



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SIXTH GENERAL ASSEMBLY

87TH LEGISLATIVE DAY

WEDNESDAY, FEBRUARY 24, 2010

11:13 O'CLOCK A.M.

SENATE
Daily Journal Index
87th Legislative Day

Action	Page(s)
Committee Meeting Announcements.....	12
Committee Report Correction.....	14
Legislative Measure(s) Filed.....	5, 9, 12
Message from the House.....	14
Message from the President.....	3
Presentation of Senate Resolution No. 664.....	6
Presentation of Senate Resolution No. 665.....	6
Presentation of Senate Resolution No. 666.....	6
Report from Assignments Committee.....	9
Report(s) Received.....	12

Bill Number	Legislative Action	Page(s)
SB 0355	Recalled - Amendment(s).....	15
SB 0355	Third Reading.....	18
SB 0365	Recalled - Amendment(s).....	18
SB 0365	Third Reading.....	21
SB 3078	Tabled.....	21
SR 0665	Committee on Assignments.....	6
SR 0666	Committee on Assignments.....	7
HB 4649	First Reading.....	8
HB 4879	First Reading.....	8

The Senate met pursuant to adjournment.
 Honorable John J. Cullerton, President of the Senate, presiding.
 Prayer by Major Charles Smith, Divisional Commander of Heartland Division for Salvation Army, Peoria, Illinois.
 Senator Jacobs led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, May 12, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, May 13, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, May 14, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Friday, May 15, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Sunday, May 17, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Monday, May 18, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Hunter moved that reading and approval of the Journal of Tuesday, February 23, 2010, be postponed, pending arrival of the printed Journal.
 The motion prevailed.

MESSAGE FROM THE PRESIDENT

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

JOHN J. CULLERTON
 SENATE PRESIDENT

327 STATE CAPITOL
 SPRINGFIELD, ILLINOIS 62706

February 24, 2010

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 Gary Forby to temporarily replace Senator David Koehler as a member of the Senate Local Government Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Local Government Committee.

Sincerely,

[February 24, 2010]

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

February 24, 2010

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

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Antonio Muñoz to temporarily replace Senator Louis Viverito as a member of the Senate Committee on Assignments. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Committee on Assignments.

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

February 24, 2010

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 Donne Trotter to temporarily replace Senator James DeLeo 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

327 STATE CAPITOL

[February 24, 2010]

SENATE PRESIDENT

SPRINGFIELD, ILLINOIS 62706

February 24, 2010

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 Terry Link to temporarily replace Senator Louis Viverito as a member of the Senate Revenue Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Revenue 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

February 24, 2010

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 Louis Viverito as a member of the Senate State Government and Veteran's Affairs Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate State Government and Veteran's Affairs Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 1 to Senate Bill 2593
Senate Committee Amendment No. 1 to Senate Bill 2999

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

[February 24, 2010]

Senate Floor Amendment No. 2 to Senate Bill 2505

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 664

Offered by Senator Bond and all Senators:

Mourns the death of John J. "Jack" Thelen of Antioch.

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

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

SENATE RESOLUTION NO. 665

WHEREAS, Our nation's financial system is in urgent need of reform due in large part to the excesses and risky practices of the large, multi-state "too big to fail" banks; and

WHEREAS, Despite efforts by Congress and the current administration to increase bank lending, including a \$700,000,000,000 bank bailout, the nation's 4 largest banks have collectively cut their loans to businesses by more than \$100,000,000,000 over the last 6 months; and

WHEREAS, Bank of America and Citigroup each received \$45,000,000,000 of bailout money, and Wells Fargo and JP Morgan Chase each received \$25,000,000,000; and

WHEREAS, Illinois needs a strong and fair regulatory system that has the resources and authority necessary to prevent the collapse of the financial sector caused by Wall Street and the large banks; and

WHEREAS, Illinois-based community banks typically make more conservative investments and are inclined to make smarter loans with a better chance of payback; and

WHEREAS, Illinois-based community banks earn greater risk-adjusted yields than large banks, suggesting that they are the better choice for small businesses and individuals; and

WHEREAS, Illinois-based community banks are more closely connected to the people and businesses near them; and

WHEREAS, Illinois-based community banks invest in communities and businesses to create good jobs and strong neighborhoods; and

WHEREAS, Illinois-based community banks work to ensure that the banking system helps people stay in their homes; and

WHEREAS, Illinois-based community banks are stable and reliable and take a people-oriented approach to banking; and

WHEREAS, The residents of Illinois value personal service, good jobs, and strong communities; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the residents and local governments of Illinois to move their money from large multi-state "too big to fail" banks to small community banks in order to support responsible lending practices and the State's economy.

[February 24, 2010]

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

SENATE RESOLUTION NO. 666

WHEREAS, Energy policy and regulation are vital to Illinois' economy and have a direct impact on Illinois families, farmers, businesses, and employees; and

WHEREAS, H.R. 2454, the American Clean Energy and Security Act of 2009, also known as the "Waxman-Markey" and "Cap and Trade", passed by the United States House of Representatives and now pending before the United States Senate, will have a dramatic effect on every American, increase the cost of supplying homes and businesses with electricity, cause job losses, and impose burdensome costs on the poor and families with incomes of less than \$10,000 annually for whom energy costs today make up 60% of their average family expenses, and for families with incomes of \$10,000 to \$25,000 annually, such costs make up 25% of their average family expenses; and

WHEREAS, On December 7, 2009, the Administrator for the United States Environmental Protection Agency (EPA) signed 2 distinct findings regarding greenhouse gases under Section 202(c) of the federal Clean Air Act:

(1) Endangerment Finding: the Administrator finds that the current and projected concentrations of the 6 key well-mixed greenhouse gases, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆), in the atmosphere threaten the public health and welfare of current and future generations; and

(2) Cause and Contribute Finding: the Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare; and

WHEREAS, This finding by the EPA, if implemented, will cost Illinois jobs and raise electric rates on families, farmers, businesses, and employees; and

WHEREAS, The people of Illinois are dependent on coal for their electricity, obtaining approximately 50% of electrical energy from coal for their homes, farms, and businesses; this heavy dependence on coal is common throughout the Midwestern states; and

WHEREAS, Illinois is blessed with an abundance of coal, with coal-bearing rocks under 65% of the State, including all or parts of 86 of the 102 counties; the amount of recoverable coal beneath the surface in Illinois is estimated at 100 billion tons, enough to meet the nation's energy needs for the next 100 years; there is more energy content in the coal in Illinois than the oil in Saudi Arabia and Kuwait combined; and

WHEREAS, The Illinois coal industry is a critical component of the State's economy, currently providing 4,000 direct jobs, thousands more indirect jobs, with an impact of over \$1 billion to the State's economy; and

WHEREAS, The technology of the 21st Century is providing cleaner, yet still affordable, baseload generation from coal, including Super Critical Pulverized Coal at the Prairie State Energy Campus in Washington County now under construction and scheduled to go online in 2011, and will provide low-cost energy to 2.5 million people in 9 states; and

WHEREAS, In 2009 the Clean Coal Portfolio Standard Act became law, which requires utilities to purchase up to 5% of their electricity from clean coal facilities that capture and store 50% of its carbon emissions, thus providing incentives for further development of coal gasification, coal-to-liquid, and carbon sequestration technologies; the Act also establishes a goal that each public utility obtain 25% of its power from clean coal plants by 2025; and

WHEREAS, Illinois' abundance of coal and incentives for coal gasification has made it the world's center for clean coal technology attracting several projects now in the planning phase, including the

[February 24, 2010]

FutureGen project in Mattoon, the Taylorville Energy Center, the Power Holdings project in Jefferson County, and the Secure Energy project in Decatur; and

WHEREAS, The focus in Illinois and throughout the Midwest should be on developing and deploying clean coal technologies rather than a punitive system that drives up costs, leads to lower baseload energy production, and inhibits or prevents progress on a fuel that the United States has in abundance within its own borders; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge our elected statewide officials to express their opposition to the further acceptance or approval of the Environmental Protection Agency formal endangerment finding on greenhouse gases; and be it further

RESOLVED, That we urge the United States Environmental Protection Agency to rescind their recent formal endangerment finding on greenhouse gases; and be it further

RESOLVED, That we urge the Illinois congressional delegation to vote against H.R. 2454, the American Clean Energy Act of 2009, and urge our elected statewide officials express their respective positions on the passage of H.R. 2454 and send a unified message to our congressional delegation; and be it further

RESOLVED, That suitable copies of this resolution be sent to Governor Pat Quinn, President Barack Obama, President of the United States Senate, Speaker of the United States House of Representatives, the Administrator of the Environmental Protection Agency, and each member of the Illinois congressional delegation.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 4649, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4879, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Assignments.

ANNOUNCEMENT ON ATTENDANCE

Senator Sullivan announced for the record that Senator Koehler was absent due to a death in the family.

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

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

At the hour of 11:19 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 12:04 o'clock p.m., the Senate resumed consideration of business.
Senator Schoenberg, presiding.

LEGISLATIVE MEASURES FILED

[February 24, 2010]

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

Senate Floor Amendment No. 1 to Senate Bill 355
 Senate Floor Amendment No. 1 to Senate Bill 365
 Senate Floor Amendment No. 1 to Senate Bill 1219
 Senate Floor Amendment No. 2 to Senate Bill 1219
 Senate Floor Amendment No. 1 to Senate Bill 1224
 Senate Floor Amendment No. 2 to Senate Bill 1224
 Senate Floor Amendment No. 1 to Senate Bill 1227
 Senate Floor Amendment No. 2 to Senate Bill 1227
 Senate Floor Amendment No. 1 to Senate Bill 1235
 Senate Floor Amendment No. 2 to Senate Bill 1235
 Senate Floor Amendment No. 1 to Senate Bill 1237
 Senate Floor Amendment No. 1 to Senate Bill 1248
 Senate Floor Amendment No. 2 to Senate Bill 1248
 Senate Floor Amendment No. 1 to Senate Bill 1251
 Senate Floor Amendment No. 2 to Senate Bill 1251
 Senate Floor Amendment No. 1 to Senate Bill 1253
 Senate Floor Amendment No. 2 to Senate Bill 1253

At the hour of 12:05 o'clock a.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 12:33 o'clock p.m., the Senate resumed consideration of business.
 Senator Schoenberg, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 24, 2010 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **SENATE BILLS 3060, 3072, 3073, 3107, 3496, 3603 and 3604.**

Appropriations I: **SENATE BILLS 2519, 2546, 2796, 3058, 3207, 3217, 3271, 3311, 3504, 3530, 3583, 3602, 3715, 3821 and 3826.**

Commerce: **SENATE BILLS 3147, 3165, 3182, 3422, 3458, 3474, 3619, 3638, 3654, 3655, 3657, 3658, 3659, 3660, 3661, 3662, 3683, 3702, 3710 and 3711.**

Consumer Protection: **SENATE BILLS 2969, 3097, 3109, 3231, 3309, 3318, 3506, 3509, 3548, 3584, 3633, 3643, 3750 and 3827.**

Criminal Law: **SENATE BILLS 1840, 3085, 3093, 3169, 3173, 3176, 3198, 3269, 3295, 3304, 3305, 3313, 3317, 3359, 3389, 3390, 3391, 3406, 3407, 3421, 3425, 3455, 3467, 3491, 3503, 3508, 3513, 3533, 3539, 3540, 3546, 3569, 3605, 3615, 3616, 3628, 3632, 3645, 3670, 3709, 3734, 3768, 3795, 3796 and 3800.**

Education: **SENATE BILLS 2594, 2929, 3086, 3111, 3117, 3241, 3266, 3332, 3375, 3376, 3460, 3471, 3472, 3483, 3489, 3507, 3515, 3544, 3547, 3556, 3567, 3608, 3609, 3610, 3635, 3653, 3681, 3706 and 3737.**

Elections: **SENATE BILLS 2503, 3012, 3108, 3178, 3579, 3621 and 3742.**

[February 24, 2010]

Energy: **SENATE BILLS 3343, 3388, 3426, 3464, 3627, 3686, 3691, 3693 and 3788.**

Environment: **SENATE BILLS 2490, 3227, 3320, 3344, 3347 and 3721.**

Executive: **SENATE BILLS 1635, 2448, 2457, 2458, 2461, 2463, 2468, 2550, 3043, 3044, 3063, 3077, 3118, 3130, 3132, 3136, 3162, 3183, 3186, 3187, 3199, 3205, 3280, 3338, 3355, 3356, 3380, 3383, 3393, 3397, 3398, 3411, 3413, 3417, 3454, 3456, 3459, 3482, 3512, 3522, 3526, 3541, 3561, 3581, 3588, 3614, 3622, 3668, 3671, 3707, 3735, 3764, 3775, 3776, 3778 and 3812.**

Financial Institutions: **SENATE BILLS 2996, 3068, 3286, 3287, 3457, 3656, 3738, 3739, 3781 and 3811.**

Gaming: **SENATE BILLS 3011, 3371, 3384, 3542 and 3574.**

Higher Education: **SENATE BILLS 2966, 3148, 3222, 3242, 3573, 3630, 3650, 3699, 3700, 3704, 3705, 3713 and 3725.**

Human Services: **SENATE BILLS 2988, 3088, 3129, 3143, 3158, 3197, 3267, 3290, 3291, 3302, 3333, 3402, 3420, 3452, 3461, 3465, 3479, 3532, 3543, 3551, 3590, 3743 and 3762.**

Insurance: **SENATE BILLS 2965, 2967, 2968, 3004, 3034, 3188, 3210, 3239, 3378, 3381, 3382, 3419, 3499, 3545, 3565 and 3767.**

Judiciary: **SENATE BILLS 2985, 3067, 3096, 3175, 3180, 3211, 3272, 3322, 3372, 3374, 3386, 3387, 3447, 3497, 3498, 3518, 3519, 3527, 3536, 3550, 3562, 3613, 3617, 3625, 3631, 3648, 3747, 3782, 3783, 3785, 3786 and 3810.**

Labor: **SENATE BILLS 3079, 3184, 3185, 3274, 3335, 3415, 3490, 3494, 3566, 3568, 3571, 3640, 3644, 3766, 3813, 3829, 3830, and 3832.**

Licensed Activities: **SENATE BILLS 2567, 2977, 3018, 3061, 3094, 3119, 3289, 3385, 3418 and 3712.**

Local Government: **SENATE BILLS 2482, 2797, 2970, 3010, 3134, 3214, 3251, 3282, 3294, 3323, 3336, 3349, 3430, 3462, 3478, 3505, 3564, 3585, 3692, 3696 and 3722.**

Pensions and Investments: **SENATE BILLS 2460, 2554, 3080, 3081, 3082, 3083, 3189, 3190, 3191, 3308, 3310, 3404, 3405, 3408, 3409, 3412, 3434, 3435, 3436, 3501, 3534, 3535, 3537, 3538, 3663 and 3726.**

Public Health: **SENATE BILLS 3047, 3054, 3144, 3174, 3193, 3292, 3314, 3400, 3448, 3466, 3473, 3475, 3477, 3510, 3525, 3563, 3591, 3637, 3773, 3780, 3815 and 3822.**

Revenue: **SENATE BILLS 1630, 1826, 2065, 2992, 2997, 2998, 3089, 3095, 3106, 3133, 3139, 3145, 3163, 3195, 3257, 3265, 3334, 3340, 3345, 3351, 3353, 3369, 3370, 3401, 3443, 3446, 3514, 3521, 3528, 3529, 3531, 3552, 3620, 3646, 3664, 3666, 3672, 3694, 3744, 3745, 3746, 3772 and 3787.**

State Government and Veterans Affairs: **SENATE BILLS 2459, 3016, 3037, 3069, 3128, 3156, 3206, 3215, 3281, 3288, 3342, 3399, 3429, 3433, 3495, 3576, 3577, 3587, 3589, 3708, 3719, 3720, 3729, 3733, 3817 and 3818.**

Telecommunications and Information Technology: **SENATE BILL 3074.**

Transportation: **SENATE BILLS 2979, 2993, 3023, 3024, 3041, 3066, 3091, 3141, 3167, 3263, 3284, 3312, 3414, 3523, 3524, 3558, 3559, 3560, 3629, 3669, 3682, 3716 and 3763.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 24, 2010 meeting, reported that the Committee recommends that **Senate Bill No. 3021 and Committee Amendment No. 1 to Senate Bill No. 3021** be re-referred from the Committee on Human Services to the Committee on Public Health.

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 24, 2010 meeting, reported that the Committee recommends that **Senate Bill No. 2493** be re-referred from the Committee on Insurance to the Committee on Executive.

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 24, 2010 meeting, reported that the Committee recommends that **Senate Bill No. 365** be re-referred from the Committee on Executive Subcommittee on Legislative Tuition Waivers to the Committee on Assignments.

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 24, 2010 meeting, to which was referred **Senate Bill No. 365** on February 24, 2010, reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bills No. 365** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 24, 2010 meeting, to which was referred **Senate Bills Numbered 720, 730 and 918** on August 15, 2009, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 720, 730 and 918** were returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its February 24, 2010 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Appropriations II: **Senate Floor Amendment No. 1 to Senate Bill 1219; Senate Floor Amendment No. 2 to Senate Bill 1219; Senate Floor Amendment No. 1 to Senate Bill 1224; Senate Floor Amendment No. 2 to Senate Bill 1224; Senate Floor Amendment No. 1 to Senate Bill 1227; Senate Floor Amendment No. 2 to Senate Bill 1227; Senate Floor Amendment No. 1 to Senate Bill 1235; Senate Floor Amendment No. 2 to Senate Bill 1235; Senate Floor Amendment No. 1 to Senate Bill 1237; Senate Floor Amendment No. 1 to Senate Bill 1248; Senate Floor Amendment No. 2 to Senate Bill 1248; Senate Floor Amendment No. 1 to Senate Bill 1251; Senate Floor Amendment No. 2 to Senate Bill 1251; Senate Floor Amendment No. 1 to Senate Bill 1253; Senate Floor Amendment No. 2 to Senate Bill 1253.**

Executive: **Senate Floor Amendment No. 1 to Senate Bill 355.**

Executive Subcommittee on Legislative Tuition Waivers: **Senate Floor Amendment No. 1 to Senate Bill 365.**

Financial Institutions: **Senate Floor Amendment No. 1 to Senate Bill 2581.**

Licensed Activities: **Senate Committee Amendment No. 1 to Senate Bill 2799.**

Pensions and Investments: **Senate Committee Amendment No. 1 to Senate Bill 2525; Senate Committee Amendment No. 1 to Senate Bill 2984.**

[February 24, 2010]

Revenue: **Senate Floor Amendment No. 2 to Senate Bill 2505.**

State Government and Veterans Affairs: **Senate Committee Amendment No. 1 to Senate Bill 3249.**

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following Committees to meet:

Executive Subcommittee on Tuition Waivers in Room 400 at 1:50 o'clock p.m.

Executive Committee in Room 212 at 2:00 o'clock p.m.

Revenue Committee in Room 400 at 2:00 o'clock p.m.

Licensed Activities Committee in Room 409 at 2:00 o'clock p.m.

At the hour of 12:54 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 4:45 o'clock p.m., the Senate resumed consideration of business.
Senator Hendon, presiding.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

Report pursuant to Public Act 96-0881 (House Bill 2240), submitted by the Office of the Governor.

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

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 1 to Senate Bill 1826
Senate Committee Amendment No. 1 to Senate Bill 2474
Senate Committee Amendment No. 1 to Senate Bill 2530
Senate Committee Amendment No. 1 to Senate Bill 2989
Senate Committee Amendment No. 1 to Senate Bill 2990
Senate Committee Amendment No. 1 to Senate Bill 2991
Senate Committee Amendment No. 1 to Senate Bill 2993
Senate Committee Amendment No. 1 to Senate Bill 3060
Senate Committee Amendment No. 1 to Senate Bill 3131
Senate Committee Amendment No. 1 to Senate Bill 3175
Senate Committee Amendment No. 1 to Senate Bill 3231
Senate Committee Amendment No. 1 to Senate Bill 3239
Senate Committee Amendment No. 1 to Senate Bill 3251
Senate Committee Amendment No. 1 to Senate Bill 3263
Senate Committee Amendment No. 1 to Senate Bill 3415
Senate Committee Amendment No. 1 to Senate Bill 3503
Senate Committee Amendment No. 1 to Senate Bill 3545
Senate Committee Amendment No. 1 to Senate Bill 3672
Senate Committee Amendment No. 1 to Senate Bill 3683

[February 24, 2010]

Senate Committee Amendment No. 1 to Senate Bill 3719
Senate Committee Amendment No. 1 to Senate Bill 3812

REPORTS FROM STANDING COMMITTEES

Senator Crotty, Vice-Chairperson of the Committee on Local Government, to which was referred **Senate Bill No. 3001**, reported the same back with the recommendation that the bill do pass.
Under the rules, the bill was ordered to a second reading.

Senator Crotty, Vice-Chairperson of the Committee on Local Government, to which was referred **Senate Bills Numbered 2637 and 2794**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.
Under the rules, the bills were ordered to a second reading.

Senator Crotty, Vice-Chairperson of the Committee on Local Government, to which was referred **Senate Resolution No. 605**, reported the same back with the recommendation that the resolution be adopted.
Under the rules, **Senate Resolution No. 605** was placed on the Secretary's Desk.

Senator Garrett, Chairperson of the Committee on Environment, to which was referred **Senate Bill No. 3070**, reported the same back with the recommendation that the bill do pass.
Under the rules, the bill was ordered to a second reading.

Senator Garrett, Chairperson of the Committee on Environment, to which was referred **Senate Bill No. 2549**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.
Under the rules, the bill was ordered to a second reading.

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred **Senate Bills Numbered 2983, 3028, 3029 and 3030**, reported the same back with the recommendation that the bills do pass.
Under the rules, the bills were ordered to a second reading.

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred **Senate Bills Numbered 2513, 2590, 2824 and 2951**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.
Under the rules, the bills were ordered to a second reading.

Senator Raoul, Chairperson of the Committee on Pensions and Investments, to which was referred **Senate Bill No. 2456**, reported the same back with the recommendation that the bill do pass.
Under the rules, the bill was ordered to a second reading.

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

Senate Amendment No. 1 to Senate Bill 355
Senate Amendment No. 1 to Senate Bill 365

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

Senator Meeks, Vice-Chairperson of the Committee on Revenue, to which was referred **Senate Bills Numbered 2950, 3151 and 3152**, reported the same back with the recommendation that the bills do pass.

[February 24, 2010]

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

Senator Martinez, Chairperson of the Committee on Licensed Activities, to which was referred **Senate Bill No. 2799**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Bill No. 2548**, reported the same back with the recommendation that the bill do pass.

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

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Resolution No. 609**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 609** was placed on the Secretary's Desk.

Senator Haine, Chairperson of the Committee on Insurance, to which was referred **Senate Bill No. 2819**, reported the same back with the recommendation that the bill do pass.

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

Senator Haine, Chairperson of the Committee on Insurance, to which was referred **Senate Bill No. 2544**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

COMMITTEE REPORT CORRECTION

The following correction was made on the report from the Senate Transportation Committee, which on February 23, 2010 reported Senate Bill 3228 Do Pass and should have reported Senate Bill 3228 as having been Postponed by the Committee.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 3762

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 4647

A bill for AN ACT concerning education.

HOUSE BILL NO. 4654

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4704

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4798

A bill for AN ACT concerning corrections.

Passed the House, February 24, 2010.

MARK MAHONEY, Clerk of the House

[February 24, 2010]

The foregoing **House Bills Numbered 3762, 4647, 4654, 4704 and 4798** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE BILL NO. 4710

A bill for AN ACT concerning State government.

HOUSE BILL NO. 4758

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4807

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4860

A bill for AN ACT concerning transportation.

Passed the House, February 24, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4710, 4758, 4807 and 4860** were taken up, ordered printed and placed on first reading.

SENATE BILL RECALLED

On motion of Senator Demuzio, **Senate Bill No. 355** was recalled from the order of third reading to the order of second reading.

Senator Demuzio offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 355

AMENDMENT NO. 1. Amend Senate Bill 355 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Sections 2A-1.1 and 7A-1 as follows:

(10 ILCS 5/2A-1.1) (from Ch. 46, par. 2A-1.1)

Sec. 2A-1.1. All Elections - Consolidated Schedule.

(a) In even-numbered years, the general election shall be held on the first Tuesday after the first Monday of November; and an election to be known as the general primary election shall be held on the ~~third first~~ Tuesday in ~~March~~ February;

(b) In odd-numbered years, an election to be known as the consolidated election shall be held on the first Tuesday in April except as provided in Section 2A-1.1a of this Act; and an election to be known as the consolidated primary election shall be held on the last Tuesday in February.

(Source: P.A. 95-6, eff. 6-20-07.)

(10 ILCS 5/7A-1) (from Ch. 46, par. 7A-1)

Sec. 7A-1. Any Supreme, Appellate or Circuit Judge who has been elected to that office and who seeks to be retained in that office under subsection (d) of Section 12 of Article VI of the Constitution shall file a declaration of candidacy to succeed himself in the office of the Secretary of State not less than 6 months ~~on or before the first Monday in December~~ before the general election preceding the expiration of his term of office. Within 3 business days thereafter, the Secretary of State shall certify to the State Board of Elections the names of all incumbent judges who were eligible to stand for retention at the next general election but failed to timely file a declaration of candidacy to succeed themselves in office or, having timely filed such a declaration, withdrew it. The State Board of Elections may rely upon the certification from the Secretary of State (a) to determine when vacancies in judicial office exist and (b) to determine the judicial positions for which elections will be held. The Secretary of State, not less than 63 days before the election, shall certify the Judge's candidacy to the proper election officials. The names of Judges seeking retention shall be submitted to the electors, separately and without party designation, on the sole question whether each Judge shall be retained in office for another term. The retention elections shall be conducted at general elections in the appropriate Judicial District, for

[February 24, 2010]

Supreme and Appellate Judges, and in the circuit for Circuit Judges. The affirmative vote of three-fifths of the electors voting on the question shall elect the Judge to the office for a term commencing on the first Monday in December following his election.
(Source: P.A. 86-1348.)

Section 10. The General Assembly Compensation Act is amended by changing Section 4 as follows:
(25 ILCS 115/4) (from Ch. 63, par. 15.1)

Sec. 4. Office allowance. Beginning July 1, 2001, each member of the House of Representatives is authorized to approve the expenditure of not more than \$61,000 per year and each member of the Senate is authorized to approve the expenditure of not more than \$73,000 per year to pay for "personal services", "contractual services", "commodities", "printing", "travel", "operation of automotive equipment", "telecommunications services", as defined in the State Finance Act, and the compensation of one or more legislative assistants authorized pursuant to this Section, in connection with his or her legislative duties and not in connection with any political campaign. On July 1, 2002 and on July 1 of each year thereafter, the amount authorized per year under this Section for each member of the Senate and each member of the House of Representatives shall be increased by a percentage increase equivalent to the lesser of (i) the increase in the designated cost of living index or (ii) 5%. The designated cost of living index is the index known as the "Employment Cost Index, Wages and Salaries, By Occupation and Industry Groups: State and Local Government Workers: Public Administration" as published by the Bureau of Labor Statistics of the U.S. Department of Labor for the calendar year immediately preceding the year of the respective July 1st increase date. The increase shall be added to the then current amount, and the adjusted amount so determined shall be the annual amount beginning July 1 of the increase year until July 1 of the next year. No increase under this provision shall be less than zero.

A member may purchase office equipment if the member certifies to the Secretary of the Senate or the Clerk of the House, as applicable, that the purchase price, whether paid in lump sum or installments, amounts to less than would be charged for renting or leasing the equipment over its anticipated useful life. All such equipment must be purchased through the Secretary of the Senate or the Clerk of the House, as applicable, for proper identification and verification of purchase.

Each member of the General Assembly is authorized to employ one or more legislative assistants, who shall be solely under the direction and control of that member, for the purpose of assisting the member in the performance of his or her official duties. A legislative assistant may be employed pursuant to this Section as a full-time employee, part-time employee, or contractual employee, at the discretion of the member. If employed as a State employee, a legislative assistant shall receive employment benefits on the same terms and conditions that apply to other employees of the General Assembly. Each member shall adopt and implement personnel policies for legislative assistants under his or her direction and control relating to work time requirements, documentation for reimbursement for travel on official State business, compensation, and the earning and accrual of State benefits for those legislative assistants who may be eligible to receive those benefits. The policies shall also require legislative assistants to periodically submit time sheets documenting, in quarter-hour increments, the time spent each day on official State business. The policies shall require the time sheets to be submitted on paper, electronically, or both and to be maintained in either paper or electronic format by the applicable fiscal office for a period of at least 2 years. Contractual employees may satisfy the time sheets requirement by complying with the terms of their contract, which shall provide for a means of compliance with this requirement. A member may satisfy the requirements of this paragraph by adopting and implementing the personnel policies promulgated by that member's legislative leader under the State Officials and Employees Ethics Act with respect to that member's legislative assistants.

As used in this Section the term "personal services" shall include contributions of the State under the Federal Insurance Contribution Act and under Article 14 of the Illinois Pension Code. As used in this Section the term "contractual services" shall not include improvements to real property unless those improvements are the obligation of the lessee under the lease agreement. Beginning July 1, 1989, as used in the Section, the term "travel" shall be limited to travel in connection with a member's legislative duties and not in connection with any political campaign. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, as used in this Section, the term "printing" includes, but is not limited to, newsletters, brochures, certificates, congratulatory mailings, greeting or welcome messages, anniversary or birthday cards, and congratulations for prominent achievement cards. As used in this Section, the term "printing" includes fees for non-substantive resolutions charged by the Clerk of the House of Representatives under subsection (c-5) of Section 1 of the Legislative Materials Act. No newsletter or brochure that is paid for, in whole or in part, with funds provided under this Section may be printed or mailed during a period beginning ~~February 1~~ ~~December 15~~ of the year of ~~preceding~~ a

[February 24, 2010]

general primary election and ending the day after the general primary election and during a period beginning September 1 of the year of a general election and ending the day after the general election, except that such a newsletter or brochure may be mailed during those times if it is mailed to a constituent in response to that constituent's inquiry concerning the needs of that constituent or questions raised by that constituent. Nothing in this Section shall be construed to authorize expenditures for lodging and meals while a member is in attendance at sessions of the General Assembly.

Any utility bill for service provided to a member's district office for a period including portions of 2 consecutive fiscal years may be paid from funds appropriated for such expenditure in either fiscal year.

If a vacancy occurs in the office of Senator or Representative in the General Assembly, any office equipment in the possession of the vacating member shall transfer to the member's successor; if the successor does not want such equipment, it shall be transferred to the Secretary of the Senate or Clerk of the House of Representatives, as the case may be, and if not wanted by other members of the General Assembly then to the Department of Central Management Services for treatment as surplus property under the State Property Control Act. Each member, on or before June 30th of each year, shall conduct an inventory of all equipment purchased pursuant to this Act. Such inventory shall be filed with the Secretary of the Senate or the Clerk of the House, as the case may be. Whenever a vacancy occurs, the Secretary of the Senate or the Clerk of the House, as the case may be, shall conduct an inventory of equipment purchased.

In the event that a member leaves office during his or her term, any unexpended or unobligated portion of the allowance granted under this Section shall lapse. The vacating member's successor shall be granted an allowance in an amount, rounded to the nearest dollar, computed by dividing the annual allowance by 365 and multiplying the quotient by the number of days remaining in the fiscal year.

From any appropriation for the purposes of this Section for a fiscal year which overlaps 2 General Assemblies, no more than 1/2 of the annual allowance per member may be spent or encumbered by any member of either the outgoing or incoming General Assembly, except that any member of the incoming General Assembly who was a member of the outgoing General Assembly may encumber or spend any portion of his annual allowance within the fiscal year.

The appropriation for the annual allowances permitted by this Section shall be included in an appropriation to the President of the Senate and to the Speaker of the House of Representatives for their respective members. The President of the Senate and the Speaker of the House shall voucher for payment individual members' expenditures from their annual office allowances to the State Comptroller, subject to the authority of the Comptroller under Section 9 of the State Comptroller Act.

Nothing in this Section prohibits the expenditure of personal funds or the funds of a political committee controlled by an officeholder to defray the customary and reasonable expenses of an officeholder in connection with the performance of governmental and public service functions.

(Source: P.A. 95-6, eff. 6-20-07; 96-555, eff. 8-18-09.)

Section 15. The Legislative Commission Reorganization Act of 1984 is amended by changing Section 9-2.5 as follows:

(25 ILCS 130/9-2.5)

Sec. 9-2.5. Newsletters and brochures. The Legislative Printing Unit may not print for any member of the General Assembly any newsletters or brochures during the period beginning February 1 ~~December 15~~ of the year of preceding a general primary election and ending the day after the general primary election and during a period beginning September 1 of the year of a general election and ending the day after the general election. A member of the General Assembly may not mail, during a period beginning February 1 ~~December 15~~ of the year of preceding a general primary election and ending the day after the general primary election and during a period beginning September 1 of the year of a general election and ending the day after the general election, any newsletters or brochures that were printed, at any time, by the Legislative Printing Unit, except that such a newsletter or brochure may be mailed during those times if it is mailed to a constituent in response to that constituent's inquiry concerning the needs of that constituent or questions raised by that constituent.

(Source: P.A. 95-6, eff. 6-20-07)."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

[February 24, 2010]

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Demuzio, **Senate Bill No. 355**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Cullerton, **Senate Bill No. 365** was recalled from the order of third reading to the order of second reading.

Senator Cullerton offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 365

AMENDMENT NO. 1. Amend Senate Bill 365 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 30-9, 30-10, and 30-12.5 and by adding Section 30-12.7 as follows:

(105 ILCS 5/30-9) (from Ch. 122, par. 30-9)

Sec. 30-9. General Assembly scholarship; conditions of admission; award by competitive examination.

Each member of the General Assembly may nominate annually 2 persons of school age and otherwise eligible, from his district; each shall receive a certificate of scholarship in any State supported university designated by the member. Any member of the General Assembly in making nominations under this Section may designate that his nominee be granted a 4 year scholarship or may instead designate 2 or 4 nominees for that particular scholarship, each to receive a 2 year or a one year scholarship, respectively. The nominee, if a graduate of a school accredited by the University to which nominated, shall be admitted to the university on the same conditions as to educational qualifications as are other graduates of accredited schools. If the nominee is not a graduate of a school accredited by the university to which nominated, he must, before being entitled to the benefits of the scholarship, pass an examination given by the superintendent of schools of the county where he resides at the time stated in Section 30-7 for the competitive examination. The president of each university shall prescribe the rules governing the examination for scholarship to his university.

[February 24, 2010]

A member of the General Assembly may award the scholarship by competitive examination conducted under like rules as prescribed in Section 30-7 even though one or more of the applicants are graduates of schools accredited by the university.

A member of the General Assembly may delegate to the Illinois Student Assistance Commission the authority to nominate persons for General Assembly scholarships which that member would otherwise be entitled to award, or may direct the Commission to evaluate and make recommendations to the member concerning candidates for such scholarships. In the event a member delegates his nominating authority or directs the Commission to evaluate and make recommendations concerning candidates for General Assembly scholarships, the member shall inform the Commission in writing of the criteria which he wishes the Commission to apply in nominating or recommending candidates. Those criteria may include some or all of the criteria provided in Section 25 of the Higher Education Student Assistance Act. A delegation of authority under this paragraph may be revoked at any time by the member.

A member of the General Assembly may forfeit the privilege of nominating persons for one or more scholarships in any year by so notifying the State Board of Education in writing. If not forfeited, then failure Failure of a member of the General Assembly to make a nomination in any year shall not cause that scholarship to lapse, but the member may make a nomination for such scholarship at any time thereafter before the expiration of his term, and the person so nominated shall be entitled to the same benefits as holders of other scholarships provided herein. Any such scholarship for which a member has made no nomination prior to the expiration of the term for which he was elected shall lapse upon the expiration of that term.

No member of the General Assembly shall nominate a person for a scholarship under this Section if that person or an immediate family member has made a contribution, as defined in the Election Code, during the then current calendar year or any of the previous 5 calendar years to a candidate political committee, as defined in the Election Code, of the member; except that this restriction does not apply to contributions made before the effective date of this amendatory Act of the 96th General Assembly. No person or an immediate family member shall make a contribution, as defined by the Election Code, during any calendar year for which a scholarship has been awarded or any of the 5 following calendar years to a candidate political committee, as defined in the Election Code, of the member; except that this restriction does not apply to contributions made before the effective date of this amendatory Act of the 96th General Assembly. For the purposes of this Section and Sections 30-12.5 and 30-12.7, "immediate family member" means a spouse, parent, or any person living with a parent of the person seeking or awarded a General Assembly scholarship. A member of the General Assembly is prohibited from nominating a person for a scholarship under this Section if that person has not already been admitted to a State-supported university.

(Source: P.A. 93-349, eff. 7-24-03.)

(105 ILCS 5/30-10) (from Ch. 122, par. 30-10)

Sec. 30-10. Filing nominations-Failure to accept or pass-Second nomination.

Nominations, under Section 30-9, showing the name and address of the nominee, and the term of the scholarship, whether 4 years, 2 years or one year, must be filed with the State Superintendent of Education not later than the opening day of the semester or term with which the scholarship is to become effective. The State Superintendent of Education shall forthwith notify the president of the university of such nomination.

If the nominee fails to accept the nomination or, not being a graduate of a school accredited by the university, fails to pass the examination for admission, the president of the university shall at once notify the State Superintendent of Education. Upon receiving such notification, the State Superintendent of Education shall notify the nominating member, who may name another person for the scholarship. The second nomination must be received by the State Superintendent of Education not later than the middle of the semester or term with which the scholarship was to have become effective under the original nomination in order to become effective as of the opening date of such semester or term otherwise it shall not become effective until the beginning of the next semester or term following the making of the second nomination. Upon receiving such notification, the State Superintendent of Education shall notify the president of the university of such second nomination. If any person nominated after the effective date of this amendatory Act of 1973 to receive a General Assembly scholarship changes his residence to a location outside of the district from which he was nominated, his nominating member ~~shall~~ ~~may~~ terminate that scholarship at the conclusion of the college year in which he is then enrolled. For purposes of this paragraph, a person changes his residence if he registers to vote in a location outside of the district from which he was nominated, but does not change his residence merely by taking off-campus housing or living in a nonuniversity residence.

(Source: P.A. 93-349, eff. 7-24-03.)

(105 ILCS 5/30-12.5)

Sec. 30-12.5. Waiver of confidentiality.

(a) As a condition of nomination for a General Assembly scholarship under Section 30-9, 30-10, or 30-11, each nominee shall provide to the member of the General Assembly making the nomination a waiver document stating that, notwithstanding any provision of law to the contrary, if the nominee receives a General Assembly scholarship, then the nominee waives all rights to confidentiality with respect to the contents of the waiver document. The waiver document shall state at a minimum the nominee's name, domicile address, attending university, degree program in which the nominee is enrolled, amount of tuition waived by the legislative scholarship and the name of the member of the General Assembly who is making the nomination. The waiver document shall also contain a statement by the nominee that, at the time of the nomination for the legislative scholarship, the domicile of the nominee is within the legislative district of the legislator making the scholarship nomination. The waiver document shall contain a statement by the nominee that the nominee has been admitted to a State-supported university. The waiver document shall also contain a statement by the nominee that neither the nominee nor an immediate family member has made a contribution in violation of Section 30-9. The waiver document must be signed by the nominee, and the nominee shall have his or her signature on the waiver document acknowledged before a notary public. The waiver document must be accompanied by an affidavit or certification as provided by Section 1-109 of the Code of Civil Procedure. The member of the General Assembly making the nomination shall file the signed, notarized waiver document, together with the nomination itself, with the State Superintendent of Education. By so filing the waiver document, the member waives all his or her rights to confidentiality with respect to the contents of the waiver document.

(b) The legislative scholarship of any nominee shall be revoked upon a determination by the State Board of Education after a hearing that the nominee knowingly provided false or misleading information on the waiver document. Upon revocation of the legislative scholarship, the scholarship nominee shall reimburse the university for the full amount of any tuition waived prior to revocation of the scholarship.

(c) The Illinois Student Assistance Commission shall prepare a form waiver document to be used as provided in subsection (a) and shall provide copies of the form upon request.

(Source: P.A. 93-349, eff. 7-24-03.)

(105 ILCS 5/30-12.7 new)

Sec. 30-12.7. Annual scholarship information document.

(a) As a condition of nomination for a General Assembly scholarship under Section 30-9, 30-10, or 30-11 of this Code, each nominee in receipt of a multi-year scholarship shall annually provide to the State Board of Education a scholarship information document. The document shall state, at a minimum, the nominee's name, domicile address, attending university, degree program in which the nominee is enrolled, amount of tuition waived by the legislative scholarship, and the name of the member of the General Assembly who is making the nomination. The document shall also contain a statement by the nominee that the domicile of the nominee is within the legislative district of the legislator making the scholarship nomination. The document shall also contain a statement by the nominee that neither the nominee nor an immediate family member has made a contribution in violation of Section 30-9. The document must be signed by the nominee. The document must be accompanied by an affidavit or certification as provided by Section 1-109 of the Code of Civil Procedure.

(b) The State Board of Education shall promptly mail a copy of a nominee's scholarship information document to the member of the General Assembly who made that nomination.

(c) The legislative scholarship of any nominee shall be revoked upon a determination by the State Board of Education after a hearing that the nominee knowingly provided false or misleading information on the document. Upon revocation of the legislative scholarship, the scholarship nominee shall reimburse the University for the full amount of any tuition waived prior to revocation of the scholarship.

(d) The Illinois Student Assistance Commission shall prepare a form document to be used as provided in subsection (a) of this Section and shall provide copies of the form upon request.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

[February 24, 2010]

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Cullerton, **Senate Bill No. 365**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL TABLED

Senator Millner moved that **Senate Bill No. 3078** be ordered to lie on the table.

The motion to table prevailed.

At the hour of 5:23 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, February 25, 2010, at 11:00 o'clock a.m.