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STATE OF ILLINOIS

NINETY-SIXTH GENERAL ASSEMBLY

93RD LEGISLATIVE DAY

TUESDAY, MARCH 9, 2010

12:15 O'CLOCK P.M.

SENATE
Daily Journal Index
93rd Legislative Day

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The Senate met pursuant to adjournment.
 Senator Don Harmon, Oak Park, Illinois, presiding.
 Prayer by Pastor Shaun Lewis, Capitol Commission, Springfield, Illinois.
 Senator Maloney led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Thursday, March 4, 2010, be postponed, pending arrival of the printed Journal.
 The motion prevailed.

Senator Hunter moved that reading and approval of the Journal of Monday, March 8, 2010, be postponed, pending arrival of the printed Journal.
 The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

DOC Quarterly Report to the Legislature, January 1, 2010, submitted by the Department of Corrections.

Illinois Stroke Task Force Annual Report, January 1, 2009 – December 31, 2009, submitted by the Department of Public Health.

Calendar Year 2009 Annual Report on the IEN Business Information Center, submitted by the Department of Commerce and Economic Opportunity.

Spousal Caregiver Demonstration Project, March 1, 2010, submitted by the Department of Human Services.

The foregoing reports were 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 2480
 Senate Committee Amendment No. 1 to Senate Bill 2510
 Senate Committee Amendment No. 2 to Senate Bill 3118
 Senate Committee Amendment No. 2 to Senate Bill 3239
 Senate Committee Amendment No. 1 to Senate Bill 3513
 Senate Committee Amendment No. 3 to Senate Bill 3627

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 333
 Senate Floor Amendment No. 1 to Senate Bill 575
 Senate Floor Amendment No. 1 to Senate Bill 679
 Senate Floor Amendment No. 1 to Senate Bill 685
 Senate Floor Amendment No. 1 to Senate Bill 918
 Senate Floor Amendment No. 1 to Senate Bill 2578
 Senate Floor Amendment No. 2 to Senate Bill 2580
 Senate Floor Amendment No. 3 to Senate Bill 2627
 Senate Floor Amendment No. 2 to Senate Bill 2637

[March 9, 2010]

Senate Floor Amendment No. 1 to Senate Bill 2638
 Senate Floor Amendment No. 2 to Senate Bill 2824
 Senate Floor Amendment No. 2 to Senate Bill 2980
 Senate Floor Amendment No. 2 to Senate Bill 3060
 Senate Floor Amendment No. 1 to Senate Bill 3085
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 Senate Floor Amendment No. 1 to Senate Bill 3657
 Senate Floor Amendment No. 2 to Senate Bill 3659
 Senate Floor Amendment No. 1 to Senate Bill 3708

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 703

Offered by Senator Collins and all Senators:
 Mourns the death of Abe Mallory.

SENATE RESOLUTION NO. 704

Offered by Senator Harmon and all Senators:
 Mourns the death of John Maurice Gancer of River Forest.

SENATE RESOLUTION NO. 705

Offered by Senator Dillard and all Senators:
 Mourns the death of Robert J. Schmitt of Naperville.

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

INTRODUCTION OF BILL

SENATE BILL NO. 3844. Introduced by Senator Delgado, a bill for AN ACT concerning appropriations.

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

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. 4700

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4756

A bill for AN ACT concerning public aid.

HOUSE BILL NO. 4796

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4820

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4854

A bill for AN ACT concerning financial regulation.

Passed the House, March 4, 2010.

[March 9, 2010]

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4700, 4756, 4796, 4820 and 4854** 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. 4866

A bill for AN ACT concerning State government.

HOUSE BILL NO. 4868

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4873

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4945

A bill for AN ACT concerning finance.

HOUSE BILL NO. 5006

A bill for AN ACT concerning corrections.

HOUSE BILL NO. 5161

A bill for AN ACT concerning civil law.

Passed the House, March 4, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4866, 4868, 4873, 4945, 5006 and 5161** 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. 5054

A bill for AN ACT concerning public aid.

HOUSE BILL NO. 5204

A bill for AN ACT concerning public aid.

HOUSE BILL NO. 5223

A bill for AN ACT concerning aging.

HOUSE BILL NO. 5234

A bill for AN ACT concerning human rights.

HOUSE BILL NO. 5262

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 5283

A bill for AN ACT concerning local government.

HOUSE BILL NO. 5285

A bill for AN ACT concerning transportation.

Passed the House, March 4, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 5054, 5204, 5223, 5234, 5262, 5283 and 5285** 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 concurred with the Senate in the adoption of the following joint resolution, to-wit:

[March 9, 2010]

SENATE JOINT RESOLUTION NO. 109

Concurred in by the House, March 4, 2010.

MARK MAHONEY, Clerk of the House

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 4756, sponsored by Senator Hutchinson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4854, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4866, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4945, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5223, sponsored by Senator Forby, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Bomke, **Senate Bill No. 2638**, having been printed, was taken up, read by title a second time.

Senate Floor Amendment No. 1 was referred to the Committee on Assignments earlier today.

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

On motion of Senator Koehler, **Senate Bill No. 2647** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2647

AMENDMENT NO. 1. Amend Senate Bill 2647 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 19-1 as follows:
(105 ILCS 5/19-1)

Sec. 19-1. Debt limitations of school districts.

(a) School districts shall not be subject to the provisions limiting their indebtedness prescribed in "An Act to limit the indebtedness of counties having a population of less than 500,000 and townships, school districts and other municipal corporations having a population of less than 300,000", approved February 15, 1928, as amended.

No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

[March 9, 2010]

No partial elementary unit district, as defined in Article 11E of this Code, shall become indebted in any manner or for any purpose in an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, plus an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes. Moreover, no partial elementary unit district, as defined in Article 11E of this Code, shall become indebted on account of bonds issued by the district for high school purposes in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, nor shall the district become indebted on account of bonds issued by the district for elementary purposes in the aggregate exceeding 6.9% of the value of the taxable property for that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes.

Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).

(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

(1) Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased over the previous school year by not less than 35% or by not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

(2) When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and approve the need for such additional school sites or building facilities and the estimated cost thereof; and

(3) When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the value of the taxable property therein to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district pursuant to the requirements of Section 11A-10 (now repealed) may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional indebtedness in an amount not to exceed \$4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a for the purpose of replacing a school building which, because of mine subsidence damage, has been closed as provided in paragraph (2) of this subsection (d) or through the issuance of bonds under and in accordance with Section 19-3 for the purpose of increasing the size of, or providing for additional functions in, such replacement school buildings, or both such purposes.

(2) The bonds issued by the school district as provided in paragraph (1) above are issued for the purposes of construction by the school district of a new school building pursuant to Section 17-2.11, to replace an existing school building that, because of mine subsidence damage, is closed as of the end of the 1992-93 school year pursuant to action of the regional superintendent of schools of the educational service region in which the district is located under Section 3-14.22 or are issued for the purpose of increasing the size of, or providing for additional functions in, the new school building being constructed to replace a school building closed as the result of mine subsidence damage, or both such purposes.

(e) (Blank).

(f) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds in not to exceed the aggregate amount of \$5,500,000 and issued by a school district meeting the following criteria shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness:

(1) At the time of the sale of such bonds, the board of education of the district shall have determined by resolution that the enrollment of students in the district is projected to increase by not less than 7% during each of the next succeeding 2 school years.

(2) The board of education shall also determine by resolution that the improvements to be financed with the proceeds of the bonds are needed because of the projected enrollment increases.

(3) The board of education shall also determine by resolution that the projected increases in enrollment are the result of improvements made or expected to be made to passenger rail facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or of any other law, a school district that has availed itself of the provisions of this subsection (f) prior to July 22, 2004 (the effective date of Public Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to resolution of the school board in an amount or amounts, including existing indebtedness, in excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

(i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.

(ii) At the time the resolution authorizing the issuance of the bonds is adopted, the

cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.

(iii) The sale of the bonds occurs before July 1, 1997.

(iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less than 1,500 and an equalized assessed valuation of less than \$29,000,000.

(h) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27.6% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than \$24,000,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which buildings were originally constructed not less than 40 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after March 19, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(i) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than \$44,600,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which existing buildings were originally constructed not less than 80 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after December 31, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than \$140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;

(ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high school was originally constructed not less than 35 years prior to the sale of the bonds;

(iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;

(iv) At least 60% of those voting in an election held after December 31, 1996 approve a proposition for the issuance of the bonds; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed \$4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such additional indebtedness, causes the aggregate indebtedness of the school district to exceed or increases the amount by which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that school district under subsection (a):

(1) the school district is located in 2 counties, and a referendum to authorize the additional indebtedness was approved by a majority of the voters of the school district voting on the proposition to authorize that indebtedness;

(2) the additional indebtedness is for the purpose of financing a multi-purpose room addition to the existing high school;

(3) the additional indebtedness, together with the existing indebtedness of the school

district, shall not exceed 17.4% of the value of the taxable property in the school district, to be ascertained by the last assessment for State and county taxes; and

(4) the bonds evidencing the additional indebtedness are issued, if at all, within 120 days of the effective date of this amendatory Act of 1998.

(l) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 2000, a school district maintaining grades kindergarten through 8 may issue bonds up to an amount, including existing indebtedness, not exceeding 15% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the district has an equalized assessed valuation for calendar year 1996 of less than \$10,000,000;

(ii) the bonds are issued for capital improvement, renovation, rehabilitation, or replacement of one or more school buildings of the district, which buildings were originally constructed not less than 70 years ago;

(iii) the voters of the district approve a proposition for the issuance of the bonds at a referendum held on or after March 17, 1998; and

(iv) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(m) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, an elementary school district maintaining grades K through 8 may issue bonds up to an amount, excluding existing indebtedness, not exceeding 18% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 or less than \$7,700,000;

(ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;

(iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not handicapped accessible at all levels and parts of which were constructed more than 75 years ago;

(iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:

(i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to Section 5-20 of the School Construction Law.

(ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.

(iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under Section 5-15 of the School Construction Law as the dollar amount of the school construction project's cost that the district will be required to finance with non-grant funds in order to receive a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

(v) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

(vi) The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

(o) Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds

up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the school district has an equalized assessed valuation for calendar year 2001 of at least \$737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and

(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p) Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least \$295,741,187 and a best 3 months' average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

(ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-10) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community consolidated school district maintaining grades K through 8 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential and farm property comprises more than 80% of the equalized assessed valuation of the district.

(ii) The bond proceeds are to be used to acquire and improve school sites and build and equip a school building.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the school sites and building additions are needed because of an increase in enrollment projected

by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 20% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-15) In addition to all other authority to issue bonds, the Oswego Community Unit School District Number 308 may issue bonds with an aggregate principal amount not to exceed \$450,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general election held on November 7, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school building, new junior high school buildings, new elementary school buildings, early childhood building, maintenance building, transportation facility, and additions to existing school buildings, the altering, repairing, equipping, and provision of technology improvements to existing school buildings, and the acquisition and improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before November 7, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed \$450,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the general election held on November 7, 2006.

The debt incurred on any bonds issued under this subsection (p-15) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-20) In addition to all other authority to issue bonds, the Lincoln-Way Community High School District Number 210 may issue bonds with an aggregate principal amount not to exceed \$225,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general primary election held on March 21, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school buildings, the altering, repairing, and equipping of existing school buildings, and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before March 21, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed \$225,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the primary election held on March 21, 2006.

The debt incurred on any bonds issued under this subsection (p-20) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-25) In addition to all other authority to issue bonds, Rochester Community Unit School District 3A may issue bonds with an aggregate principal amount not to exceed \$18,500,000, but only if all of the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at the general primary election held in 2008.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of a new high school building; the addition of classrooms and support facilities at the high school, middle school, and elementary school; the altering, repairing, and equipping of existing school buildings; and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by a law that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before December 31, 2012, but the aggregate principal amount issued in all such bond issues combined must not exceed

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\$18,500,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at the primary election held in 2008.

The debt incurred on any bonds issued under this subsection (p-25) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-30) In addition to all other authority to issue bonds, Prairie Grove Consolidated School District 46 may issue bonds with an aggregate principal amount not to exceed \$30,000,000, but only if all of the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at an election held in 2008.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the building and equipping of a new school building and additions to existing school buildings are required as a result of a projected increase in the enrollment of students in the district and (B) the altering, repairing, and equipping of existing school buildings are required because of the age of the existing school buildings.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2012; however, the aggregate principal amount issued in all such bond issuances combined must not exceed \$30,000,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held in 2008.

The debt incurred on any bonds issued under this subsection (p-30) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-35) In addition to all other authority to issue bonds, Prairie Hill Community Consolidated School District 133 may issue bonds with an aggregate principal amount not to exceed \$13,900,000, but only if all of the following conditions are met:

(i) The voters of the district approved a proposition for the bond issuance at an election held on April 17, 2007.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the improvement of the site of and the building and equipping of a school building are required as a result of a projected increase in the enrollment of students in the district and (B) the repairing and equipping of the Prairie Hill Elementary School building is required because of the age of that school building.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2011, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$13,900,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on April 17, 2007.

The debt incurred on any bonds issued under this subsection (p-35) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-40) In addition to all other authority to issue bonds, Mascoutah Community Unit District 19 may issue bonds with an aggregate principal amount not to exceed \$55,000,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at a regular election held on or after November 4, 2008.

(2) At the time of the sale of the bonds, the school board determines, by resolution, that (i) the building and equipping of a new high school building is required as a result of a projected increase in the enrollment of students in the district and the age and condition of the existing high school building, (ii) the existing high school building will be demolished, and (iii) the sale of bonds is authorized by statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before December 31, 2011, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$55,000,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at a regular election held on or after November 4, 2008.

The debt incurred on any bonds issued under this subsection (p-40) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-45) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds issued pursuant to Section 19-3.5 of this Code shall not be considered indebtedness for purposes of any statutory limitation if the bonds are issued in an amount or amounts, including existing indebtedness of the school district, not in excess of 18.5% of the value of the taxable property in the district to be ascertained by the last assessment for State and county taxes.

(p-50) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds issued pursuant to Section 19-3.10 of this Code shall not be considered indebtedness for purposes of any statutory limitation if the bonds are issued in an amount or amounts, including existing indebtedness of the school district, not in excess of 43% of the value of the taxable property in the district to be ascertained by the last assessment for State and county taxes.

~~(p-55) (p-45)~~ In addition to all other authority to issue bonds, Belle Valley School District 119 may issue bonds with an aggregate principal amount not to exceed \$47,500,000, but only if all of the following conditions are met:

(1) The voters of the district approve a proposition for the bond issuance at an election held on or after April 7, 2009.

(2) Prior to the issuance of the bonds, the school board determines, by resolution, that
(i) the building and equipping of a new school building is required as a result of mine subsidence in an existing school building and because of the age and condition of another existing school building and
(ii) the issuance of bonds is authorized by statute that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(3) The bonds are issued, in one or more bond issuances, on or before March 31, 2014, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$47,500,000.

(4) The bonds are issued in accordance with this Article.

(5) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on or after April 7, 2009.

The debt incurred on any bonds issued under this subsection ~~(p-55) (p-45)~~ shall not be considered indebtedness for purposes of any statutory debt limitation. Bonds issued under this subsection ~~(p-55) (p-45)~~ must mature within not to exceed 30 years from their date, notwithstanding any other law to the contrary.

(p-60) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, the execution of leases on or after January 1, 2007 by the Board of Education of Peoria School District 150 with a public building commission for leases entered into pursuant to the Public Building Commission Act shall not be considered indebtedness for purposes of any statutory debt limitation.

(q) A school district must notify the State Board of Education prior to issuing any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in this Section or any other provision of law.

(Source: P.A. 95-331, eff. 8-21-07; 95-594, eff. 9-10-07; 95-792, eff. 1-1-09; 96-63, eff. 7-23-09; 96-273, eff. 8-11-09; 96-517, eff. 8-14-09; revised 9-15-09.)

Section 10. The School Construction Law is amended by changing Sections 5-25 and 5-35 as follows:
(105 ILCS 230/5-25)

Sec. 5-25. Eligibility and project standards.

(a) The State Board of Education shall establish eligibility standards for school construction project grants and debt service grants. These standards shall include minimum enrollment requirements for eligibility for school construction project grants of 200 students for elementary districts, 200 students for high school districts, and 400 students for unit districts. The State Board of Education shall approve a district's eligibility for a school construction project grant or a debt service grant pursuant to the established standards.

For purposes only of determining a Type 40 area vocational center's eligibility for an entity included in a school construction project grant or a school maintenance project grant, an area vocational center shall be deemed eligible if one or more of its member school districts satisfy the grant index criteria set forth in this Law. A Type 40 area vocational center that makes application for school construction funds after August 25, 2009 (the effective date of Public Act 96-731) ~~this amendatory Act of the 96th General Assembly~~ shall be placed on the respective application cycle list. Type 40 area vocational centers must be placed last on the priority listing of eligible entities for the applicable fiscal year.

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(b) The Capital Development Board shall establish project standards for all school construction project grants provided pursuant to this Article. These standards shall include space and capacity standards as well as the determination of recognized project costs that shall be eligible for State financial assistance and enrichment costs that shall not be eligible for State financial assistance.

(c) The State Board of Education and the Capital Development Board shall not establish standards that disapprove or otherwise establish limitations that restrict the eligibility of (i) a school district with a population exceeding 500,000 for a school construction project grant based on the fact that any or all of the school construction project grant will be used to pay debt service or to make lease payments, as authorized by subsection (b) of Section 5-35 of this Law, ~~or~~ (ii) a school district located in whole or in part in a county that imposes a tax for school facility purposes pursuant to Section 5-1006.7 of the Counties Code, or (iii) a school district that (1) was organized prior to 1860 and (2) is located in part in a city originally incorporated prior to 1840, based on the fact that all or a part of the school construction project is owned by a public building commission and leased to the school district or the fact that any or all of the school construction project grant will be used to pay debt service or to make lease payments. (Source: P.A. 96-37, eff. 7-13-09; 96-731, eff. 8-25-09; revised 9-15-09.)

(105 ILCS 230/5-35)

Sec. 5-35. School construction project grant amounts; permitted use; prohibited use.

(a) The product of the district's grant index and the recognized project cost, as determined by the Capital Development Board, for an approved school construction project shall equal the amount of the grant the Capital Development Board shall provide to the eligible district. The grant index shall not be used in cases where the General Assembly and the Governor approve appropriations designated for specifically identified school district construction projects.

The average of the grant indexes of the member districts in a joint agreement shall be used to calculate the amount of a school construction project grant awarded to an eligible Type 40 area vocational center.

(b) In each fiscal year in which school construction project grants are awarded, 20% of the total amount awarded statewide shall be awarded to a school district with a population exceeding 500,000, provided such district complies with the provisions of this Article.

In addition to the uses otherwise authorized by this Law, any school district with a population exceeding 500,000 is authorized to use any or all of the school construction project grants (i) to pay debt service, as defined in the Local Government Debt Reform Act, on bonds, as defined in the Local Government Debt Reform Act, issued to finance one or more school construction projects and (ii) to the extent that any such bond is a lease or other installment or financing contract between the school district and a public building commission that has issued bonds to finance one or more qualifying school construction projects, to make lease payments under the lease.

(b-5) In addition to the uses otherwise authorized by this Law, any school district that (1) was organized prior to 1860 and (2) is located in part in a city originally incorporated prior to 1840 is authorized to use any or all of the school construction project grants (i) to pay debt service on bonds, as those terms are defined in the Local Government Debt Reform Act, that are issued to finance one or more school construction projects and (ii) to the extent that any such bond is a lease or other installment or financing contract between the school district and a public building commission that has issued bonds to finance one or more qualifying school construction projects, to make lease payments under the lease.

(c) No portion of a school construction project grant awarded by the Capital Development Board shall be used by a school district for any on-going operational costs. (Source: P.A. 96-731, eff. 8-25-09.)

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

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

On motion of Senator Jacobs, **Senate Bill No. 2793**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **Senate Bill No. 2794** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2794

[March 9, 2010]

— AMENDMENT NO. 1. Amend Senate Bill 2794 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 1-105 and 3-808.1 as follows:
(625 ILCS 5/1-105) (from Ch. 95 1/2, par. 1-105)

Sec. 1-105. Authorized emergency vehicle. Emergency vehicles of municipal departments or public service corporations as are designated or authorized by proper local authorities; police vehicles; vehicles of the fire department; vehicles of a HazMat or technical rescue team authorized by a county board under Section 5-1127 of the Counties Code; ambulances; vehicles of the Illinois Emergency Management Agency; mine rescue emergency response vehicles of the Department of Natural Resources; ~~and~~ vehicles of the Illinois Department of Public Health ; and vehicles of a municipal or county emergency services and disaster agency, as defined by the Illinois Emergency Management Agency Act.

(Source: P.A. 96-214, eff. 8-10-09.)

(625 ILCS 5/3-808.1) (from Ch. 95 1/2, par. 3-808.1)

Sec. 3-808.1. (a) Permanent vehicle registration plates shall be issued, at no charge, to the following:

1. Vehicles, other than medical transport vehicles, owned and operated by the State of Illinois or by any State agency financed by funds appropriated by the General Assembly;
 2. Special disability plates issued to vehicles owned and operated by the State of Illinois or by any State agency financed by funds appropriated by the General Assembly.
- (b) Permanent vehicle registration plates shall be issued, for a one time fee of \$8.00, to the following:
1. Vehicles, other than medical transport vehicles, operated by or for any county, township or municipal corporation, ;
 2. Vehicles owned by counties, townships or municipal corporations for persons with disabilities.
 3. Beginning with the 1991 registration year, county-owned vehicles operated by or for any county sheriff and designated deputy sheriffs. These registration plates shall contain the specific county code and unit number.
 4. All-terrain vehicles owned by counties, townships, or municipal corporations and used for law enforcement purposes when the Manufacturer's Statement of Origin is accompanied with a letter from the original manufacturer or a manufacturer's franchised dealer stating that this all-terrain vehicle has been converted to a street worthy vehicle that meets the equipment requirements set forth in Chapter 12 of this Code.
 5. Beginning with the 2001 registration year, municipally-owned vehicles operated by or for any police department. These registration plates shall contain the designation "municipal police" and shall be numbered and distributed as prescribed by the Secretary of State.
 6. Beginning with the 2011 registration year, county or municipality owned vehicles operated by or for any emergency services or disaster agency, as defined by the Illinois Emergency Management Agency Act. These registration plates shall contain the designation "emergency management" and shall contain the region number of the Illinois Emergency Management region in which the agency is located. These registration plates shall be numbered and distributed as prescribed by the Secretary of State.
 7. Beginning with the 2011 registration year, county or municipality owned vehicles operated by or for any county coroner, medical examiner, or designated county coroner. These registration plates shall contain the designation "coroner" or "medical examiner" and shall be numbered and distributed as prescribed by the Secretary of State.

(Source: P.A. 94-619, eff. 1-1-06; revised 11-4-09.)".

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

On motion of Senator Haine, **Senate Bill No. 2805**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **Senate Bill No. 2813** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2813

[March 9, 2010]

AMENDMENT NO. 1. Amend Senate Bill 2813 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Mercury Thermostat Collection Act."

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

On motion of Senator Haine, **Senate Bill No. 2819**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **Senate Bill No. 2951** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2951

AMENDMENT NO. 1. Amend Senate Bill 2951 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 11-703 as follows:
(625 ILCS 5/11-703) (from Ch. 95 1/2, par. 11-703)

Sec. 11-703. Overtaking a vehicle on the left. The following rules govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules otherwise stated in this Chapter:

(a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle. In no event shall such movement be made by driving off the pavement or the main traveled portion of the roadway.

(b) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

(c) The driver of a 2 wheeled vehicle may not, in passing upon the left of any vehicle proceeding in the same direction, pass upon the right of any vehicle proceeding in the same direction unless there is an unobstructed lane of traffic available to permit such passing maneuver safely.

(d) The operator of a motor vehicle overtaking a bicycle or individual proceeding in the same direction on a highway shall leave a safe distance, but not less than 3 feet, when passing the bicycle or individual and shall maintain that distance until safely past the overtaken bicycle or individual.

(e) A person driving a motor vehicle shall not, in a reckless manner, drive the motor vehicle unnecessarily close to, toward, or near a bicyclist.

(f) Every person convicted of paragraph (e) of this Section shall be guilty of a Class A misdemeanor if the violation does not result in great bodily harm or permanent disability or disfigurement to another. If the violation results in great bodily harm or permanent disability or disfigurement to another, the person shall be guilty of a Class 4 felony.

(Source: P.A. 95-231, eff. 1-1-08.)

Section 10. The Criminal Code of 1961 is amended by adding Section 12-2.3 as follows:
(720 ILCS 5/12-2.3 new)

Sec. 12-2.3. Projecting or throwing missiles at bicyclists.

(a) As used in this Section, "missile" means any object or substance.

(b) A person may not knowingly project or throw any missile at or against a bicyclist.

(c) A person who violates subsection (b) of this Section shall be guilty of a Class A misdemeanor."

Senate Committee Amendment No. 2 was tabled in committee by the sponsor.

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

On motion of Senator Althoff, **Senate Bill No. 2969**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 2983**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Millner, **Senate Bill No. 2987**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pankau, **Senate Bill No. 2988**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pankau, **Senate Bill No. 2992**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bomke, **Senate Bill No. 3016**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **Senate Bill No. 3022**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bomke, **Senate Bill No. 3023**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **Senate Bill No. 3024**, having been printed, was taken up, read by title a second time.

Senate Committee Amendment No. 1 was postponed in the Committee on Transportation. There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 3028**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 3029**, having been printed, was taken up, read by title a second time.

Senate Floor Amendment No. 1 was held in the Committee on Assignments. There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 3030**, having been printed, was taken up, read by title a second time.

Senate Floor Amendment No. 1 was held in the Committee on Assignments. There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 3034** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3034

AMENDMENT NO. 1. Amend Senate Bill 3034 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 143.27 as follows:
(215 ILCS 5/143.27) (from Ch. 73, par. 755.27)

Sec. 143.27. No insurance company may give to any named insured any notice of cancellation or nonrenewal of a policy of fire ~~and~~ extended coverage insurance, as defined in subsection (b) of Section 143.13, covering property which is capable of being rehabilitated, without allowing the named insured a reasonable period of time in which to repair defects in the insured property or relevant portion thereof, to an extent reasonably sufficient to facilitate continued coverage thereon. The time reasonably allowable therefor (which in no event shall exceed ninety days) and the degree of sufficiency of such

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rehabilitative efforts which insurance companies shall accept, may be determined by a certificate from a licensed contractor or architect and such rehabilitative efforts shall be in compliance with local municipal building codes. The notice of need for repair shall be from the insurance company, which may be sent to the insured at any time during the policy term, and which notice shall commence the time period established under this Section.
(Source: P.A. 81-857)."

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

On motion of Senator Haine, **Senate Bill No. 3035**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **Senate Bill No. 3037**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **Senate Bill No. 3039**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **Senate Bill No. 3041**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **Senate Bill No. 3047**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **Senate Bill No. 3061**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **Senate Bill No. 3068**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **Senate Bill No. 3070**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 3085**, having been printed, was taken up, read by title a second time.

Senate Floor Amendment No. 1 was held in the Committee on Assignments.

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

On motion of Senator Raoul, **Senate Bill No. 3086**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 3087**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 3088**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 3089**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **Senate Bill No. 3090** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3090

AMENDMENT NO. 1. Amend Senate Bill 3090 on page 1, by inserting immediately below line 3 the following:

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"Section 2. The Code of Criminal Procedure of 1963 is amended by changing Section 110-6.2 as follows:

(725 ILCS 5/110-6.2) (from Ch. 38, par. 110-6.2)

Sec. 110-6.2. Post-conviction Detention. (a) The court ~~may shall~~ order that a person who has been found guilty of an offense and who is waiting imposition or execution of sentence be held without bond unless the court finds by clear and convincing evidence that the person is not likely to flee or pose a danger to any other person or the community if released under Sections 110-5 and 110-10 of this Act.

(b) The court ~~may shall~~ order that person who has been found guilty of an offense and sentenced to a term of imprisonment ~~shall~~ be held without bond unless the court finds by clear and convincing evidence that:

(1) the person is not likely to flee or pose a danger to the safety of any other person or the community if released on bond pending appeal; and

(2) that the appeal is not for purpose of delay and raises a substantial question of law or fact likely to result in reversal or an order for a new trial.

(Source: P.A. 86-984.)

(725 ILCS 5/122-8 rep.)

Section 3. The Code of Criminal Procedure of 1963 is amended by repealing Section 122-8."

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

On motion of Senator Noland, **Senate Bill No. 3095**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 3096** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3096

AMENDMENT NO. 1. Amend Senate Bill 3096 as follows:

on page 3, line 24, by replacing "Trust" with "Trust,"; and

on page 3, line 25, by replacing "complaints in" with "complaints. The rules must be in".

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

On motion of Senator Haine, **Senate Bill No. 3097**, having been printed, was taken up, read by title a second time.

Senate Floor Amendment No. 1 was held in the Committee on Assignments.

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

On motion of Senator Garrett, **Senate Bill No. 3117**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **Senate Bill No. 3119**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bomke, **Senate Bill No. 3128**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Righter, **Senate Bill No. 3129**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **Senate Bill No. 3136**, having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Syverson, **Senate Bill No. 3146**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **Senate Bill No. 3148**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 3172**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 3173**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 3174** having been printed, was taken up, 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 SENATE BILL 3174

AMENDMENT NO. 1. Amend Senate Bill 3174 by replacing lines 21 through 23 on page 1 and line 1 on page 2 with the following:

"tobacco product as defined by 21 U.S.C. 321(rr) shall be distributed or sold in this State or to"; and

on page 2, line 4, by replacing "as a" with "for"; and

on page 2, line 5, by deleting "or modified-risk product.".

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

On motion of Senator Millner, **Senate Bill No. 3176**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 3183**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **Senate Bill No. 3188** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3188

AMENDMENT NO. 1. Amend Senate Bill 3188 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 155.20 as follows:
(215 ILCS 5/155.20) (from Ch. 73, par. 767.20)

Sec. 155.20. All final arbitration decisions rendered in relation to disputes or controversies arising out of injuries allegedly caused by reason of hospital or health care provider malpractice shall be recognized by any insurance company doing business in ~~the~~ the State of Illinois and all findings of facts relating to liability and awards of damages in relation thereto which are a part of the final arbitration decision shall be binding on such insurance companies.

(Source: P.A. 79-1435)."

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

On motion of Senator Delgado, **Senate Bill No. 3193**, having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Haine, **Senate Bill No. 3198**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **Senate Bill No. 3264**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **Senate Bill No. 3267** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3267

AMENDMENT NO. 1. Amend Senate Bill 3267 by replacing everything after the enacting clause with the following:

"Section 5. The Elder Abuse and Neglect Act is amended by changing Section 1 as follows:
(320 ILCS 20/1) (from Ch. 23, par. 6601)

Sec. 1. Short title. This Act shall be known and ~~and~~ may be cited as the "Elder Abuse and Neglect Act".
(Source: P.A. 85-1184)."

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

On motion of Senator Hutchinson, **Senate Bill No. 3269**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **Senate Bill No. 3272** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3272

AMENDMENT NO. 1. Amend Senate Bill 3272 on page 3, line 26, by replacing "2010" with "2011".

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

On motion of Senator Burzynski, **Senate Bill No. 3281**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 3286**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 3287**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 3288**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 3289**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **Senate Bill No. 3291** having been printed, was taken up, read by title a second time.

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

[March 9, 2010]

AMENDMENT NO. 1 TO SENATE BILL 3291

AMENDMENT NO. 1. Amend Senate Bill 3291 by replacing everything after the enacting clause with the following:

"Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by adding Section 54.5 as follows:

(20 ILCS 1705/54.5 new)

Sec. 54.5. Community care for the developmentally disabled quality workforce initiative.

(a) Legislative intent. Individuals with developmental disabilities who live in community-based settings rely on direct support staff for a variety of supports and services essential to the ability to reach their full potential. A stable, well-trained direct support workforce is critical to the well-being of these individuals. State and national studies have documented high rates of turnover among direct support workers and confirmed that improvements in wages can help reduce turnover and develop a more stable and committed workforce. This Section would increase the wages and benefits for direct care workers supporting individuals with developmental disabilities and provide accountability by ensuring that additional resources go directly to these workers.

(b) Reimbursement. In order to attract and retain a stable, qualified, and healthy workforce, beginning July 1, 2010, the Department of Human Services may reimburse an individual community service provider serving individuals with developmental disabilities for spending incurred to provide improved wages and benefits to its employees serving developmentally disabled individuals. Reimbursement shall be based upon the provider's most recent cost report. Subject to available appropriations, this reimbursement shall be made according to the following criteria:

(1) The Department shall reimburse the provider to compensate for spending on improved wages and benefits for its eligible employees. Eligible employees include employees engaged in direct care work.

(2) In order to qualify for reimbursement under this Section, a provider must submit to the Department, before January 1 of each year, documentation of a written, legally binding commitment to increase spending for the purpose of providing improved wages and benefits to its eligible employees during the next year. The commitment must be binding as to both existing and future staff. The commitment must include a method of enforcing the commitment that is available to the employees or their representative and is expeditious, uses a neutral decision-maker, and is economical for the employees. The Department must also receive documentation of the provider's provision of written notice of the commitment and the availability of the enforcement mechanism to the employees or their representative.

(3) Reimbursement shall be based on the amount of increased spending to be incurred by the provider for improving wages and benefits that exceeds the spending reported in the cost report currently used by the Department. Reimbursement shall be calculated as follows: the per diem equivalent of the quarterly difference between the cost to provide improved wages and benefits for covered eligible employees as identified in the legally binding commitment and the previous period cost of wages and benefits as reported in the cost report currently used by the Department, subject to the limitations identified in paragraph (2) of this subsection. In no event shall the per diem increase be in excess of \$7.00 for any 12 month period, or in excess of \$8.00 for any 12 month period for community-integrated living arrangements with 4 beds or less. For purposes of this Section, "community-integrated living arrangement" has the same meaning ascribed to that term in the Community-Integrated Living Arrangements Licensure and Certification Act.

(4) Any community service provider is eligible to receive reimbursement under this Section. A provider's eligibility to receive reimbursement shall continue as long as the provider maintains eligibility under paragraph (2) of this subsection and the reimbursement program continues to exist.

(c) Audit. Reimbursement under this Section is subject to audit by the Department and shall be reduced or eliminated in the case of any provider that does not honor its commitment to increase spending to improve the wages and benefits of its employees or that decreases such spending.

Section 10. The Illinois Public Aid Code is amended by adding Section 5-5.4f as follows:

(305 ILCS 5/5-5.4f new)

Sec. 5-5.4f. Intermediate care facilities for the developmentally disabled quality workforce initiative.

(a) Legislative intent. Individuals with developmental disabilities who live in community-based settings rely on direct support staff for a variety of supports and services essential to the ability to reach their full potential. A stable, well-trained direct support workforce is critical to the well-being of these

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individuals. State and national studies have documented high rates of turnover among direct support workers and confirmed that improvements in wages can help reduce turnover and develop a more stable and committed workforce. This Section would increase the wages and benefits for direct care workers supporting individuals with developmental disabilities and provide accountability by ensuring that additional resources go directly to these workers.

(b) Reimbursement. Notwithstanding any provision of Section 5-5.4, in order to attract and retain a stable, qualified, and healthy workforce, beginning July 1, 2010, the Department of Healthcare and Family Services may reimburse an individual intermediate care facility for the developmentally disabled for spending incurred to provide improved wages and benefits to its employees serving the individuals residing in the facility. Reimbursement shall be based upon patient days reported in the facility's most recent cost report. Subject to available appropriations, this reimbursement shall be made according to the following criteria:

(1) The Department shall reimburse the facility to compensate for spending on improved wages and benefits for its eligible employees. Eligible employees include employees engaged in direct care work.

(2) In order to qualify for reimbursement under this Section, a facility must submit to the Department, before January 1 of each year, documentation of a written, legally binding commitment to increase spending for the purpose of providing improved wages and benefits to its eligible employees during the next year. The commitment must be binding as to both existing and future staff. The commitment must include a method of enforcing the commitment that is available to the employees or their representative and is expeditious, uses a neutral decision-maker, and is economical for the employees. The Department must also receive documentation of the facility's provision of written notice of the commitment and the availability of the enforcement mechanism to the employees or their representative.

(3) Reimbursement shall be based on the amount of increased spending to be incurred by the facility for improving wages and benefits that exceeds the spending reported in the cost report currently used by the Department. Reimbursement shall be calculated as follows: the per diem equivalent of the quarterly difference between the cost to provide improved wages and benefits for covered eligible employees as identified in the legally binding commitment and the previous period cost of wages and benefits as reported in the cost report currently used by the Department, subject to the limitations identified in paragraph (2) of this subsection. In no event shall the per diem increase be in excess of \$5.00 for any 12 month period for an intermediate care facility for the developmentally disabled with more than 16 beds, or in excess of \$6.00 for any 12 month period for an intermediate care facility for the developmentally disabled with 16 beds or less.

(4) Any intermediate care facility for the developmentally disabled is eligible to receive reimbursement under this Section. A facility's eligibility to receive reimbursement shall continue as long as the facility maintains eligibility under paragraph (2) of this subsection and the reimbursement program continues to exist.

(c) Audit. Reimbursement under this Section is subject to audit by the Department and shall be reduced or eliminated in the case of any facility that does not honor its commitment to increase spending to improve the wages and benefits of its employees or that decreases such spending.

Section 99. Effective date. This Act takes effect July 1, 2010."

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

On motion of Senator Frerichs, **Senate Bill No. 3622** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3622

AMENDMENT NO. 1. Amend Senate Bill 3622 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Taxpayer Transparency Act.

Section 5. Public availability; General Revenue Fund appropriations. A bill making an appropriation from the General Revenue Fund may not be considered for final passage by either the House of

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Representatives or the Senate unless a copy of that bill, in its final form, has been made conveniently available to the public on the General Assembly's Internet website for at least 4 calendar days before the bill is considered for final passage by the first chamber to consider the bill in its final form. This restriction does not apply to amendments or conference committee reports that make only technical or non-substantive changes or to supplemental appropriations.

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

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

At the hour of 12:47 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 1:04 o'clock p.m., the Senate resumed consideration of business.
Senator Harmon, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 9, 2010 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Floor Amendment No. 1 to Senate Bill 918; Senate Floor Amendment No. 2 to Senate Bill 2580; Senate Floor Amendment No. 2 to Senate Bill 3060.**

Commerce: **Senate Floor Amendment No. 1 to Senate Bill 3657; Senate Floor Amendment No. 2 to Senate Bill 3659.**

Consumer Protection: **Senate Floor Amendment No. 1 to Senate Bill 3097.**

Criminal Law: **Senate Floor Amendment No. 1 to Senate Bill 2578; Senate Floor Amendment No. 2 to Senate Bill 2824; Senate Floor Amendment No. 1 to Senate Bill 3029; Senate Floor Amendment No. 1 to Senate Bill 3030; Senate Floor Amendment No. 1 to Senate Bill 3085; Senate Committee Amendment No. 1 to Senate Bill 3513; Senate Floor Amendment No. 1 to Senate Bill 3540.**

Education: **Senate Floor Amendment No. 2 to Senate Bill 3515.**

Elections: **Senate Floor Amendment No. 1 to Senate Bill 2638.**

Energy: **Senate Committee Amendment No. 3 to Senate Bill 3627; Senate Committee Amendment No. 1 to Senate Bill 3686.**

Financial Institutions: **Senate Committee Amendment No. 1 to Senate Bill 2480; Senate Committee Amendment No. 1 to Senate Bill 2510.**

Insurance: **Senate Committee Amendment No. 2 to Senate Bill 3239.**

Judiciary: **Senate Floor Amendment No. 1 to Senate Bill 333.**

Local Government: **Senate Floor Amendment No. 1 to Senate Bill 575.**

Public Health: **Senate Floor Amendment No. 3 to Senate Bill 2627.**

Public Health Subcommittee on Nursing Home Care: **Senate Floor Amendment No. 1 to Senate Bill 685.**

State Government and Veterans Affairs: **Senate Floor Amendment No. 1 to Senate Bill 3708.**

Transportation: **Senate Floor Amendment No. 1 to Senate Bill 3716.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 9, 2010 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Joint Resolutions Numbered 105 and 107.**

Commerce: **Senate Resolution No. 681.**

Criminal Law: **Senate Resolutions Numbered 633 and 652.**

Executive: **Senate Joint Resolution Constitutional Amendments Numbered 85, 86, 90, 91, 92, 94, 95, 97, 99, 100 and 102.**

Judiciary: **Senate Joint Resolution Constitutional Amendment No. 103.**

Labor: **Senate Resolution No. 643.**

Public Health: **Senate Resolutions Numbered 576, 577, 625, 635 and 642; Senate Joint Resolution No. 89.**

Redistricting: **Senate Joint Resolutions Constitutional Amendments Numbered 96 and 104.**

State Government and Veterans Affairs: **Senate Resolution No. 651.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 9, 2010 meeting, reported the following House Resolutions have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **House Joint Resolution No. 57.**

Public Health: **House Joint Resolution No. 56.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 9, 2010 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution 659

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

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 9, 2010 meeting, to which was referred **Senate Bills Numbered 370, 381, 422, 615, 620 and 678** 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 370, 381, 422, 615, 620 and 678** were returned to the order of third reading.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

[March 9, 2010]

Senator Sullivan moved that **Senate Resolution No. 659**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Sullivan moved that Senate Resolution No. 659 be adopted.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the resolution was adopted.

SENATE BILL TABLED

Senator Millner moved that **Senate Bill No. 3670** be ordered to lie on the table.

The motion to table prevailed.

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

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

At the hour of 1:20 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 Harmon, presiding.

LEGISLATIVE MEASURES FILED

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

Senate Amendment No. 2 to Senate Bill 2820

[March 9, 2010]

Senate Amendment No. 1 to Senate Bill 3061
 Senate Amendment No. 4 to Senate Bill 3249
 Senate Amendment No. 1 to Senate Bill 3402

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. 5193

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 5507

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 5509

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 5511

A bill for AN ACT concerning public employee benefits.

Passed the House, March 9, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 5193, 5507, 5509 and 5511** 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. 5294

A bill for AN ACT concerning education.

HOUSE BILL NO. 5302

A bill for AN ACT concerning education.

HOUSE BILL NO. 5307

A bill for AN ACT concerning wildlife.

HOUSE BILL NO. 5376

A bill for AN ACT concerning not-for-profit corporations.

Passed the House, March 9, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 5294, 5302, 5307 and 5376** 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. 5678

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 5718

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 5761

A bill for AN ACT concerning transportation.

Passed the House, March 9, 2010.

[March 9, 2010]

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 5678, 5718 and 5761** 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. 5818

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 5819

A bill for AN ACT concerning transportation.

Passed the House, March 9, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 5818 and 5819** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 4966, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5054, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5206, sponsored by Senator Dillard, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5294, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5511, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Assignments.

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 1 to Senate Joint Resolution 81

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

Senate Committee Amendment No. 3 to Senate Bill 3118

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 381
Senate Floor Amendment No. 3 to Senate Bill 2635

[March 9, 2010]

Senate Floor Amendment No. 1 to Senate Bill 2810
 Senate Floor Amendment No. 1 to Senate Bill 3359
 Senate Floor Amendment No. 3 to Senate Bill 3543
 Senate Floor Amendment No. 2 to Senate Bill 3584
 Senate Floor Amendment No. 1 to Senate Bill 3721

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Millner, **Senate Bill No. 3295** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3295

AMENDMENT NO. 1. Amend Senate Bill 3295 on page 5, by replacing lines 16 through 20 with the following:

"any index issued by the circuit court clerk before the entry of the order to seal shall not be affected."; and

on page 19, by replacing lines 20 and 21 with the following:
 "circuit court clerk before the entry of the order; and"; and

on page 20, by replacing lines 17 and 18 with the following:
 "circuit court clerk before the entry of the order."; and

on page 23, by replacing lines 12 and 13 with the following:
 "before the entry of the order. All records sealed by the Department may be".

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

On motion of Senator Millner, **Senate Bill No. 3304**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Millner, **Senate Bill No. 3305**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Jones, **Senate Bill No. 3320**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **Senate Bill No. 3323**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cronin, **Senate Bill No. 3332**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 3372**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **Senate Bill No. 3385**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **Senate Bill No. 3387**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **Senate Bill No. 3388**, having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Millner, **Senate Bill No. 3389**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Millner, **Senate Bill No. 3390** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3390

AMENDMENT NO. 1. Amend Senate Bill 3390 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 11-501.4 as follows:
(625 ILCS 5/11-501.4) (from Ch. 95 1/2, par. 11-501.4)

Sec. 11-501.4. Admissibility of chemical tests of blood or urine conducted in the regular course of providing emergency medical treatment.

(a) Notwithstanding any other provision of law, the results of blood or urine tests performed for the purpose of determining the content of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, of an individual's blood or urine conducted upon persons receiving medical treatment in a hospital emergency room are admissible in evidence as a business record exception to the hearsay rule only in prosecutions for any violation of Section 11-501 of this Code or a similar provision of a local ordinance, or in prosecutions for reckless homicide brought under the Criminal Code of 1961, when each of the following criteria are met:

(1) the chemical tests performed upon an individual's blood or urine were ordered in the regular course of providing emergency medical treatment and not at the request of law enforcement authorities;

(2) the chemical tests performed upon an individual's blood or urine were performed by the laboratory routinely used by the hospital; and

(3) results of chemical tests performed upon an individual's blood or urine are admissible into evidence regardless of the time that the records were prepared.

(b) The confidentiality provisions of law pertaining to medical records and medical treatment shall not be applicable with regard to chemical tests performed upon an individual's blood or urine under the provisions of this Section in prosecutions as specified in subsection (a) of this Section. No person shall be liable for civil damages as a result of the evidentiary use of chemical testing of an individual's blood or urine test results under this Section, or as a result of that person's testimony made available under this Section.

(c) In a prosecution of a person accused of violating Section 11-501 of this Code, reckless homicide under Section 9-3 of the Criminal Code of 1961, or a similar provision of a local ordinance, the conversion rate to convert blood serum or blood plasma alcohol level to the whole blood equivalent for grams of alcohol per 100 milliliters of blood shall be to divide the blood serum or plasma level by 1.18.

(Source: P.A. 96-289, eff. 8-11-09.)

Section 10. The Snowmobile Registration and Safety Act is amended by changing Section 5-7.4 as follows:

(625 ILCS 40/5-7.4)

Sec. 5-7.4. Admissibility of chemical tests of blood or urine conducted in the regular course of providing emergency medical treatment.

(a) Notwithstanding any other provision of law, the results of blood or urine tests performed for the purpose of determining the content of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination of them in an individual's blood or urine conducted upon persons receiving medical treatment in a hospital emergency room, are admissible in evidence as a business record exception to the hearsay rule only in prosecutions for a violation of Section 5-7 of this Act or a similar provision of a local ordinance or in prosecutions for reckless homicide brought under the Criminal Code of 1961.

The results of the tests are admissible only when each of the following criteria are met:

1. The chemical tests performed upon an individual's blood or urine were ordered in the regular course of providing emergency treatment and not at the request of law enforcement authorities; and

2. The chemical tests performed upon an individual's blood or urine were performed by

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the laboratory routinely used by the hospital.

3. (Blank).

Results of chemical tests performed upon an individual's blood or urine are admissible into evidence regardless of the time that the records were prepared.

(b) The confidentiality provisions of law pertaining to medical records and medical treatment are not applicable with regard to chemical tests performed upon a person's blood or urine under the provisions of this Section in prosecutions as specified in subsection (a) of this Section. No person shall be liable for civil damages as a result of the evidentiary use of the results of chemical testing of the individual's blood or urine under this Section or as a result of that person's testimony made available under this Section.

(c) In a prosecution of a person accused of violating Section 5-7 of this Act, reckless homicide under Section 9-3 of the Criminal Code of 1961, or a similar provision of a local ordinance, the conversion rate to convert blood serum or blood plasma alcohol level to the whole blood equivalent for grams of alcohol per 100 milliliters of blood shall be to divide the blood serum or plasma level by 1.18.

(Source: P.A. 96-289, eff. 8-11-09.)

Section 15. The Boat Registration and Safety Act is amended by changing Section 5-16a as follows:

(625 ILCS 45/5-16a) (from Ch. 95 1/2, par. 315-11a)

Sec. 5-16a. Admissibility of chemical tests of blood or urine conducted in the regular course of providing emergency medical treatment.

(a) Notwithstanding any other provision of law, the written results of blood or urine alcohol tests conducted upon persons receiving medical treatment in a hospital emergency room are admissible in evidence as a business record exception to the hearsay rule only in prosecutions for any violation of Section 5-16 of this Act or a similar provision of a local ordinance or in prosecutions for reckless homicide brought under the Criminal Code of 1961, when:

(1) the chemical tests performed upon an individual's blood or urine were ordered in the regular course of providing emergency treatment and not at the request of law enforcement authorities; and

(2) the chemical tests performed upon an individual's blood or urine were performed by the laboratory routinely used by the hospital.

Results of chemical tests performed upon an individual's blood or urine are admissible into evidence regardless of the time that the records were prepared.

(b) The confidentiality provisions of law pertaining to medical records and medical treatment shall not be applicable with regard to chemical tests performed upon an individual's blood or urine under the provisions of this Section in prosecutions as specified in subsection (a) of this Section. No person shall be liable for civil damages as a result of the evidentiary use of the results of chemical testing of an individual's blood or urine under this Section or as a result of that person's testimony made available under this Section.

(c) In a prosecution of a person accused of violating Section 5-16 of this Act, reckless homicide under Section 9-3 of the Criminal Code of 1961, or a similar provision of a local ordinance, the conversion rate to convert blood serum or blood plasma alcohol level to the whole blood equivalent for grams of alcohol per 100 milliliters of blood shall be to divide the blood serum or plasma level by 1.18.

(Source: P.A. 96-289, eff. 8-11-09.)

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

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

On motion of Senator Millner, **Senate Bill No. 3391**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **Senate Bill No. 3430**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bivins, **Senate Bill No. 3433**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **Senate Bill No. 3446**, having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Link, **Senate Bill No. 3461**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 3462**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **Senate Bill No. 3464**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Millner, **Senate Bill No. 3491**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Jones, **Senate Bill No. 3494**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **Senate Bill No. 3501**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **Senate Bill No. 3503** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3503

AMENDMENT NO. 1. Amend Senate Bill 3503 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by changing Sections 31A-1.1 and 31A-1.2 as follows:

(720 ILCS 5/31A-1.1) (from Ch. 38, par. 31A-1.1)

Sec. 31A-1.1. Bringing Contraband into a Penal Institution; Possessing Contraband in a Penal Institution.

(a) A person commits the offense of bringing contraband into a penal institution when he knowingly and without authority of any person designated or authorized to grant such authority (1) brings an item of contraband into a penal institution or (2) causes another to bring an item of contraband into a penal institution or (3) places an item of contraband in such proximity to a penal institution as to give an inmate access to the contraband.

(b) A person commits the offense of possessing contraband in a penal institution when he possesses contraband in a penal institution, regardless of the intent with which he possesses it.

(c) For the purposes of this Section, the words and phrases listed below shall be defined as follows:

(1) "Penal institution" means any penitentiary, State farm, reformatory, prison, jail,

house of correction, police detention area, half-way house or other institution or place for the incarceration or custody of persons under sentence for offenses awaiting trial or sentence for offenses, under arrest for an offense, a violation of probation, a violation of parole, or a violation of mandatory supervised release, or awaiting a bail setting hearing or preliminary hearing; provided that where the place for incarceration or custody is housed within another public building this Act shall not apply to that part of such building unrelated to the incarceration or custody of persons.

(2) "Item of contraband" means any of the following:

(i) "Alcoholic liquor" as such term is defined in Section 1-3.05 of the Liquor Control Act of 1934.

(ii) "Cannabis" as such term is defined in subsection (a) of Section 3 of the Cannabis Control Act.

(iii) "Controlled substance" as such term is defined in the Illinois Controlled Substances Act.

(iii-a) "Methamphetamine" as such term is defined in the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act.

(iv) "Hypodermic syringe" or hypodermic needle, or any instrument adapted for use of controlled substances or cannabis by subcutaneous injection.

(v) "Weapon" means any knife, dagger, dirk, billy, razor, stiletto, broken bottle, or other piece of glass which could be used as a dangerous weapon. Such term includes any of the devices or implements designated in subsections (a)(1), (a)(3) and (a)(6) of Section 24-1 of this Act, or any other dangerous weapon or instrument of like character.

(vi) "Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas, including but not limited to:

(A) any pneumatic gun, spring gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter, or;

(B) any device used exclusively for signaling or safety and required as recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(C) any device used exclusively for the firing of stud cartridges, explosive rivets or industrial ammunition; or

(D) any device which is powered by electrical charging units, such as batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning, commonly referred to as a stun gun or taser.

(vii) "Firearm ammunition" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm, including but not limited to:

(A) any ammunition exclusively designed for use with a device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(B) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

(viii) "Explosive" means, but is not limited to, bomb, bombshell, grenade, bottle or other container containing an explosive substance of over one-quarter ounce for like purposes such as black powder bombs and Molotov cocktails or artillery projectiles.

(ix) "Tool to defeat security mechanisms" means, but is not limited to, handcuff or security restraint key, tool designed to pick locks, popper, or any device or instrument used to or capable of unlocking or preventing from locking any handcuff or security restraints, doors to cells, rooms, gates or other areas of the penal institution.

(x) "Cutting tool" means, but is not limited to, hacksaw blade, wirecutter, or device, instrument or file capable of cutting through metal.

(xi) "Electronic contraband" means, but is not limited to, any electronic, video recording device, computer, or cellular communications equipment, including, but not limited to, cellular telephones, cellular telephone batteries, videotape recorders, pagers, computers, and computer peripheral equipment brought into or possessed in a penal institution without the written authorization of the Chief Administrative Officer.

(d) Bringing alcoholic liquor into a penal institution is a Class 4 felony. Possessing alcoholic liquor in a penal institution is a Class 4 felony.

(e) Bringing cannabis into a penal institution is a Class 3 felony. Possessing cannabis in a penal institution is a Class 3 felony.

(f) Bringing any amount of a controlled substance classified in Schedules III, IV or V of Article II of the Controlled Substance Act into a penal institution is a Class 2 felony. Possessing any amount of a controlled substance classified in Schedule III, IV, or V of Article II of the Controlled Substance Act in a penal institution is a Class 2 felony.

(g) Bringing any amount of a controlled substance classified in Schedules I or II of Article II of the Controlled Substance Act into a penal institution is a Class 1 felony. Possessing any amount of a controlled substance classified in Schedules I or II of Article II of the Controlled Substance Act in a penal institution is a Class 1 felony.

(h) Bringing an item of contraband listed in paragraph (iv) of subsection (c)(2) into a penal institution is a Class 1 felony. Possessing an item of contraband listed in paragraph (iv) of subsection (c)(2) in a penal institution is a Class 1 felony.

(i) Bringing an item of contraband listed in paragraph (v), (ix), (x), or (xi) of subsection (c)(2) into a penal institution is a Class 1 felony. Possessing an item of contraband listed in paragraph (v), (ix), (x), or (xi) of subsection (c)(2) in a penal institution is a Class 1 felony.

(j) Bringing an item of contraband listed in paragraphs (vi), (vii) or (viii) of subsection (c)(2) in a penal institution is a Class X felony. Possessing an item of contraband listed in paragraphs (vi), (vii), or

(viii) of subsection (c)(2) in a penal institution is a Class X felony.

(k) It shall be an affirmative defense to subsection (b) hereof, that such possession was specifically authorized by rule, regulation, or directive of the governing authority of the penal institution or order issued pursuant thereto.

(l) It shall be an affirmative defense to subsection (a)(1) and subsection (b) hereof that the person bringing into or possessing contraband in a penal institution had been arrested, and that that person possessed such contraband at the time of his arrest, and that such contraband was brought into or possessed in the penal institution by that person as a direct and immediate result of his arrest.

(m) Items confiscated may be retained for use by the Department of Corrections or disposed of as deemed appropriate by the Chief Administrative Officer in accordance with Department rules or disposed of as required by law.

(Source: P.A. 94-556, eff. 9-11-05; 94-1017, eff. 7-7-06.)

(720 ILCS 5/31A-1.2) (from Ch. 38, par. 31A-1.2)

Sec. 31A-1.2. Unauthorized bringing of contraband into a penal institution by an employee; unauthorized possessing of contraband in a penal institution by an employee; unauthorized delivery of contraband in a penal institution by an employee.

(a) A person commits the offense of unauthorized bringing of contraband into a penal institution by an employee when a person who is an employee knowingly and without authority of any person designated or authorized to grant such authority:

- (1) brings or attempts to bring an item of contraband listed in subsection (d)(4) into a penal institution, or
- (2) causes or permits another to bring an item of contraband listed in subsection (d)(4) into a penal institution.

(b) A person commits the offense of unauthorized possession of contraband in a penal institution by an employee when a person who is an employee knowingly and without authority of any person designated or authorized to grant such authority possesses contraband listed in subsection (d)(4) in a penal institution, regardless of the intent with which he possesses it.

(c) A person commits the offense of unauthorized delivery of contraband in a penal institution by an employee when a person who is an employee knowingly and without authority of any person designated or authorized to grant such authority:

- (1) delivers or possesses with intent to deliver an item of contraband to any inmate of a penal institution, or
- (2) conspires to deliver or solicits the delivery of an item of contraband to any inmate of a penal institution, or
- (3) causes or permits the delivery of an item of contraband to any inmate of a penal institution, or
- (4) permits another person to attempt to deliver an item of contraband to any inmate of a penal institution.

(d) For purpose of this Section, the words and phrases listed below shall be defined as follows:

(1) "Penal Institution" shall have the meaning ascribed to it in subsection (c)(1) of Section 31A-1.1 of this Code;

(2) "Employee" means any elected or appointed officer, trustee or employee of a penal institution or of the governing authority of the penal institution, or any person who performs services for the penal institution pursuant to contract with the penal institution or its governing authority.

(3) "Deliver" or "delivery" means the actual, constructive or attempted transfer of possession of an item of contraband, with or without consideration, whether or not there is an agency relationship;

(4) "Item of contraband" means any of the following:

(i) "Alcoholic liquor" as such term is defined in Section 1-3.05 of the Liquor Control Act of 1934.

(ii) "Cannabis" as such term is defined in subsection (a) of Section 3 of the Cannabis Control Act.

(iii) "Controlled substance" as such term is defined in the Illinois Controlled Substances Act.

(iii-a) "Methamphetamine" as such term is defined in the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act.

(iv) "Hypodermic syringe" or hypodermic needle, or any instrument adapted for use of controlled substances or cannabis by subcutaneous injection.

(v) "Weapon" means any knife, dagger, dirk, billy, razor, stiletto, broken bottle,

or other piece of glass which could be used as a dangerous weapon. Such term includes any of the devices or implements designated in subsections (a)(1), (a)(3) and (a)(6) of Section 24-1 of this Act, or any other dangerous weapon or instrument of like character.

(vi) "Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas, including but not limited to:

(A) any pneumatic gun, spring gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter; or

(B) any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(C) any device used exclusively for the firing of stud cartridges, explosive rivets or industrial ammunition; or

(D) any device which is powered by electrical charging units, such as batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning, commonly referred to as a stun gun or taser.

(vii) "Firearm ammunition" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm, including but not limited to:

(A) any ammunition exclusively designed for use with a device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(B) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

(viii) "Explosive" means, but is not limited to, bomb, bombshell, grenade, bottle or other container containing an explosive substance of over one-quarter ounce for like purposes such as black powder bombs and Molotov cocktails or artillery projectiles.

(ix) "Tool to defeat security mechanisms" means, but is not limited to, handcuff or security restraint key, tool designed to pick locks, popper, or any device or instrument used to or capable of unlocking or preventing from locking any handcuff or security restraints, doors to cells, rooms, gates or other areas of the penal institution.

(x) "Cutting tool" means, but is not limited to, hacksaw blade, wirecutter, or device, instrument or file capable of cutting through metal.

(xi) "Electronic contraband" means, but is not limited to, any electronic, video recording device, computer, or cellular communications equipment, including, but not limited to, cellular telephones, cellular telephone batteries, videotape recorders, pagers, computers, and computer peripheral equipment.

For a violation of subsection (a) or (b) involving a cellular telephone or cellular telephone battery, the defendant must intend to provide the cellular telephone or cellular telephone battery to any inmate in a penal institution, or to use the cellular telephone or cellular telephone battery at the direction of an inmate or for the benefit of any inmate of a penal institution.

(e) A violation of paragraphs (a) or (b) of this Section involving alcohol is a Class 4 felony. A violation of paragraph (a) or (b) of this Section involving cannabis is a Class 2 felony. A violation of paragraph (a) or (b) involving any amount of a controlled substance classified in Schedules III, IV or V of Article II of the Illinois Controlled Substances Act is a Class 1 felony. A violation of paragraph (a) or (b) of this Section involving any amount of a controlled substance classified in Schedules I or II of Article II of the Illinois Controlled Substances Act is a Class X felony. A violation of paragraph (a) or (b) involving an item of contraband listed in paragraph (iv) of subsection (d)(4) is a Class X felony. A violation of paragraph (a) or (b) involving an item of contraband listed in paragraph (v) or (xi) of subsection (d)(4) is a Class 1 felony. A violation of paragraph (a) or (b) involving an item of contraband listed in paragraphs (vi), (vii) or (viii) of subsection (d)(4) is a Class X felony.

(f) A violation of paragraph (c) of this Section involving alcoholic liquor is a Class 3 felony. A violation of paragraph (c) involving cannabis is a Class 1 felony. A violation of paragraph (c) involving any amount of a controlled substance classified in Schedules III, IV or V of Article II of the Illinois Controlled Substances Act is a Class X felony. A violation of paragraph (c) involving any amount of a controlled substance classified in Schedules I or II of Article II of the Illinois Controlled Substances Act is a Class X felony for which the minimum term of imprisonment shall be 8 years. A violation of paragraph (c) involving an item of contraband listed in paragraph (iv) of subsection (d)(4) is a Class X felony for which the minimum term of imprisonment shall be 8 years. A violation of paragraph (c)

involving an item of contraband listed in paragraph (v), (ix) or (x) of subsection (d)(4) is a Class X felony for which the minimum term of imprisonment shall be 10 years. A violation of paragraph (c) involving an item of contraband listed in paragraphs (vi), (vii) or (viii) of subsection (d)(4) is a Class X felony for which the minimum term of imprisonment shall be 12 years.

(g) Items confiscated may be retained for use by the Department of Corrections or disposed of as deemed appropriate by the Chief Administrative Officer in accordance with Department rules or disposed of as required by law.

(h) For a violation of subsection (a) or (b) involving items described in clause (i), (v), (vi), (vii), (ix), (x), or (xi) of paragraph (4) of subsection (d), such items shall not be considered to be in a penal institution when they are secured in an employee's locked, private motor vehicle parked on the grounds of a penal institution.

(Source: P.A. 95-962, eff. 1-1-09; 96-328, eff. 8-11-09.)"

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

On motion of Senator Crotty, **Senate Bill No. 3505**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jones, E. III, **Senate Bill No. 3507** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3507

AMENDMENT NO. 1. Amend Senate Bill 3507 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Early Learning Council Act is amended by adding Section 20 as follows:
(20 ILCS 3933/20 new)

Sec. 20. Early childhood block grant appropriation recommendation. The Illinois Early Learning Council shall make recommendations for the early childhood block grant appropriation needed to make available high-quality early childhood and family education programs and services to all eligible children. The recommended early childhood block grant appropriation level must be determined based on research and reports on program components that are shown to contribute to positive child outcomes. The State Board of Education shall provide such data to the Council as is reasonably required for the proper performance by the Council of its responsibilities under this Section. The Council shall make its recommendation to the General Assembly on or before January 1 of each odd-numbered year, beginning on or before January 1, 2011.

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

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

On motion of Senator Haine, **Senate Bill No. 3508**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 3509**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **Senate Bill No. 3515**, having been printed, was taken up, read by title a second time.

Senate Committee Amendment No. 1 was tabled in committee by the sponsor.

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

On motion of Senator Viverito, **Senate Bill No. 3529**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **Senate Bill No. 3531**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **Senate Bill No. 3546**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **Senate Bill No. 3552**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **Senate Bill No. 3570**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 3574** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3574

AMENDMENT NO. 1. Amend Senate Bill 3574, on page 2, line 4, by deleting "a"; and on page 2, lines 4 and 6, by replacing "\$45,000,000" each time it appears with "\$40,000,000".

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

SENATE BILL RECALLED

On motion of Senator Demuzio, **Senate Bill No. 384** 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 384

AMENDMENT NO. 1. Amend Senate Bill 384 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois is amended by changing Section 805-305 as follows:

(20 ILCS 805/805-305) (was 20 ILCS 805/63a23)

Sec. 805-305. Campsites and housing facilities. The Department has the power to provide facilities for overnight tent and trailer camp sites and to provide suitable housing facilities for student and juvenile overnight camping groups. The Department of Natural Resources may regulate, by administrative order, the fees to be charged for tent and trailer camping units at individual park areas based upon the facilities available. However, for campsites with access to showers or electricity, any Illinois resident who is age 62 or older or has a Class 2 disability as defined in Section 4A of the Illinois Identification Card Act shall be charged only one-half of the camping fee charged to the general public during the period Monday through Thursday of any week and shall be charged the same camping fee as the general public on all other days. For campsites without access to showers or electricity, no camping fee authorized by this Section shall be charged to any resident of Illinois who has a Class 2 disability as defined in Section 4A of the Illinois Identification Card Act. For campsites without access to showers or electricity, no camping fee authorized by this Section shall be charged to any resident of Illinois who is age 62 or older for the use of a camp site unit during the period Monday through Thursday of any week. No camping fee authorized by this Section shall be charged to any resident of Illinois who is a disabled veteran or a former prisoner of war, as defined in Section 5 of the Department of Veterans Affairs Act. No camping fee authorized by this Section shall be charged to any resident of Illinois after returning from service abroad or mobilization by the President of the United States as an active duty member of the United States Armed Forces, the Illinois National Guard, or the Reserves of the United States Armed Forces for the amount of time that the active duty member spent in service abroad or mobilized if the person (i) applies for a pass at the Department office in Springfield within 2 years after ~~of~~ returning and provides

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acceptable verification of service or mobilization to the Department or (ii) applies for a pass at a Regional Office of the Department within 2 years after returning and provides acceptable verification of service or mobilization to the Department; any portion of a year that the active duty member spent in service abroad or mobilized shall count as a full year. Nonresidents shall be charged the same fees as are authorized for the general public regardless of age. The Department shall provide by regulation for suitable proof of age, or either a valid driver's license or a "Golden Age Passport" issued by the federal government shall be acceptable as proof of age. The Department shall further provide by regulation that notice of these reduced admission fees be posted in a conspicuous place and manner.

Reduced fees authorized in this Section shall not apply to any charge for utility service.

For the purposes of this Section, "acceptable verification of service or mobilization" means official documentation from the Department of Defense or the appropriate Major Command showing mobilization dates or service abroad dates, including: (i) a DD-214, (ii) a letter from the Illinois Department of Military Affairs for members of the Illinois National Guard, (iii) a letter from the Regional Reserve Command for members of the Armed Forces Reserve, (iv) a letter from the Major Command covering Illinois for active duty members, (v) personnel records for mobilized State employees, and (vi) any other documentation that the Department, by administrative rule, deems acceptable to establish dates of mobilization or service abroad.

For the purposes of this Section, the term "service abroad" means active duty service outside of the 50 United States and the District of Columbia, and includes all active duty service in territories and possessions of the United States.

(Source: P.A. 94-313, eff. 7-25-05.)

Section 10. The Fish and Aquatic Life Code is amended by changing Section 20-47 as follows:

(515 ILCS 5/20-47)

Sec. 20-47. Military members returning from mobilization and service outside the United States.

(a) After returning from service abroad or mobilization by the President of the United States as an active duty member of the United States Armed Forces, the Illinois National Guard, or the Reserves of the United States Armed Forces, an Illinois resident may fish as permitted by this Code without paying any fees required to obtain a fishing license for the time period prescribed by subsection (b) of this Section if the Illinois resident applies for a license within 2 years ~~after~~ ~~of~~ returning from service abroad or mobilization. The applicant shall provide acceptable verification of service or mobilization to the Department either at the Department's office in Springfield or at a Regional Office of the Department.

(b) For each year that an applicant is an active duty member pursuant to subsection (a) of this Section, the applicant shall receive one free fishing license. For the purposes of this determination, if the period of active duty is a portion of a year (for example, one year and 3 months), the applicant will be credited with a full year for the portion of a year served.

(c) ~~(Blank). The Department shall establish what constitutes suitable verification of service or mobilization under subsection (a) of this Section.~~

(d) For the purposes of this Section, "acceptable verification of service or mobilization" means official documentation from the Department of Defense or the appropriate Major Command showing mobilization dates or service abroad dates, including: (i) a DD-214, (ii) a letter from the Illinois Department of Military Affairs for members of the Illinois National Guard, (iii) a letter from the Regional Reserve Command for members of the Armed Forces Reserve, (iv) a letter from the Major Command covering Illinois for active duty members, (v) personnel records for mobilized State employees, and (vi) any other documentation that the Department, by administrative rule, deems acceptable to establish dates of mobilization or service abroad.

(e) For the purposes of this Section, the term "service abroad" means active duty service outside of the 50 United States and the District of Columbia, and includes all active duty service in territories and possessions of the United States.

(Source: P.A. 94-313, eff. 7-25-05.)

Section 15. The Wildlife Code is amended by changing Section 3.1-4 as follows:

(520 ILCS 5/3.1-4)

Sec. 3.1-4. Military members returning from mobilization and service outside the United States.

(a) After returning from service abroad or mobilization by the President of the United States as an active duty member of the United States Armed Forces, the Illinois National Guard, or the Reserves of the United States Armed Forces, an Illinois resident may hunt any of the species protected by Section 2.2 of this Code without paying any fees required to obtain a hunting license for the time period prescribed by subsection (b) of this Section if the Illinois resident applies for a license within 2 years ~~after~~ ~~of~~

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returning from service abroad or mobilization. The applicant shall provide acceptable verification of service or mobilization to the Department either at the Department's office in Springfield or at a Regional Office of the Department.

(b) For each year that an applicant is an active duty member pursuant to subsection (a) of this Section, the applicant shall receive one free hunting license, one free Deer Hunting Permit as provided in Section 2.26 of this Code and rules adopted pursuant to that Section, and one free State Habitat Stamp. For the purposes of this determination, if the period of active duty is a portion of a year (for example, one year and 3 months), the applicant will be credited with a full year for the portion of a year served.

~~(c) (Blank). The Department shall establish what constitutes suitable verification of service or mobilization under subsection (a) of this Section.~~

(d) For the purposes of this Section, "acceptable verification of service or mobilization" means official documentation from the Department of Defense or the appropriate Major Command showing mobilization dates or service abroad dates, including: (i) a DD-214, (ii) a letter from the Illinois Department of Military Affairs for members of the Illinois National Guard, (iii) a letter from the Regional Reserve Command for members of the Armed Forces Reserve, (iv) a letter from the Major Command covering Illinois for active duty members, (v) personnel records for mobilized State employees, and (vi) any other documentation that the Department, by administrative rule, deems acceptable to establish dates of mobilization or service abroad.

(e) For the purposes of this Section, the term "service abroad" means active duty service outside of the 50 United States and the District of Columbia, and includes all active duty service in territories and possessions of the United States.

(Source: P.A. 94-313, eff. 7-25-05.)

Section 99. Effective date. This Act takes effect January 1, 2011".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Garrett, **Senate Bill No. 2350**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

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

On motion of Senator Bomke, **Senate Bill No. 2488**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Haine, **Senate Bill No. 2504**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Wilhelmi, **Senate Bill No. 2507**, 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; Present 1.

The following voted in the affirmative:

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

The following voted present:

Harmon

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

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

On motion of Senator Haine, **Senate Bill No. 2520**, 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 45; NAYS 6.

The following voted in the affirmative:

Althoff	Forby	Lightford	Schoenberg
Bomke	Frerichs	Link	Silverstein
Bond	Garrett	Maloney	Steans
Brady	Haine	Martinez	Sullivan
Clayborne	Harmon	Meeks	Syverson
Collins	Holmes	Millner	Trotter
Cronin	Hunter	Muñoz	Viverito
Crotty	Hutchinson	Noland	Wilhelmi
Dahl	Jacobs	Pankau	Mr. President
Delgado	Jones, E.	Radogno	

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Demuzio	Koehler	Risinger
Dillard	Kotowski	Rutherford

The following voted in the negative:

Bivins	Duffy	Lauzen
Burzynski	Hultgren	Murphy

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

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

On motion of Senator Clayborne, **Senate Bill No. 2523**, 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 31; NAYS 20.

The following voted in the affirmative:

Clayborne	Haine	Link	Silverstein
Collins	Harmon	Maloney	Steans
Crotty	Hunter	Martinez	Sullivan
Delgado	Jacobs	Meeks	Trotter
Demuzio	Jones, E.	Muñoz	Viverito
Forby	Koehler	Noland	Wilhelmi
Frerichs	Kotowski	Sandoval	Mr. President
Garrett	Lightford	Schoenberg	

The following voted in the negative:

Althoff	Duffy	Millner	Rutherford
Bivins	Hultgren	Murphy	Syverson
Bomke	Jones, J.	Pankau	
Brady	Lauzen	Radogno	
Burzynski	Luechtefeld	Righter	
Dahl	McCarter	Risinger	

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

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

On motion of Senator Clayborne, **Senate Bill No. 2533**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Rutherford
Bivins	Frerichs	Link	Sandoval
Bomke	Garrett	Luechtefeld	Schoenberg

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Bond	Haine	Maloney	Silverstein
Brady	Harmon	Martinez	Steans
Burzynski	Holmes	McCarter	Sullivan
Clayborne	Hultgren	Meeks	Syverson
Collins	Hunter	Millner	Trotter
Cronin	Hutchinson	Muñoz	Viverito
Crotty	Jacobs	Murphy	Wilhelmi
Dahl	Jones, E.	Noland	Mr. President
Delgado	Jones, J.	Pankau	
Demuzio	Koehler	Radogno	
Dillard	Kotowski	Righter	
Duffy	Lauzen	Risinger	

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

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

On motion of Senator Maloney, **Senate Bill No. 2537**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Maloney, **Senate Bill No. 2538**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Wilhelmi, **Senate Bill No. 2540**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Haine, **Senate Bill No. 2544**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

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The following voted in the affirmative:

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

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

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

On motion of Senator Demuzio, **Senate Bill No. 2548**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Garrett, **Senate Bill No. 2549**, 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:

[March 9, 2010]

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Martinez, **Senate Bill No. 2553**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Sullivan, **Senate Bill No. 2566**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Righter, **Senate Bill No. 2570**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

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On motion of Senator Frerichs, **Senate Bill No. 2573**, 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 35; NAYS 19.

The following voted in the affirmative:

Bond	Haine	Lightford	Schoenberg
Clayborne	Harmon	Link	Silverstein
Collins	Holmes	Maloney	Steans
Crotty	Hunter	Martinez	Sullivan
Delgado	Hutchinson	McCarter	Trotter
Demuzio	Jacobs	Meeks	Viverito
Forby	Jones, E.	Muñoz	Wilhelmi
Frerichs	Koehler	Noland	Mr. President
Garrett	Kotowski	Sandoval	

The following voted in the negative:

Bivins	Dahl	Lauzen	Radogno
Bomke	Dillard	Luechtefeld	Righter
Brady	Duffy	Millner	Rutherford
Burzynski	Hultgren	Murphy	Syverson
Cronin	Jones, J.	Pankau	

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

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

On motion of Senator Koehler, **Senate Bill No. 2579**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Collins, **Senate Bill No. 2581**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Delgado, **Senate Bill No. 2583**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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Dillard	Kotowski	Righter
Duffy	Lauzen	Risinger

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

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

On motion of Senator Luechtefeld, **Senate Bill No. 2589**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Millner, **Senate Bill No. 2590**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Rutherford
Bivins	Frerichs	Link	Sandoval
Bomke	Garrett	Luechtefeld	Schoenberg
Bond	Haine	Maloney	Silverstein
Brady	Harmon	Martinez	Steans
Burzynski	Holmes	McCarter	Sullivan
Clayborne	Hultgren	Meeks	Syverson
Collins	Hunter	Millner	Trotter
Cronin	Hutchinson	Muñoz	Viverito
Crotty	Jacobs	Murphy	Wilhelmi

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Dahl	Jones, E.	Noland	Mr. President
Delgado	Jones, J.	Pankau	
Demuzio	Koehler	Radogno	
Dillard	Kotowski	Righter	
Duffy	Lauzen	Risinger	

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

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

On motion of Senator Lightford, **Senate Bill No. 2594**, 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 2.

The following voted in the affirmative:

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

The following voted in the negative:

Burzynski
Lauzen

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

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

On motion of Senator Steans, **Senate Bill No. 2602**, 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 37; NAYS 18.

The following voted in the affirmative:

Bomke	Haine	Link	Silverstein
Bond	Harmon	Maloney	Steans
Clayborne	Holmes	Martinez	Sullivan

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Collins	Hunter	Meeks	Trotter
Crotty	Hutchinson	Muñoz	Viverito
Delgado	Jacobs	Noland	Wilhelmi
Demuzio	Jones, E.	Risinger	Mr. President
Forby	Koehler	Rutherford	
Frerichs	Kotowski	Sandoval	
Garrett	Lightford	Schoenberg	

The following voted in the negative:

Althoff	Dahl	Luechtefeld	Radogno
Bivins	Duffy	McCarter	Righter
Brady	Hultgren	Millner	Syverson
Burzynski	Jones, J.	Murphy	
Cronin	Lauzen	Pankau	

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.

At the hour of 6:00 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, March 10, 2010, at 10:00 o'clock a.m.