



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SIXTH GENERAL ASSEMBLY

51ST LEGISLATIVE DAY

MONDAY, MAY 18, 2009

9:15 O'CLOCK A.M.

SENATE
Daily Journal Index
51st Legislative Day

| Action | Page(s) |
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| Deadline Established | 3, 4 |
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| Legislative Measure(s) Filed | 29 |
| Message from the President | 3, 4, 5, 6, 7, 8, 9 |
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| SR 0289 | Committee on Assignments | 10 |
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The Senate met pursuant to adjournment.
Senator James A. DeLeo, Chicago, Illinois, presiding.
Prayer by Father Bob Jallas, St. Agnes Church, Springfield, Illinois.
Senator Duffy led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Sunday, May 17, 2009, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

Collar County Transportation Empowerment Funds Report 2008, submitted by Lake County.

The foregoing report was ordered received and placed on file in the Secretary's Office.

MESSAGES FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 17, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish May 31, 2009 as the 3rd Reading deadline for Senate Bills 347, 348, 350, 352, and 1013.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

[May 18, 2009]

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish May 31, 2009 as the Committee and 3rd Reading deadline for House Bill 1188.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Dan Kotowski to temporarily replace Senator Michael Noland as a member of the Senate Public Health Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Public Health Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator William Delgado to temporarily replace Senator Michael Noland as a member of the Senate Criminal Law Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Criminal Law Committee.

Sincerely,

[May 18, 2009]

s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Kwame Raoul to temporarily replace Senator Iris Martinez as a member of the Senate Education Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Education Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Jeffrey Schoenberg to temporarily replace Senator Ira Silverstein as a member of the Senate Judiciary Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Judiciary Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

OFFICE OF THE SENATE PRESIDENT

[May 18, 2009]

STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Linda Holmes to temporarily replace Senator Michael Noland as a member of the Senate Licensed Activities Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Licensed Activities Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Maggie Crotty to temporarily replace Senator Ira Silverstein as a member of the Senate Insurance Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Insurance Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

[May 18, 2009]

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Emil Jones, III to temporarily replace Senator Iris Martinez as a member of the Senate Pensions & Investments Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Pensions & Investments Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Ed Maloney to temporarily replace Senator Iris Martinez as a member of the Senate Licensed Activities Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Licensed Activities Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

[May 18, 2009]

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Donne Trotter to temporarily replace Senator Ira Silverstein as a member of the Senate Executive Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Executive Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Mattie Hunter to temporarily replace Senator Ira Silverstein as a member of the Senate Gaming Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Gaming Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Maggie Crotty to temporarily replace Senator Iris Martinez as a member of the Senate Energy Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Energy Committee.

[May 18, 2009]

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Louis Viverito to temporarily replace Senator Michael Noland as a member of the Senate Energy Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Energy Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 18, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator John Sullivan to temporarily replace Senator Iris Martinez as a member of the Senate Commerce Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Commerce Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

[May 18, 2009]

PRESENTATION OF RESOLUTION

Senator Cronin offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 289

WHEREAS, This State has a rich history of community and junior colleges by being the first state in the nation, in 1901, to house a public junior college, Joliet Junior College; and

WHEREAS, Legislation was passed to hold referenda to set separate tax rates for both education and building funds to support junior college operations in 1943; and

WHEREAS, State funding for junior college operations was first appropriated in 1955; and

WHEREAS, The Junior College Act became effective on July 15, 1965, and in August of that same year, the first 9 members of the first Illinois Junior College Board were appointed; and

WHEREAS, In 1973, the term "junior" was changed to "community" in statute; and

WHEREAS, Since July 1990, the entire State has been included within community college district boundaries; and

WHEREAS, The Illinois Community College System is the 3rd largest community college system in the nation; and

WHEREAS, The Illinois Constitution declares that it is an educational imperative to provide "educational development of all persons to the limits of their capacities"; and

WHEREAS, The community college system's strategic plan, entitled "Promise for Illinois Revisited", affirms the community colleges' pledges to address workforce development needs with flexible, responsive, and progressive programs; offer rigorous programs designed for college and university transfer; expand adult education and literacy programs; and escalate efforts to meet the growing demand for trained workers; and

WHEREAS, Community colleges' paramount mission is to prepare people for college, for transfer to other colleges or universities, and for employment in strong wage jobs that demand high skills, while also providing adult literacy education that prepares people for the GED, employment, or college; strengthening their local economies through business assistance and training; and providing community educational programs and services; and

WHEREAS, In order to realize these objectives, the General Assembly authorized certain tools, such as property taxes and general revenue funding, to be used by community colleges in order to fulfill their principal mission; and

WHEREAS, In recognition of an effort by some among the community colleges to transform themselves and seriously alter their mission, we, the members of the General Assembly, need to reevaluate and reassess those fundamental beliefs and tools that fulfill that original mission of community colleges; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the General Assembly needs to begin the reassessment of the fundamental beliefs and tools that help fulfill the original mission of public community colleges in this State; and be it further

RESOLVED, That the Legislative Research Unit begin reviewing the funding mechanisms of community colleges, including the availability of property taxes, the General Revenue Fund, and other revenue streams; and be it further

[May 18, 2009]

RESOLVED, That the Board of Higher Education begin a dialogue with the Illinois Community College Board, community colleges, and other educational stakeholders regarding the potential for changes to the funding mechanisms and the degree and program approval for community colleges; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Legislative Research Unit and the Board of Higher Education.

At the hour of 9:30 o'clock a.m., Senator Schoenberg, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 18, 2009 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Commerce: **Senate Floor Amendment No. 3 to House Bill 4186.**

Consumer Protection: **Senate Floor Amendment No. 1 to House Bill 4088.**

Criminal Law: **Senate Floor Amendment No. 1 to House Bill 682; Senate Floor Amendment No. 1 to House Bill 800; Senate Floor Amendment No. 3 to House Bill 2537.**

Education: **Senate Floor Amendment No. 2 to House Bill 363; Senate Floor Amendment No. 1 to House Bill 806; Senate Floor Amendment No. 2 to House Bill 2675; Senate Floor Amendment No. 3 to House Bill 2675; Senate Floor Amendment No. 3 to Senate Bill 750.**

Energy: **Senate Floor Amendment No. 1 to House Bill 2688; Senate Floor Amendment No. 2 to House Bill 3854.**

Environment: **Senate Floor Amendment No. 2 to House Bill 170; Senate Floor Amendment No. 3 to House Bill 170; Senate Floor Amendment No. 1 to House Bill 3987; Senate Floor Amendment No. 2 to House Bill 4021.**

Executive: **Senate Floor Amendment No. 3 to House Bill 182; Senate Floor Amendment No. 3 to House Bill 470; Senate Floor Amendment No. 1 to House Bill 1345; Senate Floor Amendment No. 2 to Senate Bill 932; Senate Floor Amendment No. 3 to Senate Bill 2101; Senate Floor Amendment No. 2 to Senate Bill 2173.**

Financial Institutions: **Senate Floor Amendment No. 3 to House Bill 4011.**

Insurance: **Senate Floor Amendment No. 2 to House Bill 2325; Senate Floor Amendment No. 1 to Senate Bill 660.**

Judiciary: **Senate Floor Amendment No. 2 to House Bill 821.**

Licensed Activities: **Senate Floor Amendment No. 1 to House Bill 563; Senate Floor Amendment No. 2 to House Bill 786; Senate Floor Amendment No. 2 to House Bill 2440.**

Local Government: **Senate Floor Amendment No. 1 to House Bill 3986; Senate Floor Amendment No. 1 to Senate Bill 2187.**

Public Health: **Senate Floor Amendment No. 2 to House Bill 810.**

Revenue: **Senate Floor Amendment No. 2 to House Bill 2394; Senate Floor Amendment No. 1 to House Bill 3636.**

[May 18, 2009]

State Government and Veterans Affairs: **Senate Floor Amendment No. 2 to House Bill 4099.**

Transportation: **Senate Floor Amendment No. 1 to House Bill 71; Senate Floor Amendment No. 2 to House Bill 71; Senate Floor Amendment No. 1 to Senate Bill 944.**

COMMITTEE MEETING ANNOUNCEMENTS

The Chair made the following committee announcements:

- At 10:32 o'clock a.m.: Public Health in Room 212
- At 10:45 o'clock a.m.: Human Services in Room 212; Judiciary in Room 400
- At 11:00 o'clock a.m.: Criminal Law in Room 212; Environment in Room 400; Local Government in Room 409
- At 12:00 o'clock p.m.: Appropriations I in Room 212; Transportation in Room 400; Education in Room 409
- At 12:15 o'clock p.m.: Appropriations II in Room 212; Insurance in Room 400; State Government and Veterans Affairs in Room 409
- At 1:20 o'clock p.m.: Pensions and Investments in Room 409
- At 1:40 o'clock p.m.: Executive in Room 212; Revenue in Room 400; Licensed Activities in Room 409
- At 2:45 o'clock p.m.: Energy in Room 212; Financial Institutions in Room 400; Consumer Protection in Room 409
- At 3:00 o'clock p.m.: Telecommunications and Technology in Room 212; Gaming in Room 400; Commerce in Room 409

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Sandoval, **House Bill No. 921** 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 921

AMENDMENT NO. 1. Amend House Bill 921 on page 3, by replacing lines 6 through 8 with the following:

"implement a written emergency medical plan, which shall include staff responsibilities and office protocol for emergency procedures."

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

On motion of Senator Sandoval, **House Bill No. 931** was taken up, read by title a second time. Senate Floor Amendment No. 1 was held in the Committee on Transportation. There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Sandoval, **House Bill No. 3697** was taken up, read by title a second time and ordered to a third reading.

[May 18, 2009]

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Righter, **House Bill No. 2619**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 50; NAYS 2.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Dillard | Jones, J. | Righter |
| Bivins | Duffy | Koehler | Risinger |
| Bomke | Forby | Kotowski | Sandoval |
| Bond | Garrett | Lightford | Schoenberg |
| Burzynski | Haine | Link | Steans |
| Clayborne | Harmon | Luechtefeld | Sullivan |
| Collins | Hendon | Maloney | Syverson |
| Cronin | Holmes | Meeks | Trotter |
| Crotty | Hultgren | Muñoz | Viverito |
| Dahl | Hunter | Murphy | Wilhelmi |
| DeLeo | Hutchinson | Pankau | Mr. President |
| Delgado | Jacobs | Radogno | |
| Demuzio | Jones, E. | Raoul | |

The following voted in the negative:

McCarter
Millner

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Garrett, **House Bill No. 2660**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Koehler | Risinger |
| Bivins | Forby | Lightford | Rutherford |
| Bomke | Frerichs | Link | Sandoval |
| Bond | Garrett | Luechtefeld | Schoenberg |
| Burzynski | Haine | Maloney | Steans |
| Clayborne | Harmon | McCarter | Sullivan |
| Collins | Hendon | Meeks | Syverson |
| Cronin | Holmes | Millner | Trotter |
| Crotty | Hultgren | Muñoz | Viverito |
| Dahl | Hunter | Murphy | Wilhelmi |
| DeLeo | Hutchinson | Pankau | Mr. President |
| Delgado | Jacobs | Radogno | |

[May 18, 2009]

| | | |
|---------|-----------|---------|
| Demuzio | Jones, E. | Raoul |
| Dillard | Jones, J. | Righter |

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

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

On motion of Senator Cronin, **House Bill No. 2686**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Koehler | Risinger |
| Bivins | Forby | Kotowski | Rutherford |
| Bomke | Frerichs | Lightford | Sandoval |
| Bond | Garrett | Link | Schoenberg |
| Burzynski | Haine | Luechtefeld | Steans |
| Clayborne | Harmon | Maloney | Sullivan |
| Collins | Hendon | Meeks | Syverson |
| Cronin | Holmes | Millner | Trotter |
| Crotty | Hultgren | Muñoz | Viverito |
| Dahl | Hunter | Murphy | Wilhelmi |
| DeLeo | Hutchinson | Pankau | Mr. President |
| Delgado | Jacobs | Radogno | |
| Demuzio | Jones, E. | Raoul | |
| Dillard | Jones, J. | Righter | |

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

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

On motion of Senator Lightford, **House Bill No. 3634**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 51; NAYS 2.

The following voted in the affirmative:

| | | | |
|-----------|----------|-------------|------------|
| Althoff | Forby | Koehler | Righter |
| Bivins | Frerichs | Kotowski | Risinger |
| Bomke | Garrett | Lightford | Rutherford |
| Bond | Haine | Link | Sandoval |
| Burzynski | Harmon | Luechtefeld | Schoenberg |
| Clayborne | Hendon | Maloney | Steans |
| Collins | Holmes | McCarter | Sullivan |
| Cronin | Hultgren | Meeks | Syverson |
| Crotty | Hunter | Millner | Trotter |

[May 18, 2009]

| | | | |
|---------|------------|---------|---------------|
| DeLeo | Hutchinson | Muñoz | Viverito |
| Delgado | Jacobs | Pankau | Wilhelmi |
| Demuzio | Jones, E. | Radogno | Mr. President |
| Dillard | Jones, J. | Raoul | |

The following voted in the negative:

Dahl
Duffy

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

On motion of Senator Sullivan, **House Bill No. 3600**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Kotowski | Risinger |
| Bivins | Forby | Lightford | Rutherford |
| Bomke | Frerichs | Link | Sandoval |
| Bond | Haine | Luechtefeld | Schoenberg |
| Burzynski | Harmon | Maloney | Steans |
| Clayborne | Hendon | McCarter | Sullivan |
| Collins | Holmes | Meeks | Syverson |
| Cronin | Hultgren | Millner | Trotter |
| Crotty | Hunter | Muñoz | Viverito |
| Dahl | Hutchinson | Murphy | Wilhelmi |
| DeLeo | Jacobs | Pankau | Mr. President |
| Delgado | Jones, E. | Radogno | |
| Demuzio | Jones, J. | Raoul | |
| Dillard | Koehler | Righter | |

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

On motion of Senator Bond, **House Bill No. 3636**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|---------|----------|-----------|------------|
| Althoff | Duffy | Koehler | Righter |
| Bivins | Forby | Kotowski | Risinger |
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |

[May 18, 2009]

| | | | |
|-----------|------------|-------------|---------------|
| Burzynski | Haine | Luechtefeld | Schoenberg |
| Clayborne | Harmon | Maloney | Steans |
| Collins | Hendon | McCarter | Sullivan |
| Cronin | Holmes | Meeks | Syverson |
| Crotty | Hultgren | Millner | Trotter |
| Dahl | Hunter | Muñoz | Viverito |
| DeLeo | Hutchinson | Murphy | Wilhelmi |
| Delgado | Jacobs | Pankau | Mr. President |
| Demuzio | Jones, E. | Radogno | |
| Dillard | Jones, J. | Raoul | |

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

On motion of Senator Link, **House Bill No. 3658**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Koehler | Righter |
| Bivins | Forby | Kotowski | Risinger |
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |
| Burzynski | Haine | Luechtefeld | Schoenberg |
| Clayborne | Harmon | Maloney | Steans |
| Collins | Hendon | McCarter | Sullivan |
| Cronin | Holmes | Meeks | Syverson |
| Crotty | Hultgren | Millner | Trotter |
| Dahl | Hunter | Muñoz | Viverito |
| DeLeo | Hutchinson | Murphy | Wilhelmi |
| Delgado | Jacobs | Pankau | Mr. President |
| Demuzio | Jones, E. | Radogno | |
| Dillard | Jones, J. | Raoul | |

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

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

On motion of Senator Sullivan, **House Bill No. 3664**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|---------|-------|----------|----------|
| Althoff | Duffy | Koehler | Righter |
| Bivins | Forby | Kotowski | Risinger |

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| | | | |
|-----------|------------|-------------|---------------|
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |
| Burzynski | Haine | Luechtefeld | Schoenberg |
| Clayborne | Harmon | Maloney | Steans |
| Collins | Hendon | McCarter | Sullivan |
| Cronin | Holmes | Meeks | Syverson |
| Crotty | Hultgren | Millner | Trotter |
| Dahl | Hunter | Muñoz | Viverito |
| DeLeo | Hutchinson | Murphy | Wilhelmi |
| Delgado | Jacobs | Pankau | Mr. President |
| Demuzio | Jones, E. | Radogno | |
| Dillard | Jones, J. | Raoul | |

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Sullivan, **House Bill No. 3705**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Allthoff | Duffy | Koehler | Rutherford |
| Bivins | Forby | Kotowski | Sandoval |
| Bomke | Frerichs | Lightford | Schoenberg |
| Bond | Garrett | Link | Steans |
| Burzynski | Haine | Luechtefeld | Sullivan |
| Clayborne | Harmon | Maloney | Syverson |
| Collins | Hendon | McCarter | Trotter |
| Cronin | Holmes | Meeks | Viverito |
| Crotty | Hultgren | Millner | Wilhelmi |
| Dahl | Hunter | Muñoz | Mr. President |
| DeLeo | Hutchinson | Murphy | |
| Delgado | Jacobs | Pankau | |
| Demuzio | Jones, E. | Radogno | |
| Dillard | Jones, J. | Raoul | |

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Sullivan, **House Bill No. 3832**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

| | | | |
|----------|-------|----------|----------|
| Allthoff | Forby | Kotowski | Risinger |
|----------|-------|----------|----------|

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| | | | |
|-----------|------------|-------------|---------------|
| Bivins | Frerichs | Lightford | Rutherford |
| Bomke | Garrett | Link | Sandoval |
| Bond | Haine | Luechtefeld | Schoenberg |
| Burzynski | Harmon | Maloney | Steans |
| Clayborne | Hendon | McCarter | Sullivan |
| Collins | Holmes | Meeks | Syverson |
| Cronin | Hultgren | Millner | Trotter |
| Crotty | Hunter | Muñoz | Viverito |
| Dahl | Hutchinson | Murphy | Wilhelmi |
| DeLeo | Jacobs | Pankau | Mr. President |
| Delgado | Jones, E. | Radogno | |
| Demuzio | Jones, J. | Raoul | |
| Duffy | Koehler | Righter | |

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

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

HOUSE BILL RECALLED

On motion of Senator Lightford, **House Bill No. 3874** was recalled from the order of third reading to the order of second reading.

Senator Lightford offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 3874

AMENDMENT NO. 2. Amend House Bill 3874 on page 1, by replacing line 6 with the following:

"amended by changing Sections 5-10, 20-10, 20-20, 35-30, and 50-10 as follows:"; and

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

"(225 ILCS 447/5-10)

(Section scheduled to be repealed on January 1, 2014)

Sec. 5-10. Definitions. As used in this Act:

"Advertisement" means any printed material that is published in a phone book, newspaper, magazine, pamphlet, newsletter, or other similar type of publication that is intended to either attract business or merely provide contact information to the public for an agency or licensee. Advertisement shall include any material disseminated by printed or electronic means or media, but shall not include a licensee's or an agency's letterhead, business cards, or other stationery used in routine business correspondence or customary name, address, and number type listings in a telephone directory.

"Alarm system" means any system, including an electronic access control system, a surveillance video system, a security video system, a burglar alarm system, a fire alarm system, an emergency communication system, mass notification system, or any other electronic system, that activates an audible, visible, remote, or recorded signal that is designed for the protection or detection of intrusion, entry, theft, fire, vandalism, escape, or trespass, or other electronic systems designed for the protection of life by indicating the existence of an emergency situation.

"Armed employee" means a licensee or registered person who is employed by an agency licensed or an armed proprietary security force registered under this Act who carries a weapon while engaged in the performance of official duties within the course and scope of his or her employment during the hours and times the employee is scheduled to work or is commuting between his or her home or place of employment, provided that commuting is accomplished within one hour from departure from home or place of employment.

"Armed proprietary security force" means a security force made up of 5 or more armed individuals employed by a private, commercial, or industrial operation or one or more armed individuals employed by a financial institution as security officers for the protection of persons or property.

"Board" means the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Board.

"Branch office" means a business location removed from the place of business for which an agency

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license has been issued, including, but not limited to, locations where active employee records that are required to be maintained under this Act are kept, where prospective new employees are processed, or where members of the public are invited in to transact business. A branch office does not include an office or other facility located on the property of an existing client that is utilized solely for the benefit of that client and is not owned or leased by the agency.

"Canine handler" means a person who uses or handles a trained dog to protect persons or property or to conduct investigations.

"Canine handler authorization card" means a card issued by the Department that authorizes the holder to use or handle a trained dog to protect persons or property or to conduct investigations during the performance of his or her duties as specified in this Act.

"Canine trainer" means a person who acts as a dog trainer for the purpose of training dogs to protect persons or property or to conduct investigations.

"Canine trainer authorization card" means a card issued by the Department that authorizes the holder to train a dog to protect persons or property or to conduct investigations during the performance of his or her duties as specified in this Act.

"Canine training facility" means a facility operated by a licensed private detective agency or private security agency wherein dogs are trained for the purposes of protecting persons or property or to conduct investigations.

"Corporation" means an artificial person or legal entity created by or under the authority of the laws of a state, including without limitation a corporation, limited liability company, or any other legal entity.

"Department" means the Department of Financial and Professional Regulation.

"Emergency communication system" means any system that communicates information about emergencies, including but not limited to fire, terrorist activities, shootings, other dangerous situations, accidents, and natural disasters.

"Employee" means a person who works for a person or agency that has the right to control the details of the work performed and is not dependent upon whether or not federal or state payroll taxes are withheld.

"Fingerprint vendor" means a person that offers, advertises, or provides services to fingerprint individuals, through electronic or other means, for the purpose of providing fingerprint images and associated demographic data to the Department of State Police for processing fingerprint based criminal history record information inquiries.

"Fingerprint vendor agency" means a person, firm, corporation, or other legal entity that engages in the fingerprint vendor business and employs, in addition to the fingerprint vendor licensee-in-charge, at least one other person in conducting that business.

"Fingerprint vendor licensee-in-charge" means a person who has been designated by a fingerprint vendor agency to be the licensee-in-charge of an agency who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Fire alarm system" means any system that is activated by an automatic or manual device in the detection of smoke, heat, or fire that activates an audible, visible, or remote signal requiring a response.

"Firearm control card" means a card issued by the Department that authorizes the holder, who has complied with the training and other requirements of this Act, to carry a weapon during the performance of his or her duties as specified in this Act.

"Firm" means an unincorporated business entity, including but not limited to proprietorships and partnerships.

"Locksmith" means a person who engages in a business or holds himself out to the public as providing a service that includes, but is not limited to, the servicing, installing, originating first keys, re-coding, repairing, maintaining, manipulating, or bypassing of a mechanical or electronic locking device, access control or video surveillance system at premises, vehicles, safes, vaults, safe deposit boxes, or automatic teller machines.

"Locksmith agency" means a person, firm, corporation, or other legal entity that engages in the locksmith business and employs, in addition to the locksmith licensee-in-charge, at least one other person in conducting such business.

"Locksmith licensee-in-charge" means a person who has been designated by agency to be the licensee-in-charge of an agency, who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Mass notification system" means any system that is used to provide information and instructions to people in a building or other space using voice communications, including visible signals, text, graphics, tactile, or other communication methods.

"Peace officer" or "police officer" means a person who, by virtue of office or public employment, is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses. Officers, agents, or employees of the federal government commissioned by federal statute to make arrests for violations of federal laws are considered peace officers.

"Permanent employee registration card" means a card issued by the Department to an individual who has applied to the Department and meets the requirements for employment by a licensed agency under this Act.

"Person" means a natural person.

"Private alarm contractor" means a person who engages in a business that individually or through others undertakes, offers to undertake, purports to have the capacity to undertake, or submits a bid to sell, install, design, monitor, maintain, alter, repair, replace, or service alarm and other security-related systems or parts thereof, including fire alarm systems, at protected premises or premises to be protected or responds to alarm systems at a protected premises on an emergency basis and not as a full-time security officer. "Private alarm contractor" does not include a person, firm, or corporation that manufactures or sells alarm systems only from its place of business and does not sell, install, monitor, maintain, alter, repair, replace, service, or respond to alarm systems at protected premises or premises to be protected.

"Private alarm contractor agency" means a person, corporation, or other entity that engages in the private alarm contracting business and employs, in addition to the private alarm contractor-in-charge, at least one other person in conducting such business.

"Private alarm contractor licensee-in-charge" means a person who has been designated by an agency to be the licensee-in-charge of an agency, who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Private detective" means any person who by any means, including, but not limited to, manual, canine odor detection, or electronic methods, engages in the business of, accepts employment to furnish, or agrees to make or makes investigations for a fee or other consideration to obtain information relating to:

(1) Crimes or wrongs done or threatened against the United States, any state or territory of the United States, or any local government of a state or territory.

(2) The identity, habits, conduct, business occupation, honesty, integrity, credibility, knowledge, trustworthiness, efficiency, loyalty, activity, movements, whereabouts, affiliations, associations, transactions, acts, reputation, or character of any person, firm, or other entity by any means, manual or electronic.

(3) The location, disposition, or recovery of lost or stolen property.

(4) The cause, origin, or responsibility for fires, accidents, or injuries to individuals or real or personal property.

(5) The truth or falsity of any statement or representation.

(6) Securing evidence to be used before any court, board, or investigating body.

(7) The protection of individuals from bodily harm or death (bodyguard functions).

(8) Service of process in criminal and civil proceedings without court order.

"Private detective agency" means a person, firm, corporation, or other legal entity that engages in the private detective business and employs, in addition to the licensee-in-charge, one or more persons in conducting such business.

"Private detective licensee-in-charge" means a person who has been designated by an agency to be the licensee-in-charge of an agency, who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Private security contractor" means a person who engages in the business of providing a private security officer, watchman, patrol, guard dog, canine odor detection, or a similar service by any other title or name on a contractual basis for another person, firm, corporation, or other entity for a fee or other consideration and performing one or more of the following functions:

(1) The prevention or detection of intrusion, entry, theft, vandalism, abuse, fire, or trespass on private or governmental property.

- (2) The prevention, observation, or detection of any unauthorized activity on private or governmental property.
- (3) The protection of persons authorized to be on the premises of the person, firm, or other entity for which the security contractor contractually provides security services.
- (4) The prevention of the misappropriation or concealment of goods, money, bonds, stocks, notes, documents, or papers.
- (5) The control, regulation, or direction of the movement of the public for the time specifically required for the protection of property owned or controlled by the client.
- (6) The protection of individuals from bodily harm or death (bodyguard functions).

"Private security contractor agency" means a person, firm, corporation, or other legal entity that engages in the private security contractor business and that employs, in addition to the licensee-in-charge, one or more persons in conducting such business.

"Private security contractor licensee-in-charge" means a person who has been designated by an agency to be the licensee-in-charge of an agency, who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Public member" means a person who is not a licensee or related to a licensee, or who is not an employer or employee of a licensee. The term "related to" shall be determined by the rules of the Department.

"Secretary" means the Secretary of Financial and Professional Regulation.

(Source: P.A. 95-613, eff. 9-11-07.); and

on page 3, immediately below line 25, by inserting the following:

"(225 ILCS 447/20-20)

(Section scheduled to be repealed on January 1, 2014)

Sec. 20-20. Training; private alarm contractor and employees.

(a) Registered employees of the private alarm contractor agency who carry a firearm and respond to alarm systems shall complete, within 30 days of their employment, a minimum of 20 hours of classroom training provided by a qualified instructor and shall include all of the following subjects:

- (1) The law regarding arrest and search and seizure as it applies to the private alarm industry.
- (2) Civil and criminal liability for acts related to the private alarm industry.
- (3) The use of force, including but not limited to the use of nonlethal force (i.e., disabling spray, baton, stungun, or similar weapon).
- (4) Arrest and control techniques.
- (5) The offenses under the Criminal Code of 1961 that are directly related to the protection of persons and property.
- (6) The law on private alarm forces and on reporting to law enforcement agencies.
- (7) Fire prevention, fire equipment, and fire safety.
- (8) Civil rights and public relations.
- (9) The identification of terrorists, acts of terrorism, and terrorist organizations, as defined by federal and State statutes.

Pursuant to directives set forth by the U.S. Department of Homeland Security and the provisions set forth by the National Fire Protection Association in the National Fire Alarm Code and the Life Safety Code, training may include the installation, repair, and maintenance of emergency communication systems and mass notification systems.

(b) All other employees of a private alarm contractor agency shall complete a minimum of 20 hours of training provided by a qualified instructor within 30 days of their employment. The substance of the training shall be related to the work performed by the registered employee.

(c) It is the responsibility of the employer to certify, on forms provided by the Department, that the employee has successfully completed the training. The form shall be a permanent record of training completed by the employee and shall be placed in the employee's file with the employer for the term the employee is retained by the employer. A private alarm contractor agency may place a notarized copy of the Department form in lieu of the original into the permanent employee registration card file. The form shall be returned to the employee when his or her employment is terminated. Failure to return the form to the employee is grounds for discipline. The employee shall not be required to complete the training required under this Act once the employee has been issued a form.

(d) Nothing in this Act prevents any employer from providing or requiring additional training beyond

the required 20 hours that the employer feels is necessary and appropriate for competent job performance.

(e) Any certification of completion of the 20-hour basic training issued under the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993 or any prior Act shall be accepted as proof of training under this Act.

(Source: P.A. 95-613, eff. 9-11-07.)

(225 ILCS 447/35-30)

(Section scheduled to be repealed on January 1, 2014)

Sec. 35-30. Employee requirements. All employees of a licensed agency, other than those exempted, shall apply for a permanent employee registration card. The holder of an agency license issued under this Act, known in this Section as "employer", may employ in the conduct of his or her business employees under the following provisions:

(a) No person shall be issued a permanent employee registration card who:

(1) Is younger than 18 years of age.

(2) Is younger than 21 years of age if the services will include being armed.

(3) Has been determined by the Department to be unfit by reason of conviction of an offense in this or another state, other than a traffic offense. The Department shall adopt rules for making those determinations that shall afford the applicant due process of law.

(4) Has had a license or permanent employee registration card denied, suspended, or revoked under this Act (i) within one year before the date the person's application for permanent employee registration card is received by the Department; and (ii) that refusal, denial, suspension, or revocation was based on any provision of this Act other than Section 40-50, item (6) or (8) of subsection (a) of Section 15-10, subsection (b) of Section 15-10, item (6) or (8) of subsection (a) of Section 20-10, subsection (b) of Section 20-10, item (6) or (8) of subsection (a) of Section 25-10, subsection (b) of Section 25-10, item (7) of subsection (a) of Section 30-10, subsection (b) of Section 30-10, or Section 10-40.

(5) Has been declared incompetent by any court of competent jurisdiction by reason of mental disease or defect and has not been restored.

(6) Has been dishonorably discharged from the armed services of the United States.

(b) No person may be employed by a private detective agency, private security contractor agency, private alarm contractor agency, fingerprint vendor agency, or locksmith agency under this Section until he or she has executed and furnished to the employer, on forms furnished by the Department, a verified statement to be known as "Employee's Statement" setting forth:

(1) The person's full name, age, and residence address.

(2) The business or occupation engaged in for the 5 years immediately before the date of the execution of the statement, the place where the business or occupation was engaged in, and the names of employers, if any.

(3) That the person has not had a license or employee registration denied, revoked, or suspended under this Act (i) within one year before the date the person's application for permanent employee registration card is received by the Department; and (ii) that refusal, denial, suspension, or revocation was based on any provision of this Act other than Section 40-50, item (6) or (8) of subsection (a) of Section 15-10, subsection (b) of Section 15-10, item (6) or (8) of subsection (a) of Section 20-10, subsection (b) of Section 20-10, item (6) or (8) of subsection (a) of Section 25-10, subsection (b) of Section 25-10, item (7) of subsection (a) of Section 30-10, subsection (b) of Section 30-10, or Section 10-40.

(4) Any conviction of a felony or misdemeanor.

(5) Any declaration of incompetence by a court of competent jurisdiction that has not been restored.

(6) Any dishonorable discharge from the armed services of the United States.

(7) Any other information as may be required by any rule of the Department to show the good character, competency, and integrity of the person executing the statement.

(c) Each applicant for a permanent employee registration card shall have his or her fingerprints submitted to the Department of State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information as prescribed by the Department of State Police. These fingerprints shall be checked against the Department of State Police and Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Department of State Police shall charge applicants a fee for conducting the criminal history records check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the records check. The Department of State Police shall furnish, pursuant to positive identification,

records of Illinois convictions to the Department. The Department may require applicants to pay a separate fingerprinting fee, either to the Department or directly to the vendor. The Department, in its discretion, may allow an applicant who does not have reasonable access to a designated vendor to provide his or her fingerprints in an alternative manner. The Department, in its discretion, may also use other procedures in performing or obtaining criminal background checks of applicants. Instead of submitting his or her fingerprints, an individual may submit proof that is satisfactory to the Department that an equivalent security clearance has been conducted. Also, an individual who has retired as a peace officer within 12 months of application may submit verification, on forms provided by the Department and signed by his or her employer, of his or her previous full-time employment as a peace officer.

(d) The Department shall issue a permanent employee registration card, in a form the Department prescribes, to all qualified applicants. The holder of a permanent employee registration card shall carry the card at all times while actually engaged in the performance of the duties of his or her employment. Expiration and requirements for renewal of permanent employee registration cards shall be established by rule of the Department. Possession of a permanent employee registration card does not in any way imply that the holder of the card is employed by an agency unless the permanent employee registration card is accompanied by the employee identification card required by subsection (f) of this Section.

(e) Each employer shall maintain a record of each employee that is accessible to the duly authorized representatives of the Department. The record shall contain the following information:

(1) A photograph taken within 10 days of the date that the employee begins employment with the employer. The photograph shall be replaced with a current photograph every 3 calendar years.

(2) The Employee's Statement specified in subsection (b) of this Section.

(3) All correspondence or documents relating to the character and integrity of the employee received by the employer from any official source or law enforcement agency.

(4) In the case of former employees, the employee identification card of that person issued under subsection (f) of this Section. Each employee record shall duly note if the employee is employed in an armed capacity. Armed employee files shall contain a copy of an active firearm owner's identification card and a copy of an active firearm control card. Each employer shall maintain a record for each armed employee of each instance in which the employee's weapon was discharged during the course of his or her professional duties or activities. The record shall be maintained on forms provided by the Department, a copy of which must be filed with the Department within 15 days of an instance. The record shall include the date and time of the occurrence, the circumstances involved in the occurrence, and any other information as the Department may require. Failure to provide this information to the Department or failure to maintain the record as a part of each armed employee's permanent file is grounds for disciplinary action. The Department, upon receipt of a report, shall have the authority to make any investigation it considers appropriate into any occurrence in which an employee's weapon was discharged and to take disciplinary action as may be appropriate.

(5) The Department may, by rule, prescribe further record requirements.

(f) Every employer shall furnish an employee identification card to each of his or her employees. This employee identification card shall contain a recent photograph of the employee, the employee's name, the name and agency license number of the employer, the employee's personal description, the signature of the employer, the signature of that employee, the date of issuance, and an employee identification card number.

(g) No employer may issue an employee identification card to any person who is not employed by the employer in accordance with this Section or falsely state or represent that a person is or has been in his or her employ. It is unlawful for an applicant for registered employment to file with the Department the fingerprints of a person other than himself or herself.

(h) Every employer shall obtain the identification card of every employee who terminates employment with him or her.

(i) Every employer shall maintain a separate roster of the names of all employees currently working in an armed capacity and submit the roster to the Department on request.

(j) No agency may employ any person to perform a licensed activity under this Act unless the person possesses a valid permanent employee registration card or a valid license under this Act, or is exempt pursuant to subsection (n).

(k) Notwithstanding the provisions of subsection (j), an agency may employ a person in a temporary capacity if all of the following conditions are met:

(1) The agency completes in its entirety and submits to the Department an application for a permanent employee registration card, including the required fingerprint receipt and fees.

(2) The agency has verification from the Department that the applicant has no record of

any criminal conviction pursuant to the criminal history check conducted by the Department of State Police. The agency shall maintain the verification of the results of the Department of State Police criminal history check as part of the employee record as required under subsection (e) of this Section.

(3) The agency exercises due diligence to ensure that the person is qualified under the requirements of the Act to be issued a permanent employee registration card.

(4) The agency maintains a separate roster of the names of all employees whose applications are currently pending with the Department and submits the roster to the Department on a monthly basis. Rosters are to be maintained by the agency for a period of at least 24 months.

An agency may employ only a permanent employee applicant for which it either submitted a permanent employee application and all required forms and fees or it confirms with the Department that a permanent employee application and all required forms and fees have been submitted by another agency, licensee or the permanent employee and all other requirements of this Section are met.

The Department shall have the authority to revoke, without a hearing, the temporary authority of an individual to work upon receipt of Federal Bureau of Investigation fingerprint data or a report of another official authority indicating a criminal conviction. If the Department has not received a temporary employee's Federal Bureau of Investigation fingerprint data within 120 days of the date the Department received the Department of State Police fingerprint data, the Department may, at its discretion, revoke the employee's temporary authority to work with 15 days written notice to the individual and the employing agency.

An agency may not employ a person in a temporary capacity if it knows or reasonably should have known that the person has been convicted of a crime under the laws of this State, has been convicted in another state of any crime that is a crime under the laws of this State, has been convicted of any crime in a federal court, or has been posted as an unapproved applicant by the Department. Notice by the Department to the agency, via certified mail, personal delivery, electronic mail, or posting on the Department's Internet site accessible to the agency that the person has been convicted of a crime shall be deemed constructive knowledge of the conviction on the part of the agency. The Department may adopt rules to implement this subsection (k).

(l) No person may be employed under this Section in any capacity if:

(1) the person, while so employed, is being paid by the United States or any political subdivision for the time so employed in addition to any payments he or she may receive from the employer; or

(2) the person wears any portion of his or her official uniform, emblem of authority, or equipment while so employed.

(m) If information is discovered affecting the registration of a person whose fingerprints were submitted under this Section, the Department shall so notify the agency that submitted the fingerprints on behalf of that person.

(n) Peace officers shall be exempt from the requirements of this Section relating to permanent employee registration cards. The agency shall remain responsible for any peace officer employed under this exemption, regardless of whether the peace officer is compensated as an employee or as an independent contractor and as further defined by rule.

(o) Persons who have no access to confidential or security information, who do not go to a client's or prospective client's residence or place of business, and who otherwise do not provide traditional security services are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of ushers, directors, ticket takers, cashiers, drivers, and reception personnel. Confidential or security information is that which pertains to employee files, scheduling, client contracts, or technical security and alarm data.

(Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07.)

(225 ILCS 447/50-10)

(Section scheduled to be repealed on January 1, 2014)

Sec. 50-10. The Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Board.

(a) The Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Board shall consist of 13 members appointed by the Director and comprised of 2 licensed private detectives, 3 licensed private security contractors, one licensed private detective or licensed private security contractor who provides canine odor detection services, 2 licensed private alarm contractors, one licensed fingerprint vendor, 2 licensed locksmiths, one public member who is not licensed or registered under this Act and who has no connection with a business licensed under this Act, and one member representing the employees registered under this Act. Each member shall be a resident of Illinois. Except for the initial appointment of a licensed fingerprint vendor after the effective date of this amendatory Act

[May 18, 2009]

of the 95th General Assembly, each licensed member shall have at least 5 years experience as a licensee in the professional area in which the person is licensed and be in good standing and actively engaged in that profession. In making appointments, the Director shall consider the recommendations of the professionals and the professional organizations representing the licensees. The membership shall reasonably reflect the different geographic areas in Illinois.

(b) Members shall serve 4 year terms and may serve until their successors are appointed. No member shall serve for more than 2 successive terms. Appointments to fill vacancies shall be made in the same manner as the original appointments for the unexpired portion of the vacated term. Members of the Board in office on the effective date of this Act pursuant to the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993 shall serve for the duration of their terms and may be appointed for one additional term.

(c) A member of the Board may be removed for cause. A member subject to formal disciplinary proceedings shall disqualify himself or herself from all Board business until the charge is resolved. A member also shall disqualify himself or herself from any matter on which the member cannot act objectively.

(d) Members shall receive compensation as set by law. Each member shall receive reimbursement as set by the Governor's Travel Control Board for expenses incurred in carrying out the duties as a Board member.

(e) A majority of the appointed Board members constitutes a quorum. A majority vote of the quorum is required for a decision.

(f) The Board shall elect a chairperson and vice chairperson.

(g) Board members are not liable for their acts, omissions, decisions, or other conduct in connection with their duties on the Board, except those determined to be willful, wanton, or intentional misconduct.

(h) The Board may recommend policies, procedures, and rules relevant to the administration and enforcement of this Act.

(Source: P.A. 95-613, eff. 9-11-07)."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senate Floor Amendment No. 3 was held in the Committee on Licensed Activities.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Hunter, **House Bill No. 3922**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Koehler | Righter |
| Bivins | Forby | Kotowski | Risinger |
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |
| Burzynski | Haine | Luechtefeld | Schoenberg |
| Clayborne | Harmon | Maloney | Steans |
| Collins | Hendon | McCarter | Sullivan |
| Cronin | Holmes | Meeks | Syverson |
| Crotty | Hultgren | Millner | Trotter |
| Dahl | Hunter | Muñoz | Viverito |
| DeLeo | Hutchinson | Murphy | Wilhelmi |
| Delgado | Jacobs | Pankau | Mr. President |
| Demuzio | Jones, E. | Radogno | |
| Dillard | Jones, J. | Raoul | |

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

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

On motion of Senator Raoul, **House Bill No. 3934**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Forby | Kotowski | Risinger |
| Bivins | Frerichs | Lightford | Rutherford |
| Bomke | Garrett | Link | Sandoval |
| Bond | Haine | Luechtefeld | Schoenberg |
| Burzynski | Harmon | Maloney | Steans |
| Clayborne | Hendon | McCarter | Sullivan |
| Collins | Holmes | Meeks | Syverson |
| Crotty | Hultgren | Millner | Trotter |
| Dahl | Hunter | Muñoz | Viverito |
| DeLeo | Hutchinson | Murphy | Wilhelmi |
| Delgado | Jacobs | Pankau | Mr. President |
| Demuzio | Jones, E. | Radogno | |
| Dillard | Jones, J. | Raoul | |
| Duffy | Koehler | Righter | |

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Sullivan, **House Bill No. 3956**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 40; NAYS 8.

The following voted in the affirmative:

| | | | |
|-----------|------------|----------|----------|
| Althoff | Forby | Kotowski | Risinger |
| Bivins | Frerichs | Link | Sandoval |
| Bomke | Haine | McCarter | Sullivan |
| Burzynski | Holmes | Meeks | Syverson |
| Clayborne | Hultgren | Millner | Trotter |
| Crotty | Hunter | Muñoz | Viverito |
| Dahl | Hutchinson | Murphy | Wilhelmi |
| Delgado | Jacobs | Pankau | |
| Demuzio | Jones, E. | Radogno | |
| Dillard | Jones, J. | Raoul | |
| Duffy | Koehler | Righter | |

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The following voted in the negative:

| | | |
|-----------|-------------|---------------|
| Garrett | Luechtefeld | Steans |
| Harmon | Maloney | Mr. President |
| Lightford | Schoenberg | |

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Lightford, **House Bill No. 3961**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Koehler | Righter |
| Bivins | Forby | Kotowski | Risinger |
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |
| Burzynski | Haine | Luechtefeld | Schoenberg |
| Clayborne | Harmon | Maloney | Steans |
| Collins | Hendon | McCarter | Sullivan |
| Cronin | Holmes | Meeks | Syverson |
| Crotty | Hultgren | Millner | Trotter |
| Dahl | Hunter | Muñoz | Viverito |
| DeLeo | Hutchinson | Murphy | Wilhelmi |
| Delgado | Jacobs | Pankau | Mr. President |
| Demuzio | Jones, E. | Radogno | |
| Dillard | Jones, J. | Raoul | |

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Raoul, **House Bill No. 3964**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|----------|-------------|------------|
| Althoff | Duffy | Koehler | Raoul |
| Bivins | Forby | Kotowski | Righter |
| Bomke | Frerichs | Lauzen | Risinger |
| Bond | Garrett | Lightford | Rutherford |
| Burzynski | Haine | Link | Schoenberg |
| Clayborne | Harmon | Luechtefeld | Steans |
| Collins | Hendon | Maloney | Sullivan |
| Cronin | Holmes | McCarter | Syverson |

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| | | | |
|---------|------------|---------|---------------|
| Crotty | Hultgren | Meeks | Trotter |
| Dahl | Hunter | Millner | Viverito |
| DeLeo | Hutchinson | Muñoz | Wilhelmi |
| Delgado | Jacobs | Murphy | Mr. President |
| Demuzio | Jones, E. | Pankau | |
| Dillard | Jones, J. | Radogno | |

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

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 10:25 o'clock a.m., Senator Lightford, presiding.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Schoenberg, **House Bill No. 2400** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Schoenberg, **House Bill No. 3767** 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 3767

AMENDMENT NO. 1. Amend House Bill 3767 as follows:

on page 3, line 17, after "adults.", by inserting "Communities in Illinois are developing and implementing promising models that should be evaluated and supported."; and

on page 3, line 21, by replacing "a holistic" with "an evidence-based, holistic"; and

on page 4, line 6, after "nutrition,", by inserting "effective methods for improving nutrition and physical activity,"; and

on page 4, by replacing line 10 with the following:

"activity, including improving community access to healthy food and safe opportunities for physical activity."; and

by replacing line 12 on page 4 through line 1 on page 5 with the following:

"after the effective date of this Act, and subject to the availability of public, private, and contributed in-kind resources, the Department of Public Health shall work with the Department of Human Services and other public, private, and voluntary stakeholders to plan, organize, and publicize at least 3 hearings on the health and social costs of obesity and the need to address the obesity epidemic with community, policy, and individual health behavior change. The purpose of these hearings shall be to (1) highlight existing State and community level initiatives, (2) identify existing plans and opportunities for action and the expansion of initiatives, (3) inform policy makers and the public about effective solutions to the problem, and (4) identify and engage stakeholders to promote action to reduce obesity, improve nutrition, and increase physical activity. The hearing officers shall include: the Chair of the State Board of Health or her designee and up to 3 additional members of the State Board of Health; the Chair of the Chronic Disease Task Force, if appointed, and up to 3 additional members of the Chronic Disease Task Force, if appointed; 2 members of the House of Representatives, one of whom shall be named by the Speaker of the House and one of whom shall be named by the Minority Leader of the House; and 2 members of the Senate, one of whom shall be named by the President of the Senate and one of whom shall be named by the Minority Leader of the Senate. The Department shall provide or work with stakeholders to provide logistical and support staff for hearings."; and

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on page 5, by replacing lines 2 through 6 with the following:

"No later than February 1, 2010, and subject to the availability of public, private, and contributed in-kind resources, a report on these hearings shall be provided to the members of the General Assembly and the State Board of Health to inform and support action on implementing the"; and

on page 5, by replacing lines 10 and 11 with the following:

"General Assembly."; and

on page 5, by replacing lines 17 and 18 with the following:

"education and engagement campaign focusing on the health effects of obesity, the social costs of obesity, and".

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

At the hour of 10:28 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 4:35 o'clock p.m., the Senate resumed consideration of business.

Senator Lightford, presiding.

JOINT ACTION MOTIONS FILED

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

Motion to Concur in House Amendment 1 to Senate Bill 27
Motion to Concur in House Amendment 1 to Senate Bill 125
Motion to Concur in House Amendment 1 to Senate Bill 145
Motion to Concur in House Amendment 1 to Senate Bill 1499

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 1 to House Bill 3923

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

Senate Floor Amendment No. 2 to House Bill 806
Senate Floor Amendment No. 2 to House Bill 1345
Senate Floor Amendment No. 2 to House Bill 2688
Senate Floor Amendment No. 1 to House Bill 4251

REPORTS FROM STANDING COMMITTEES

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

Senate Amendment No. 2 to House Bill 9
Senate Amendment No. 1 to House Bill 542

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Senate Amendment No. 2 to House Bill 810

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

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

Senate Amendment No. 1 to House Bill 415
Senate Amendment No. 1 to House Bill 3641

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

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

Senate Amendment No. 2 to House Bill 574

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

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

Senate Amendment No. 1 to Senate Bill 1300
Senate Amendment No. 1 to Senate Bill 1320
Senate Amendment No. 1 to Senate Bill 1325

Senate Amendment No. 1 to House Bill 682
Senate Amendment No. 3 to House Bill 699
Senate Amendment No. 1 to House Bill 800
Senate Amendment No. 2 to House Bill 881
Senate Amendment No. 2 to House Bill 1110
Senate Amendment No. 3 to House Bill 2537
Senate Amendment No. 2 to House Bill 2542
Senate Amendment No. 1 to House Bill 3714
Senate Amendment No. 2 to House Bill 3795

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

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

Senate Amendment No. 2 to House Bill 170
Senate Amendment No. 1 to House Bill 3987
Senate Amendment No. 2 to House Bill 4021

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

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

Senate Amendment No. 1 to Senate Bill 2187

Senate Amendment No. 1 to House Bill 849
Senate Amendment No. 1 to House Bill 3729

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Senate Amendment No. 1 to House Bill 3986

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

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

Senate Amendment No. 2 to House Bill 363
Senate Amendment No. 2 to House Bill 628
Senate Amendment No. 1 to House Bill 684
Senate Amendment No. 1 to House Bill 806
Senate Amendment No. 2 to House Bill 809
Senate Amendment No. 1 to House Bill 944
Senate Amendment No. 1 to House Bill 1335
Senate Amendment No. 2 to House Bill 2675
Senate Amendment No. 3 to House Bill 2675

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

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

Senate Amendment No. 1 to House Bill 71
Senate Amendment No. 2 to House Bill 853
Senate Amendment No. 3 to House Bill 4048
Senate Amendment No. 4 to House Bill 4048

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

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

Motion to Concur in House Amendment 1 to Senate Bill 1417

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

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 Senate Bill 660

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

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

Senate Amendment No. 2 to Senate Resolution 93

Senate Amendment No. 1 to House Bill 237
Senate Amendment No. 1 to House Bill 751
Senate Amendment No. 2 to House Bill 4099

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

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

Senate Amendment No. 3 to House Bill 2557

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

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

Senate Amendment No. 2 to Senate Bill 932

Senate Amendment No. 3 to House Bill 182
 Senate Amendment No. 2 to House Bill 470
 Senate Amendment No. 3 to House Bill 470
 Senate Amendment No. 1 to House Bill 773
 Senate Amendment No. 3 to House Bill 1322
 Senate Amendment No. 1 to House Bill 2494

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

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

Senate Amendment No. 1 to House Bill 563
 Senate Amendment No. 2 to House Bill 786
 Senate Amendment No. 2 to House Bill 880
 Senate Amendment No. 2 to House Bill 2440

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

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

Senate Amendment No. 2 to House Bill 2394

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

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

Senate Amendment No. 1 to House Bill 1142
 Senate Amendment No. 1 to House Bill 4088

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

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

Senate Amendment No. 1 to House Bill 2688
 Senate Amendment No. 2 to House Bill 3854

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

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

Senate Amendment No. 3 to House Bill 4011

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

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

Senate Amendment No. 1 to House Bill 436

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

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

Senate Amendment No. 4 to House Bill 261

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

Senator Bond, Chairperson of the Committee on Telecommunications and Information Technology, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 2527

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

Senator Schoenberg, Vice-Chairperson of the Committee on Appropriations I, to which was referred **Senate Bills Numbered 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238 and 1239**, reported the same back with the recommendation that the bills do pass.

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

Senator Schoenberg, Vice-Chairperson of the Committee on Appropriations II, to which was referred **Senate Bills Numbered 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184 and 1185**, reported the same back with the recommendation that the bills do pass.

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

MESSAGES FROM THE SECRETARY OF STATE

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE • Secretary of State

May 1, 2009

Honorable Members
 Illinois State Senate

[May 18, 2009]

96th General Assembly
Springfield, IL 62706

Dear Members:

I am nominating Jim Burns for Re-appointment as Inspector General for the Office of the Secretary of State.

I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body:

INSPECTOR GENERAL FOR THE OFFICE OF THE SECRETARY OF STATE

To be Inspector General for the Office of the Secretary of State for a term ending July 31, 2014.

Jim Burns
(Salaried)

If you have any questions please contact Dale Swinford, Director of Legislative Affairs.

Sincerely,
s/Jesse White
Secretary of State

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE • Secretary of State

April 23, 2009

Honorable Members
Illinois State Senate
96th General Assembly
Springfield, IL 62706

Dear Members:

I am nominating Mr. Mike Masterson for re-appointment to the Merit Commission for the Office of Secretary of State.

I respectfully ask concurrence in and confirmation of this appointment by your Honorable Body:

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

To be Commissioner of the Merit Commission for the Office of the Secretary of State for a term ending June 30, 2015.

Mike Masterson
(Salaried)

If you have any questions please contact Dale Swinford, Director of Legislative Affairs.
Thank you for your consideration.

Sincerely,
s/Jesse White
Secretary of State

The foregoing Messages from the Secretary of State were referred to the Committee on Executive Appointments.

[May 18, 2009]

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

On motion of Senator Sandoval, **Senate Bill No. 1417**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 52; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Forby | Lauzen | Rutherford |
| Bivins | Frerichs | Lightford | Sandoval |
| Bomke | Garrett | Link | Schoenberg |
| Bond | Haine | Luechtefeld | Steans |
| Burzynski | Harmon | Maloney | Sullivan |
| Clayborne | Hendon | McCarter | Syverson |
| Collins | Holmes | Millner | Trotter |
| Cronin | Hunter | Muñoz | Viverito |
| Crotty | Hutchinson | Murphy | Wilhelmi |
| Dahl | Jacobs | Pankau | Mr. President |
| DeLeo | Jones, E. | Radogno | |
| Delgado | Jones, J. | Raoul | |
| Demuzio | Koehler | Righter | |
| Duffy | Kotowski | Risinger | |

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1417**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Meeks asked and obtained unanimous consent for the Journal to reflect his intention to vote in the affirmative on **Senate Bill 1417**.

ANNOUNCEMENT

Senator Burzynski announced a Republican caucus to begin immediately upon adjournment.

At the hour of 4:55 o'clock p.m., the Chair announced that the Senate stand adjourned until Tuesday, May 19, 2009, at 10:00 o'clock a.m.