act proof prepared from the Secretary of State's website that the corporation or limited liability company is in good standing and is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois.

(11) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required by the licensee.

(12) A person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Act or has forfeited his bond to appear in court to answer charges for any such violation.

(13) A person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued.

(14) Any law enforcing public official, including members of local liquor control commissions, any mayor, alderman, or member of the city council or commission, any president of the village board of trustees, any member of a village board of trustees, or any president or member of a county board; and no such official shall have a direct interest in the manufacture, sale, or distribution of alcoholic liquor, except that a license may be granted to such official in relation to premises that are not located within the territory subject to the jurisdiction of that official if the issuance of such license is approved by the State Liquor Control Commission and except that a license may be granted, in a city or village with a population of 50,000 or less, to any mayor, alderman, member of a city council, or president or member of a village board of trustees in relation to premises that are located within the territory subject to the jurisdiction of that official if (i) the sale of alcoholic liquor pursuant to the license is incidental to the selling of food, (ii) the issuance of the license is approved by the State Commission, (iii) the issuance of the license is in accordance with all applicable local ordinances in effect where the premises are located, and (iv) the official granted a license does not vote on alcoholic liquor issues pending before the board or council to which the license holder is elected or appointed. Notwithstanding any provision of this paragraph (14) to the contrary, (i) an alderman or member of a city council or commission, a member of a village board of trustees other than the president of the village board of trustees, or a member of a county board other than the president of a county board may have a direct interest in the manufacture, sale, or distribution of alcoholic liquor as long as he or she is not a law enforcing public official, a mayor, a village board president, or president of a county board and, furthermore, (ii) the mayor of a city or president of a village board of trustees may have a direct interest in the manufacture, sale, or distribution of alcoholic liquor as long as the council or board has appointed a liquor control commissioner pursuant to Section 4-2 of this Act. To prevent any conflict of interest, the elected official with the direct interest in the manufacture, sale, or distribution of alcoholic liquor cannot participate in any meetings, hearings, or decisions on matters impacting the manufacture, sale, or distribution of alcoholic liquor.

(15) A person who is not a beneficial owner of the business to be operated by the licensee.

(16) A person who has been convicted of a gambling offense as proscribed by any of subsections (a) (3) through (a) (11) of Section 28-1 of, or as proscribed by Section 28-1.1 or 28-3 of, the Criminal Code of 1961, or as proscribed by a statute replaced by any of the aforesaid statutory provisions.

(17) A person or entity to whom a federal wagering stamp has been issued by the federal

government, unless the person or entity is eligible to be issued a license under the Raffles Act or the Illinois Pull Tabs and Jar Games Act.

(18) A person who intends to sell alcoholic liquors for use or consumption on his or her licensed retail premises who does not have liquor liability insurance coverage for that premises in an amount that is at least equal to the maximum liability amounts set out in subsection (a) of Section 6-21.

(b) A criminal conviction of a corporation is not grounds for the denial, suspension, or revocation of a license applied for or held by the corporation if the criminal conviction was not the result of a violation of any federal or State law concerning the manufacture, possession or sale of alcoholic liquor, the offense that led to the conviction did not result in any financial gain to the corporation and the corporation has terminated its relationship with each director, officer, employee, or controlling shareholder whose actions directly contributed to the conviction of the corporation. The Commission shall determine if all provisions of this subsection (b) have been met before any action on the corporation's license is initiated.

(Source: P.A. 94-5, eff. 6-3-05; 94-289, eff. 1-1-06; 94-381, eff. 7-29-05; 95-331, eff. 8-21-07.)

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

Under the rules, the foregoing **Senate Bill No. 392**, with House Amendments numbered 1 and 3, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

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

SENATE BILL NO. 450

A bill for AN ACT concerning law enforcement.

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

House Amendment No. 4 to SENATE BILL NO. 450

Passed the House, as amended, July 16, 2008.

MARK MAHONEY, Clerk of the House

#### **AMENDMENT NO. 4 TO SENATE BILL 450**

AMENDMENT NO. 4. Amend Senate Bill 450 by replacing everything after the enacting clause with the following:

"Section 5. The State Police Act is amended by adding Section 30 as follows:

(20 ILCS 2610/30 new)

**Sec. 30. Patrol vehicles with in-car video recording cameras.**

**(a) Definitions. As used in this Section:**

"Audio recording" means the recorded conversation between an officer and a second party.

"Emergency lights" means oscillating, rotating, or flashing lights on patrol vehicles.

"In-car video camera" means a video camera located in a Department patrol vehicle.

"In-car video camera recording equipment" means a video camera recording system located in a Department patrol vehicle consisting of a camera assembly, recording mechanism, and an in-car video recording medium.

"Enforcement stop" means an action by an officer of the Department in relation to enforcement and investigation duties, including but not limited to, traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance.

"Recording" means the process of capturing data or information stored on a recording medium as required under this Section.

"Recording medium" means any recording medium authorized by the Department for the retention and playback of recorded audio and video including, but not limited to, VHS, DVD, hard drive, solid state, digital, or flash memory technology.

"Wireless microphone" means a device worn by the officer or any other equipment used to record

[August 12, 2008]

conversations between the officer and a second party and transmitted to the recording equipment.

(b) By June 1, 2009, the Department shall install in-car video camera recording equipment in all patrol vehicles. Subject to appropriation, all patrol vehicles shall be equipped with in-car video camera recording equipment with a recording medium capable of recording for a period of 10 hours or more by June 1, 2011. In-car video camera recording equipment shall be capable of making audio recordings with the assistance of a wireless microphone.

(c) As of the effective date of this amendatory Act of the 95th General Assembly, in-car video camera recording equipment with a recording medium incapable of recording for a period of 10 hours or more shall record activities outside a patrol vehicle whenever (i) an officer assigned a patrol vehicle is conducting an enforcement stop; (ii) patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement; or (iii) an officer reasonably believes recording may assist with prosecution, enhance safety, or for any other lawful purpose. As of the effective date of this amendatory Act of the 95th General Assembly, in-car video camera recording equipment with a recording medium incapable of recording for a period of 10 hours or more shall record activities inside the vehicle when transporting an arrestee or when an officer reasonably believes recording may assist with prosecution, enhance safety, or for any other lawful purpose.

(1) Recording for an enforcement stop shall begin when the officer determines an enforcement stop is necessary and shall continue until the enforcement action has been completed and the subject of the enforcement stop or the officer has left the scene.

(2) Recording shall begin when patrol vehicle emergency lights are activated or when they would otherwise be activated if not for the need to conceal the presence of law enforcement, and shall continue until the reason for the activation ceases to exist, regardless of whether the emergency lights are no longer activated.

(3) An officer may begin recording if the officer reasonably believes recording may assist with prosecution, enhance safety, or for any other lawful purpose; and shall continue until the reason for recording ceases to exist.

(d) In-car video camera recording equipment with a recording medium capable of recording for a period of 10 hours or more shall record activities whenever a patrol vehicle is assigned to patrol duty.

(e) Any enforcement stop resulting from a suspected violation of the Illinois Vehicle Code shall be video and audio recorded. Audio recording shall terminate upon release of the violator and prior to initiating a separate criminal investigation.

(f) Recordings made on in-car video camera recording medium shall be retained by the Department for a storage period of at least 90 days. Under no circumstances shall any recording made on in-car video camera recording medium be altered or erased prior to the expiration of the designated storage period. Upon completion of the storage period, the recording medium may be erased and reissued for operational use unless otherwise ordered by the District Commander or his or her designee or by a court, or if designated for evidentiary or training purposes.

(g) Audio or video recordings made pursuant to this Section shall be available under the applicable provisions of the Freedom of Information Act. Only recorded portions of the audio recording or video recording medium applicable to the request will be available for inspection or copying.

(h) The Department shall ensure proper care and maintenance of in-car video camera recording equipment and recording medium. An officer operating a patrol vehicle must immediately document and notify the District Commander or his or her designee of any technical difficulties, failures, or problems with the in-car video camera recording equipment or recording medium. Upon receiving notice, the District Commander or his or her designee shall make every reasonable effort to correct and repair any of the in-car video camera recording equipment or recording medium and determine if it is in the public interest to permit the use of the patrol vehicle.

(i) The Department may promulgate rules to implement this amendatory Act of the 95th General Assembly only to the extent necessary to apply the existing rules or applicable internal directives.

Section 10. The Illinois Vehicle Code is amended by changing Sections 3-806 and 3-815 as follows:  
(625 ILCS 5/3-806) (from Ch. 95 1/2, par. 3-806)

Sec. 3-806. Registration Fees; Motor Vehicles of the First Division. Every owner of any other motor vehicle of the first division, except as provided in Sections 3-804, 3-805, 3-806.3, and 3-808, and every second division vehicle weighing 8,000 pounds or less, shall pay the Secretary of State an annual registration fee at the following rates:

SCHEDULE OF REGISTRATION FEES  
REQUIRED BY LAW

[August 12, 2008]

Beginning with the 1986 registration year

	Annual Fee	Reduced Fee On and After June 15
Motor vehicles of the first division other than Motorcycles, Motor Driven Cycles and Pedalcycles	\$48	\$24
Motorcycles, Motor Driven Cycles and Pedalcycles	30	15

SCHEDULE OF REGISTRATION FEES  
REQUIRED BY LAW

Beginning with the 2001 registration year

	Annual Fee	Reduced Fee On and After June 15
Motor vehicles of the first division other than Motorcycles, Motor Driven Cycles and Pedalcycles	\$78	\$39
Motorcycles, Motor Driven Cycles and Pedalcycles	38	19

Beginning with the 2010 registration year a \$1 surcharge shall be collected in addition to the above fees for motor vehicles of the first division, motorcycles, motor driven cycles, and pedalcycles to be deposited into the State Police Vehicle Fund.

(Source: P.A. 91-37, eff. 7-1-99.)

(625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

Sec. 3-815. Flat weight tax; vehicles of the second division.

(a) Except as provided in Section 3-806.3, every owner of a vehicle of the second division registered under Section 3-813, and not registered under the mileage weight tax under Section 3-818, shall pay to the Secretary of State, for each registration year, for the use of the public highways, a flat weight tax at the rates set forth in the following table, the rates including the \$10 registration fee:

SCHEDULE OF FLAT WEIGHT TAX  
REQUIRED BY LAW

Gross Weight in Lbs. Including Vehicle and Maximum Load	Class	Total Fees each Fiscal year
8,000 lbs. and less	B	\$78
8,001 lbs. to 12,000 lbs.	D	138
12,001 lbs. to 16,000 lbs.	F	242
16,001 lbs. to 26,000 lbs.	H	490
26,001 lbs. to 28,000 lbs.	J	630
28,001 lbs. to 32,000 lbs.	K	842
32,001 lbs. to 36,000 lbs.	L	982
36,001 lbs. to 40,000 lbs.	N	1,202
40,001 lbs. to 45,000 lbs.	P	1,390
45,001 lbs. to 50,000 lbs.	Q	1,538
50,001 lbs. to 54,999 lbs.	R	1,698
55,000 lbs. to 59,500 lbs.	S	1,830
59,501 lbs. to 64,000 lbs.	T	1,970
64,001 lbs. to 73,280 lbs.	V	2,294
73,281 lbs. to 77,000 lbs.	X	2,622

77,001 lbs. to 80,000 lbs. Z 2,790

Beginning with the 2010 registration year a \$1 surcharge shall be collected for vehicles registered in the 8,000 lbs. and less flat weight plate category above to be deposited into the State Police Vehicle Fund.

(a-1) A Special Hauling Vehicle is a vehicle or combination of vehicles of the second division registered under Section 3-813 transporting asphalt or concrete in the plastic state or a vehicle or combination of vehicles that are subject to the gross weight limitations in subsection (b) of Section 15-111 for which the owner of the vehicle or combination of vehicles has elected to pay, in addition to the registration fee in subsection (a), \$125 to the Secretary of State for each registration year. The Secretary shall designate this class of vehicle as a Special Hauling Vehicle.

(b) Except as provided in Section 3-806.3, every camping trailer, motor home, mini motor home, travel trailer, truck camper or van camper used primarily for recreational purposes, and not used commercially, nor for hire, nor owned by a commercial business, may be registered for each registration year upon the filing of a proper application and the payment of a registration fee and highway use tax, according to the following table of fees:

MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER	
Gross Weight in Lbs. Including Vehicle and Maximum Load	Total Fees Each Calendar Year
8,000 lbs and less	\$78
8,001 Lbs. to 10,000 Lbs	90
10,001 Lbs. and Over	102

CAMPING TRAILER OR TRAVEL TRAILER	
Gross Weight in Lbs. Including Vehicle and Maximum Load	Total Fees Each Calendar Year
3,000 Lbs. and Less	\$18
3,001 Lbs. to 8,000 Lbs.	30
8,001 Lbs. to 10,000 Lbs.	38
10,001 Lbs. and Over	50

Every house trailer must be registered under Section 3-819.

(c) Farm Truck. Any truck used exclusively for the owner's own agricultural, horticultural or livestock raising operations and not-for-hire only, or any truck used only in the transportation for-hire of seasonal, fresh, perishable fruit or vegetables from farm to the point of first processing, may be registered by the owner under this paragraph in lieu of registration under paragraph (a), upon filing of a proper application and the payment of the \$10 registration fee and the highway use tax herein specified as follows:

SCHEDULE OF FEES AND TAXES

Gross Weight in Lbs. Including Truck and Maximum Load	Class	Total Amount for each Fiscal Year
16,000 lbs. or less	VF	\$150
16,001 to 20,000 lbs.	VG	226
20,001 to 24,000 lbs.	VH	290
24,001 to 28,000 lbs.	VJ	378
28,001 to 32,000 lbs.	VK	506
32,001 to 36,000 lbs.	VL	610
36,001 to 45,000 lbs.	VP	810
45,001 to 54,999 lbs.	VR	1,026
55,000 to 64,000 lbs.	VT	1,202
64,001 to 73,280 lbs.	VV	1,290
73,281 to 77,000 lbs.	VX	1,350
77,001 to 80,000 lbs.	VZ	1,490

In the event the Secretary of State revokes a farm truck registration as authorized by law, the owner shall pay the flat weight tax due hereunder before operating such truck.

Any combination of vehicles having 5 axles, with a distance of 42 feet or less between extreme axles, that are subject to the weight limitations in subsection (a) and (b) of Section 15-111 for which the owner of the combination of vehicles has elected to pay, in addition to the registration fee in subsection (c), \$125 to the Secretary of State for each registration year shall be designated by the Secretary as a Special Hauling Vehicle.

[August 12, 2008]

(d) The number of axles necessary to carry the maximum load provided shall be determined from Chapter 15 of this Code.

(e) An owner may only apply for and receive 5 farm truck registrations, and only 2 of those 5 vehicles shall exceed 59,500 gross weight in pounds per vehicle.

(f) Every person convicted of violating this Section by failure to pay the appropriate flat weight tax to the Secretary of State as set forth in the above tables shall be punished as provided for in Section 3-401. (Source: P.A. 91-37, eff. 7-1-99.)

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

Under the rules, the foregoing **Senate Bill No. 450**, with House Amendment No. 4, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

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

SENATE BILL NO. 1290

A bill for AN ACT concerning local government.

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

House Amendment No. 1 to SENATE BILL NO. 1290

Passed the House, as amended, July 16, 2008.

MARK MAHONEY, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 1290**

AMENDMENT NO. 1. Amend Senate Bill 1290 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 5-1006.5 as follows:

(55 ILCS 5/5-1006.5)

Sec. 5-1006.5. Special County Retailers' Occupation Tax For Public Safety, Public Facilities, or Transportation.

(a) The county board of any county may impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of this State's government, at retail in the county on the gross receipts from the sales made in the course of business to provide revenue to be used exclusively for public safety, public facility, or transportation purposes in that county, if a proposition for the tax has been submitted to the electors of that county and approved by a majority of those voting on the question. If imposed, this tax shall be imposed only in one-quarter percent increments. By resolution, the county board may order the proposition to be submitted at any election. If the tax is imposed for transportation purposes for expenditures for public highways or as authorized under the Illinois Highway Code, the county board must publish notice of the existence of its long-range highway transportation plan as required or described in Section 5-301 of the Illinois Highway Code and must make the plan publicly available prior to approval of the ordinance or resolution imposing the tax. If the tax is imposed for transportation purposes for expenditures for passenger rail transportation, the county board must publish notice of the existence of its long-range passenger rail transportation plan and must make the plan publicly available prior to approval of the ordinance or resolution imposing the tax. The county clerk shall certify the question to the proper election authority, who shall submit the proposition at an election in accordance with the general election law.

(1) The proposition for public safety purposes shall be in substantially the following form:

"To pay for public safety purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every \$100 of tangible personal property bought at retail."

[August 12, 2008]

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for public safety purposes shall be in substantially the following form:

"To pay for public safety purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every \$100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

For the purposes of the paragraph, "public safety purposes" means crime prevention, detention, fire fighting, police, medical, ambulance, or other emergency services.

Votes shall be recorded as "Yes" or "No".

(2) The proposition for transportation purposes shall be in substantially the following form:

"To pay for improvements to roads and other transportation purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every \$100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for transportation purposes shall be in substantially the following form:

"To pay for road improvements and other transportation purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every \$100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

For the purposes of this paragraph, transportation purposes means construction, maintenance, operation, and improvement of public highways, any other purpose for which a county may expend funds under the Illinois Highway Code, and passenger rail transportation.

The votes shall be recorded as "Yes" or "No".

(3) The proposition for public facility purposes shall be in substantially the following form:

"To pay for public facility purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every \$100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for public facility purposes shall be in substantially the following form:

"To pay for public facility purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every \$100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

For purposes of this Section, "public facilities purposes" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the public facilities, for use by the county for the furnishing of



governmental services to its citizens, including but not limited to museums and nursing homes.

The votes shall be recorded as "Yes" or "No".

If a majority of the electors voting on the proposition vote in favor of it, the county may impose the tax. A county may not submit more than one proposition authorized by this Section to the electors at any one time.

This additional tax may not be imposed on the sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food which has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics. The tax imposed by a county under this Section and all civil penalties that may be assessed as an incident of the tax shall be collected and enforced by the Illinois Department of Revenue and deposited into a special fund created for that purpose. The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act shall permit the retailer to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this Section. The Department has full power to administer and enforce this Section, to collect all taxes and penalties due under this Section, to dispose of taxes and penalties so collected in the manner provided in this Section, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this Section. In the administration of and compliance with this Section, the Department and persons who are subject to this Section shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 1, 1a, 1a-1, 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 2 through 2-70 (in respect to all provisions contained in those Sections other than the State rate of tax), 2a, 2b, 2c, 3 (except provisions relating to transaction returns and quarter monthly payments), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act as if those provisions were set forth in this Section.

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

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the County Public Safety or Transportation Retailers' Occupation Tax Fund.

(b) If a tax has been imposed under subsection (a), a service occupation tax shall also be imposed at the same rate upon all persons engaged, in the county, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the county as an incident to a sale of service. This tax may not be imposed on sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes, and needles used by diabetics. The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The Department has full power to administer and enforce this subsection; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with this subsection, the Department and persons who are subject to this paragraph shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the county), 2a, 2b, 2c, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the county), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the county), 9 (except as to the disposition of taxes and penalties collected), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the county), Section 15, 16, 17, 18, 19 and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

[August 12, 2008]

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

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the County Public Safety or Transportation Retailers' Occupation Fund.

Nothing in this subsection shall be construed to authorize the county to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

(c) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the County Public Safety or Transportation Retailers' Occupation Tax Fund, which shall be an unappropriated trust fund held outside of the State treasury. On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the counties from which retailers have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to each county, and deposited by the county into its special fund created for the purposes of this Section, shall be the amount (not including credit memoranda) collected under this Section during the second preceding calendar month by the Department plus an amount the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body, and not including (i) an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county and (ii) any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the county. Within 10 days after receipt by the Comptroller of the disbursement certification to the counties provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with directions contained in the certification.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in March of each year to each county that received more than \$500,000 in disbursements under the preceding paragraph in the preceding calendar year. The allocation shall be in an amount equal to the average monthly distribution made to each such county under the preceding paragraph during the preceding calendar year (excluding the 2 months of highest receipts). The distribution made in March of each year subsequent to the year in which an allocation was made pursuant to this paragraph and the preceding paragraph shall be reduced by the amount allocated and disbursed under this paragraph in the preceding calendar year. The Department shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

(d) For the purpose of determining the local governmental unit whose tax is applicable, a retail sale by a producer of coal or another mineral mined in Illinois is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or another mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the United States Constitution as a sale in interstate or foreign commerce.

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

(e-5) If a county imposes a tax under this Section, the county board may, by ordinance, discontinue or lower the rate of the tax. If the county board lowers the tax rate or discontinues the tax, a referendum must be held in accordance with subsection (a) of this Section in order to increase the rate of the tax or to reimpose the discontinued tax.

(f) Beginning April 1, 1998, the results of any election authorizing a proposition to impose a tax under this Section or effecting a change in the rate of tax, or any ordinance lowering the rate or discontinuing the tax, shall be certified by the county clerk and filed with the Illinois Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax as of the first day of January next following the filing.

(g) When certifying the amount of a monthly disbursement to a county under this Section, the

Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements. The offset amount shall be the amount erroneously disbursed within the previous 6 months from the time a miscalculation is discovered.

(h) This Section may be cited as the "Special County Occupation Tax For Public Safety, Public Facilities, or Transportation Law".

(i) For purposes of this Section, "public safety" includes, but is not limited to, crime prevention, detention, fire fighting, police, medical, ambulance, or other emergency services. For the purposes of this Section, "transportation" includes, but is not limited to, the construction, maintenance, operation, and improvement of public highways, any other purpose for which a county may expend funds under the Illinois Highway Code, and passenger rail transportation. For the purposes of this Section, "public facilities purposes" includes, but is not limited to, the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the public facilities, for use by the county for the furnishing of governmental services to its citizens, including but not limited to museums and nursing homes.

(j) The Department may promulgate rules to implement this amendatory Act of the 95th General Assembly only to the extent necessary to apply the existing rules for the Special County Retailers' Occupation Tax for Public Safety to this new purpose for public facilities.

(Source: P.A. 94-781, eff. 5-19-06; 95-474, eff. 1-1-08.)

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

Under the rules, the foregoing **Senate Bill No. 1290**, with House Amendment No. 1, was referred to the Secretary's Desk.

## INTRODUCTION OF BILLS

**SENATE BILL NO. 3051.** Introduced by Senator Radogno, 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.

**SENATE BILL NO. 3052.** Introduced by Senator Demuzio, a bill for AN ACT concerning human rights.

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

**SENATE BILL NO. 3053.** Introduced by Senator Demuzio, a bill for AN ACT concerning employment.

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

**SENATE BILL NO. 3054.** Introduced by Senator Maloney, a bill for AN ACT concerning civil law.

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

**SENATE BILL NO. 3055.** Introduced by Senator Meeks, a bill for AN ACT concerning education.

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

**SENATE BILL NO. 3056.** Introduced by Senators Murphy - Watson, a bill for AN ACT concerning revenue.

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

[August 12, 2008]

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

**House Bill No. 4863**, sponsored by Senator Rutherford, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 5730**, sponsored by Senator Noland, was taken up, read by title a first time and referred to the Committee on Rules.

**EXCUSED FROM ATTENDANCE**

On motion of Senator Link, Senator Silverstein was excused from attendance due to business, and Senator Halvorson was excused from attendance due to family illness.

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

Senator Garrett moved that **House Joint Resolution No. 132**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Garrett moved that House Joint Resolution No. 132 be adopted.

At 5:23 o'clock p.m., Senator Martinez, presiding.

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

Yeas 47; Nays None; Present 3.

The following voted in the affirmative:

Althoff	Dillard	Koehler	Peterson
Bivins	Forby	Kotowski	Radogno
Bomke	Frerichs	Laufen	Righter
Brady	Garrett	Link	Risinger
Burzynski	Haine	Luechtefeld	Rutherford
Clayborne	Harmon	Maloney	Schoenberg
Collins	Hendon	Martinez	Steans
Cronin	Holmes	Meeks	Sullivan
Crotty	Hultgren	Millner	Syverson
Cullerton	Hunter	Murphy	Watson
Dahl	Jacobs	Noland	Wilhelmi
Demuzio	Jones, J.	Pankau	

The following voted present:

Raoul  
Trotter  
Mr. President

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

**RESOLUTIONS CONSENT CALENDAR**

**SENATE RESOLUTION NO. 797**

Offered by Senator Cullerton and all Senators:

[August 12, 2008]

Mourns the death of Robert Emmett Hosty, Jr., of River Forest.

**SENATE RESOLUTION NO. 798**

Offered by Senator Murphy and all Senators:

Mourns the death of Illinois Senator Virginia Macdonald of Arlington Heights.

**SENATE RESOLUTION NO. 799**

Offered by Senator Koehler and all Senators:

Mourns the death of Pauline Heward of Peoria.

**SENATE RESOLUTION NO. 800**

Offered by Senator Althoff and all Senators:

Mourns the death of John A. Mitchell of Crystal Lake.

**SENATE RESOLUTION NO. 801**

Offered by Senator Koehler and all Senators:

Mourns the death of James Graves of Peoria.

**SENATE RESOLUTION NO. 802**

Offered by Senator Link and all Senators:

Mourns the death of Ralph David Lauridsen of Waukegan.

**SENATE RESOLUTION NO. 803**

Offered by Senator Link and all Senators:

Mourns the death of Richard Raymond Bairstow of Waukegan.

**SENATE RESOLUTION NO. 804**

Offered by Senator Link and all Senators:

Mourns the death of Jesse C. Bankston, Jr., of Waukegan.

**SENATE RESOLUTION NO. 805**

Offered by Senator Link and all Senators:

Mourns the death of Paul Henry Delfs of Waukegan.

**SENATE RESOLUTION NO. 806**

Offered by Senator Link and all Senators:

Mourns the death of Kenneth Charles Anderson of Waukegan.

**SENATE RESOLUTION NO. 807**

Offered by Senator Link and all Senators:

Mourns the death of Gary H. Swanson of Waukegan.

**SENATE RESOLUTION NO. 808**

Offered by Senator Link and all Senators:

Mourns the death of James L. Ellis of North Chicago.

**SENATE RESOLUTION NO. 809**

Offered by Senator Link and all Senators:

Mourns the death of Jack J. Thompson of North Chicago.

**SENATE RESOLUTION NO. 810**

Offered by Senator Dillard and all Senators:

Mourns the death of the Reverend Duane Edward Heap.

**SENATE RESOLUTION NO. 811**

Offered by Senator Haine and all Senators:

Mourns the death of George J. Moran of Belleville.

**SENATE RESOLUTION NO. 812**

Offered by Senator Haine and all Senators:  
Mourns the death of Peter Gonzales of Alton.

**SENATE RESOLUTION NO. 813**

Offered by Senator Clayborne and all Senators:  
Mourns the death of Darren Day.

**SENATE RESOLUTION NO. 814**

Offered by Senator Lauzen and all Senators:  
Mourns the death of John Burzynski, father of Senator Brad Burzynski.

**SENATE RESOLUTION NO. 815**

Offered by Senator Koehler and all Senators:  
Mourns the death of Camden Belfield of Waverly.

**SENATE RESOLUTION NO. 816**

Offered by Senator Watson and all Senators:  
Mourns the death of Edgar E. "Pete" Nicholls of Decatur.

**SENATE RESOLUTION NO. 817**

Offered by Senator Collins and all Senators:  
Mourns the death of Debra Anne Jackson.

**SENATE RESOLUTION NO. 818**

Offered by Senator Collins and all Senators:  
Mourns the death of Lena Leo Miles.

**SENATE RESOLUTION NO. 819**

Offered by Senator Haine and all Senators:  
Mourns the death of Dr. Gary Wayne Carstens of East Alton.

**SENATE RESOLUTION NO. 820**

Offered by Senator E. Jones and all Senators:  
Mourns the death of Richard Rita of Port Charlotte, Florida, formerly of Blue Island.

**SENATE RESOLUTION NO. 821**

Offered by Senator Demuzio and all Senators:  
Mourns the death of Jo Ellen Malham of Springfield.

**SENATE RESOLUTION NO. 822**

Offered by Senator Demuzio and all Senators:  
Mourns the death of Rosina M. Kasten of Carlinville.

**SENATE RESOLUTION NO. 823**

Offered by Senator Raoul and all Senators:  
Mourns the death of Bernard Jeffrey McCollough, famously known comedian Bernie Mac, of Chicago.

**SENATE RESOLUTION NO. 824**

Offered by Senator Wilhelmi and all Senators:  
Mourns the death of Louis J. "Corky" Sehring of St. Charles.

**SENATE RESOLUTION NO. 825**

Offered by Senator Wilhelmi and all Senators:  
Mourns the death of Donald J. Malloy of Varna, formerly of Bolingbrook.

**SENATE RESOLUTION NO. 826**

Offered by Senator Wilhelmi and all Senators:  
Mourns the death of John Sternisha.

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

At the hour of 5:42 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, August 13, 2008, at 5:02 o'clock p.m.