



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SIXTH GENERAL ASSEMBLY**

**96TH LEGISLATIVE DAY**

**FRIDAY, MARCH 12, 2010**

**9:07 O'CLOCK A.M.**

**SENATE**  
**Daily Journal Index**  
**96th Legislative Day**

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The Senate met pursuant to adjournment.  
 Honorable John J. Cullerton, President of the Senate, presiding.  
 Prayer by Pastor Andrew Fitzgibbon, West Side Christian Church, 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 11, 2010, be postponed, pending arrival of the printed Journal.

The motion prevailed.

### LEGISLATIVE MEASURES FILED

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 3513

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 2970  
 Senate Floor Amendment No. 2 to Senate Bill 3084  
 Senate Floor Amendment No. 1 to Senate Bill 3592  
 Senate Floor Amendment No. 1 to Senate Bill 3776

### MESSAGES FROM THE HOUSE

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

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

HOUSE BILL NO. 4583  
 A bill for AN ACT concerning criminal law.  
 HOUSE BILL NO. 4968  
 A bill for AN ACT concerning local government.  
 HOUSE BILL NO. 4960  
 A bill for AN ACT concerning public employee benefits.  
 HOUSE BILL NO. 4987  
 A bill for AN ACT concerning transportation.  
 HOUSE BILL NO. 5055  
 A bill for AN ACT concerning civil law.  
 HOUSE BILL NO. 5079  
 A bill for AN ACT concerning insurance.  
 HOUSE BILL NO. 5095  
 A bill for AN ACT concerning human rights.  
 HOUSE BILL NO. 5133  
 A bill for AN ACT concerning civil law.  
 Passed the House, March 11, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 4583, 4960, 4968, 4987, 5055, 5079, 5095 and 5133** were taken up, ordered printed and placed on first reading.

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

[March 12, 2010]

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. 5139  
A bill for AN ACT concerning safety.  
HOUSE BILL NO. 5144  
A bill for AN ACT concerning revenue.  
HOUSE BILL NO. 5154  
A bill for AN ACT concerning employment.  
HOUSE BILL NO. 5157  
A bill for AN ACT concerning elections.  
HOUSE BILL NO. 5178  
A bill for AN ACT concerning revenue.  
Passed the House, March 11, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 5139, 5144, 5154, 5157 and 5178** were taken up, ordered printed and placed on first reading.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

#### **HOUSE JOINT RESOLUTION NO. 107**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Joint Task Force on Turkish and Illinois Relations is created; and be it further

RESOLVED, That the Task Force shall consist of the following members:

- (1) one co-chair appointed by the Speaker of the House of Representatives;
- (2) one co-chair appointed by the President of the Senate; and
- (3) any other member of the General Assembly who wishes to participate, to be appointed by the presiding officer of that member's chamber; and be it further

RESOLVED, That the Task Force is charged with strengthening and continuing the State's friendship, business, and cultural ties with the Republic of Turkey.

Adopted by the House, March 11, 2010.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 107 was referred to the Committee on Assignments.

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

**House Bill No. 4580**, sponsored by Senator Holmes, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 4583**, sponsored by Senator Silverstein, was taken up, read by title a first time and referred to the Committee on Assignments.

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

**House Bill No. 4968**, sponsored by Senator Noland, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5055**, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5079**, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5095**, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5154**, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5302**, sponsored by Senator Demuzio, 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 Wilhelmi, **Senate Bill No. 2542**, 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. 2547** having been printed, was taken up, read by title a second time.

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

#### AMENDMENT NO. 1 TO SENATE BILL 2547

AMENDMENT NO. 1. Amend Senate Bill 2547 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 16-101 as follows:  
(40 ILCS 5/16-101) (from Ch. 108 1/2, par. 16-101)

Sec. 16-101. Creation of system. Effective July 1, 1939, there is created ~~the the~~ "Teachers' Retirement System of the State of Illinois" for the purpose of providing retirement annuities and other benefits for teachers, annuitants and beneficiaries. All of its business shall be transacted, its funds invested, and its assets held in such name.  
(Source: P.A. 83-1440)."

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 Bivins, **Senate Bill No. 2578** having been printed, was taken up, read by title a second time.

Senator Bivins offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO SENATE BILL 2578

AMENDMENT NO. 1. Amend Senate Bill 2578 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by changing Section 24-2 as follows:  
(720 ILCS 5/24-2)

Sec. 24-2. Exemptions.

(a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and 24-1(a)(13) and Section 24-1.6 do not apply to

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or affect any of the following:

(1) Peace officers, and any person summoned by a peace officer to assist in making arrests or preserving the peace, while actually engaged in assisting such officer.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and places of employment.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.

(4) Special agents employed by a railroad or a public utility to perform police functions, and guards of armored car companies, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; and watchmen while actually engaged in the performance of the duties of their employment.

(5) Persons licensed as private security contractors, private detectives, or private alarm contractors, or employed by an agency certified by the Department of Professional Regulation, if their duties include the carrying of a weapon under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided that such commuting is accomplished within one hour from departure from home or place of employment, as the case may be. Persons exempted under this subdivision (a)(5) shall be required to have completed a course of study in firearms handling and training approved and supervised by the Department of Professional Regulation as prescribed by Section 28 of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004, prior to becoming eligible for this exemption. The Department of Professional Regulation shall provide suitable documentation demonstrating the successful completion of the prescribed firearms training. Such documentation shall be carried at all times when such persons are in possession of a concealable weapon.

(6) Any person regularly employed in a commercial or industrial operation as a security guard for the protection of persons employed and private property related to such commercial or industrial operation, while actually engaged in the performance of his or her duty or traveling between sites or properties belonging to the employer, and who, as a security guard, is a member of a security force of at least 5 persons registered with the Department of Professional Regulation; provided that such security guard has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training that includes the theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Professional Regulation. Conditions for the renewal of firearm control cards issued under the provisions of this Section shall be the same as for those cards issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the security guard at all times when he or she is in possession of a concealable weapon.

(7) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the Commission to carry the weapons specified in subsections 24-1(a)(3) and 24-1(a)(4), while on duty in the course of any investigation for the Commission.

(8) Persons employed by a financial institution for the protection of other employees and property related to such financial institution, while actually engaged in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by such financial institution, provided that any person so employed has successfully completed a course of study, approved by and supervised by the Department of Professional Regulation, consisting of not less than 40 hours of training which includes theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered to be eligible for this exemption if he or she has completed the required 20 hours of training for a security officer and 20 hours of required firearm training, and has been issued a firearm control card by the Department of Professional Regulation. Conditions for renewal of firearm control cards issued under the provisions of this Section shall be the same as for those issued under the provisions of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Such firearm control card shall be carried by the person so trained at all times when such person is in possession of a concealable weapon. For purposes of this subsection, "financial institution" means a



bank, savings and loan association, credit union or company providing armored car services.

(9) Any person employed by an armored car company to drive an armored car, while actually engaged in the performance of his duties.

(10) Persons who have been classified as peace officers pursuant to the Peace Officer Fire Investigation Act.

(11) Investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to Section 7.06 of the State's Attorneys Appellate Prosecutor's Act.

(12) Special investigators appointed by a State's Attorney under Section 3-9005 of the Counties Code.

(12.5) Probation officers while in the performance of their duties, or while commuting between their homes, places of employment or specific locations that are part of their assigned duties, with the consent of the chief judge of the circuit for which they are employed.

(13) Court Security Officers while in the performance of their official duties, or while commuting between their homes and places of employment, with the consent of the Sheriff.

(13.5) A person employed as an armed security guard at a nuclear energy, storage, weapons or development site or facility regulated by the Nuclear Regulatory Commission who has completed the background screening and training mandated by the rules and regulations of the Nuclear Regulatory Commission.

(14) Manufacture, transportation, or sale of weapons to persons authorized under subdivisions (1) through (13.5) of this subsection to possess those weapons.

(b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, and patrons of such ranges, while such members or patrons are using their firearms on those target ranges.

(2) Duly authorized military or civil organizations while parading, with the special permission of the Governor.

(3) Hunters, trappers or fishermen with a license or permit while engaged in hunting, trapping or fishing.

(4) Transportation of weapons that are broken down in a non-functioning state or are not immediately accessible.

(5) Carrying or possessing any pistol, revolver, stun gun or taser or other firearm on the land or in the legal dwelling of another person as an invitee with that person's permission.

(c) Subsection 24-1(a)(7) does not apply to or affect any of the following:

(1) Peace officers while in performance of their official duties.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(4) Manufacture, transportation, or sale of machine guns to persons authorized under subdivisions (1) through (3) of this subsection to possess machine guns, if the machine guns are broken down in a non-functioning state or are not immediately accessible.

(5) Persons licensed under federal law to manufacture any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, or ammunition for such weapons, and actually engaged in the business of manufacturing such weapons or ammunition, but only with respect to activities which are within the lawful scope of such business, such as the manufacture, transportation, or testing of such weapons or ammunition. This exemption does not authorize the general private possession of any weapon from which 8 or more shots or bullets can be discharged by a single function of the firing device, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this paragraph.

During transportation, such weapons shall be broken down in a non-functioning state or not immediately accessible.

(6) The manufacture, transport, testing, delivery, transfer or sale, and all lawful commercial or experimental activities necessary thereto, of rifles, shotguns, and weapons made from rifles or shotguns, or ammunition for such rifles, shotguns or weapons, where engaged in by a person operating as a contractor or subcontractor pursuant to a contract or subcontract for the development and supply of such rifles, shotguns, weapons or ammunition to the United States government or any branch of the Armed Forces of the United States, when such activities are necessary and incident to

fulfilling the terms of such contract.

The exemption granted under this subdivision (c)(6) shall also apply to any authorized agent of any such contractor or subcontractor who is operating within the scope of his employment, where such activities involving such weapon, weapons or ammunition are necessary and incident to fulfilling the terms of such contract.

During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

(7) An active member of a bona fide, nationally recognized military re-enacting group possessing a vintage rifle or modern reproduction thereof with a barrel or barrels less than 16 inches in length for the purpose of using the rifle during historical re-enactments if: the modification is required and necessary to accurately portray the weapon for historical re-enactment purposes; the re-enactor is in possession of a valid and current re-enacting group membership credential; and the overall length of the weapon as modified is not less than 26 inches.

During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

(d) Subsection 24-1(a)(1) does not apply to the purchase, possession or carrying of a black-jack or slung-shot by a peace officer.

(e) Subsection 24-1(a)(8) does not apply to any owner, manager or authorized employee of any place specified in that subsection nor to any law enforcement officer.

(f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and Section 24-1.6 do not apply to members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

(g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply to:

(1) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(2) Bonafide collectors of antique or surplus military ordinance.

(3) Laboratories having a department of forensic ballistics, or specializing in the development of ammunition or explosive ordinance.

(4) Commerce, preparation, assembly or possession of explosive bullets by manufacturers of ammunition licensed by the federal government, in connection with the supply of those organizations and persons exempted by subdivision (g)(1) of this Section, or like organizations and persons outside this State, or the transportation of explosive bullets to any organization or person exempted in this Section by a common carrier or by a vehicle owned or leased by an exempted manufacturer.

(g-5) Subsection 24-1(a)(6) does not apply to or affect persons licensed under federal law to manufacture any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, firearms, or ammunition for those firearms equipped with those devices, and actually engaged in the business of manufacturing those devices, firearms, or ammunition, but only with respect to activities that are within the lawful scope of that business, such as the manufacture, transportation, or testing of those devices, firearms, or ammunition. This exemption does not authorize the general private possession of any device or attachment of any kind designed, used, or intended for use in silencing the report of any firearm, but only such possession and activities as are within the lawful scope of a licensed manufacturing business described in this subsection (g-5). During transportation, those devices shall be detached from any weapon or not immediately accessible.

(g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section 24-1.6 do not apply to or affect any parole agent or parole supervisor who meets the qualifications and conditions prescribed in Section 3-14-1.5 of the Unified Code of Corrections.

(g-10) Subsections 24-1(a)(4), 24-1(a)(8), and 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an athlete's possession, transport on official Olympic and Paralympic transit systems established for athletes, or use of competition firearms sanctioned by the International Olympic Committee, the International Paralympic Committee, the International Shooting Sport Federation, or USA Shooting in connection with such athlete's training for and participation in shooting competitions at the 2016 Olympic and Paralympic Games and sanctioned test events leading up to the 2016 Olympic and Paralympic Games.

(h) An information or indictment based upon a violation of any subsection of this Article need not negative any exemptions contained in this Article. The defendant shall have the burden of proving such an exemption.

(i) Nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession, of any pistol or revolver, stun gun, taser, or other firearm consigned to a common carrier operating under

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license of the State of Illinois or the federal government, where such transportation, carrying, or possession is incident to the lawful transportation in which such common carrier is engaged; and nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol, revolver, stun gun, taser, or other firearm, not the subject of and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of this Article, which is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container, by the possessor of a valid Firearm Owners Identification Card. (Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07; 95-885, eff. 1-1-09; 96-7, eff. 4-3-09; 96-230, eff. 1-1-10; 96-742, eff. 8-25-09; revised 10-9-09.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Holmes, **Senate Bill No. 2580** having been printed, was taken up, read by title a second time.

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

#### **AMENDMENT NO. 1 TO SENATE BILL 2580**

AMENDMENT NO. 1. Amend Senate Bill 2580 by replacing everything after the enacting clause with the following:

"Section 5. The Humane Care for Animals Act is amended by adding Section 3.035 as follows:  
(510 ILCS 70/3.035 new)

##### Sec. 3.035. Tethering.

(a) As used in this Section, "tether" means to restrain a dog by tying it to any object or structure, including without limitation a house, tree, fence, post, garage, shed, or clothes line on the person's residence or business, by any means, including without limitation a chain, rope, cord, leash, or running line.

(b) A dog may be tethered outdoors only if all of the following requirements are met:

(1) The dog must not suffer from a condition that is known by the owner and that is exacerbated by being tethered.

(2) If multiple dogs are tethered on the same property, each dog must be tethered separately. If multiple dogs are tethered, sufficient space must be placed between the leads to ensure that the leads do not tangle.

(3) The lead must not be made of a tow chain or log chain.

(4) The lead must measure 10 feet or longer in length. For the purposes of calculating length under this Section, the enforcing agency shall, after determining the total length of the lead, round remaining fractional portions of a foot greater than or equal to half of a foot up to the next whole foot.

(5) The lead must be attached to the dog by a properly fitting harness or collar. The lead must not wrap directly around the dog's neck. Pinch, prong, or choke-type collars shall not be used to tether a dog.

(6) The length and location of the lead must prevent the dog from moving outside of its owner's property.

(c) Even if all of the requirements of subsection (b) are met, it shall be unlawful to tether a dog outdoors between the hours of 10 pm and 6 am, except that a dog of any age may be temporarily tethered, tied, or chained outdoors for a time period not exceeding 15 minutes or a dog may be tethered if it has access to adequate shelter and protection from the weather.

(d) Nothing in this Section shall be construed to prohibit the following:

(1) a person from walking a dog with a hand-held leash;

(2) conduct that is directly related to the cultivating of agricultural products, including shepherding or herding cattle or livestock, if the restraint is reasonably necessary for the safety of the dog; or

(3) tethering of a dog while at an organized and lawful animal function such as hunting, obedience training, field and water training, performance and conformation events, or law enforcement training, or while in the pursuit of working or competing in those endeavors.

(e) A person convicted of violating this Section is guilty of a Class B misdemeanor. A second or subsequent violation is a Class 4 felony with every day that a violation continues constituting a separate

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offense. If the convicted person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation."

Senator Holmes offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO SENATE BILL 2580**

AMENDMENT NO. 2. Amend Senate Bill 2580, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 3, line 20, immediately after "evaluation," by inserting the following:

"(f) Nothing in this Section shall be construed to supersede the duties of an owner as enumerated in Section 3."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Frerichs, **Senate Bill No. 2635** having been printed, was taken up, read by title a second time.

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

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

**AMENDMENT NO. 2 TO SENATE BILL 2635**

AMENDMENT NO. 2. Amend Senate Bill 2635 on page 2, by replacing lines 23 through 26 with the following:

"rendered. Nothing in this subparagraph (L) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this subparagraph (L) shall be construed to require an employment arrangement to receive professional fees for services rendered;"; and

on page 3, by deleting lines 1 through 7; and

on page 7, by replacing lines 18 through 26 with the following:

"rendered. Nothing in this paragraph (12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered;"; and

on page 8, by deleting lines 1 through 2; and

on page 14, by replacing lines 16 through 26 with the following:

"Nothing in this paragraph (I) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (I) shall be construed to require an employment arrangement to receive professional fees for services rendered;"; and

on page 19, by replacing lines 22 through 26 with the following:

"Nothing in this item 5 affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation,

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health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this item 5 shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 20, by deleting lines 1 through 5; and

on page 26, by replacing lines 9 through 19 with the following:

"rendered. Nothing in this paragraph (1) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (1) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 31, by replacing lines 11 through 20 with the following:

"affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (m) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 37, by replacing lines 11 through 21 with the following:

"rendered. Nothing in this paragraph (12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 44, by replacing lines 6 through 15 with the following:

"(12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 56, by replacing lines 4 through 14 with the following:

"Nothing in this paragraph (28) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (28) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 62, by replacing lines 12 through 22 with the following:

"rendered. Nothing in this paragraph (11) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (11) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 68, by replacing lines 25 through 26 with the following:

"Nothing in this paragraph (12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for

compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 69, by deleting lines 1 through 9; and

on page 74, by replacing lines 5 through 15 with the following:

"rendered. Nothing in this item 9 affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this item 9 shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 83, by replacing lines 16 through 26 with the following:

"Nothing in this paragraph (L) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (L) shall be construed to require an employment arrangement to receive professional fees for services rendered;"; and

on page 88, by replacing lines 17 through 23 with the following:

"rendered. Nothing in this paragraph (11) affects any bona fide independent contractor or employment arrangements, which may include provisions for compensation, health insurance, pension, or other employment benefits, with persons or entities authorized under this Act for the provision of services within the scope of the licensee's practice under this Act."; and

on page 95, by replacing line 26 with the following:

"or corporation. Nothing in this paragraph (12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 96, by deleting lines 1 through 10; and

on page 104, by replacing line 26 with the following:

"Nothing in this paragraph (12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 105, by deleting lines 1 through 10; and

on page 109, by replacing lines 15 through 25 with the following:

"Nothing in this paragraph (12) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (12) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 114, by replacing lines 20 through 25 with the following:

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"representative. Nothing in this paragraph (d) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (d) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 115, by deleting lines 1 through 5; and

on page 123, by replacing lines 5 through 15 with the following:

"Nothing in this paragraph (9) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (9) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 130, by replacing lines 9 through 19 with the following:

"Nothing in this paragraph (9) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (9) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 135, by replacing lines 1 through 11 with the following:

"Nothing in this paragraph (14) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (14) shall be construed to require an employment arrangement to receive professional fees for services rendered."; and

on page 139, by replacing lines 17 through 25 with the following:

"rendered. Nothing in this paragraph (10) affects any bona fide independent contractor or employment arrangements among health care professionals, health facilities, health care providers, or other entities, except as otherwise prohibited by law. Any employment arrangements with health care providers may include provisions for compensation, health insurance, pension, or other employment benefits for the provision of services within the scope of the licensee's practice under this Act. Nothing in this paragraph (10) shall be construed to require an employment arrangement to receive professional fees for services rendered.";

Senator Frerichs offered the following amendment and moved its adoption:

#### **AMENDMENT NO. 3 TO SENATE BILL 2635**

AMENDMENT NO. 3. Amend Senate Bill 2635 on page 29, immediately below line 19, by inserting the following:

"Section 27. The Health Care Worker Self-Referral Act is amended by adding Section 50 as follows:  
(225 ILCS 47/50 new)

##### Sec. 50. Statutorily required referrals.

(a) With respect to statutorily required referrals for physical therapy services, occupational therapy services, athletic trainer services, or genetic counselor services, a patient shall be informed that he or she may request a referral for these services outside or independent of the authorized referring health care worker's group practice, facility, or health professional's or provider's office (hereinafter "practice"). This notice to the patient may take the following or a similar form:

For your information, the health care professionals in this practice (or legal entity) are financially integrated. If you are referred to a health care professional in this practice for physical therapy services,

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occupational therapy services, athletic trainer services, or genetic counselor services, please note that you may request and receive a referral for these services outside or independent of this practice.

(b) For the purposes of this Section, "referral" means the authority required by Illinois law for a physical therapist, occupational therapist, athletic trainer, or genetic counselor to provide services to a patient."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Bond, **Senate Bill No. 2798**, 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. 2817**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2825**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2826**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2827**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2828**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2829**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2830**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2831**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2832**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2833**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2834**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2835**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2836**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2837**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2838**, 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 Radogno, **Senate Bill No. 2839**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2840**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2841**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2842**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2843**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2844**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2845**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2846**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2847**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2848**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, **Senate Bill No. 2849**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **Senate Bill No. 3169** 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 3169**

AMENDMENT NO. 1. Amend Senate Bill 3169 on page 6, line 17, immediately after "issued the", by inserting "license or".

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 Schoenberg, **Senate Bill No. 3206** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3206**

AMENDMENT NO. 1. Amend Senate Bill 3206 on page 2, line 17, by replacing "2010" with "2009"; and

on page 3, line 25, by replacing "2010" with "2009".

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

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On motion of Senator Schoenberg, **Senate Bill No. 3211**, 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. 3214** having been printed, was taken up, read by title a second time.

Senator Wilhelmi offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO SENATE BILL 3214**

AMENDMENT NO. 1. Amend Senate Bill 3214 by replacing everything after the enacting clause with the following:

"Section 5. The Joliet Arsenal Development Authority Act is amended by changing Sections 15 and 55 as follows:

(70 ILCS 508/15)

Sec. 15. Creation of Authority; Board members; officers.

(a) The Joliet Arsenal Development Authority is created as a political subdivision, body politic, and municipal corporation.

(b) The territorial jurisdiction of the Authority shall extend over all of the territory, consisting of 3,000 acres, more or less, that is commonly known and described as the Joliet ammunition plant and arsenal. The legal description of the territory is (1) approximately 1,900 acres located at the Arsenal, the approximate legal description of which includes part of section 30, Jackson Township, T34N R10E, and sections or part of sections 24, 25, 26, 35, and 36, Channahon Township, T34N R9E, Will County, Illinois, as depicted in the Arsenal Land Use Concept; and (2) approximately 1,100 acres, the approximate legal description of which includes part of sections 16, 17, and 18, Florence Township, T33N R10E, Will County, Illinois, as depicted in the Arsenal Land Use Concept.

(c) The governing and administrative powers of the Authority shall be vested in its Board of Directors consisting of ~~10~~ 9 members, 4 of whom shall be appointed by the Governor from Will County, by and with the advice and consent of the Senate, and ~~6~~ 5 of whom shall be appointed by the ~~county board of Will County Executive with the advice and consent of the Will County Board~~. All members appointed to the Board shall be residents of Will County, but of the ~~6~~ 5 members who are appointed by the ~~county board of Will County Executive, with the advice and consent of the Will County Board~~, one shall be a resident of the City of Joliet, one a resident of the City of Wilmington, one a resident of the Village of Elwood, one a resident of the Village of Manhattan, ~~and one a resident of the Village of Symerton~~ and one an at-large resident of Will County. Each city council or village board shall recommend 3 individuals who are residents of the city or village to the Will County ~~Executive board~~ Executive Board to be members of the Board of Directors. The Will County ~~Executive Board~~ Executive Board shall choose one of the recommended individuals from each city and village ~~and shall submit those names to the Will County Board for approval~~. All persons appointed as members of the Board shall have recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, small business management, real estate development, community development, venture finance, organized labor, units of local government, or civic, community, or neighborhood organization.

(d) ~~Within 30 days after the effective date of this amendatory Act of the 96th General Assembly, the Will County Executive, with the advice and consent of the Will County Board, shall appoint the additional member of the board for an initial term expiring on the third Monday in January, 2013. The member must be an at-large resident of Will County. The board members holding office on the effective date of this amendatory Act of the 96th General Assembly shall continue to hold office for the remainder of their respective terms. The terms of the 9 initial appointees to the Authority shall commence 30 days after the effective date of this Act. Of the 9 members initially appointed (i) 2 of the gubernatorial appointees and 2 of the non gubernatorial appointees shall be appointed to serve terms expiring on the third Monday in January, 1997 and (ii) 2 of the gubernatorial appointees and 3 of the non gubernatorial appointees shall be appointed to serve terms expiring on the third Monday in January, 1999. All successors shall be appointed by the original appointing authority and hold office for a term of 4 years commencing the third Monday in January of the year in which their term commences, except in case of an appointment to fill a vacancy. Vacancies shall be filled for the remainder of the term. In case of vacancy in a Governor-appointed membership when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill that office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term. Each member appointed to the Board shall serve until his or her successor is appointed and qualified.~~

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(e) The Chairperson of the Board shall be elected by the Board annually from among the members who are appointed by the ~~county board of~~ Will County Executive.

(f) The Governor may remove any member of the Board in case of incompetency, neglect of duty, or malfeasance in office.

(g) Members of the Board shall serve without compensation for their services as members but may be reimbursed for all necessary expenses incurred in connection with the performance of their duties as members.

(h) The Board may appoint an Executive Director who shall have a background in finance, including familiarity with the legal and procedural requirements of issuing bonds, real estate or economic development, and administration. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, shall perform such other duties as may be prescribed from time to time by the Board, and shall receive compensation fixed by the Board. The Executive Director shall attend all meetings of the Board; however, no action of the Board or the Authority shall be invalid on account of the absence of the Executive Director from a meeting. The Board may engage the services of such other agents and employees, including attorneys, appraisers, engineers, accountants, credit analysts and other consultants, and may prescribe their duties and fix their compensation.

(i) The Board shall meet on the call of its Chairperson or upon written notice of 6 members of the Board.

(Source: P.A. 89-333, eff. 8-17-95.)

(70 ILCS 508/55)

Sec. 55. Abolition of Authority. The Authority shall be abolished upon the last to occur of the following: (1) expiration of the ~~25-year 15-year~~ period that begins on the effective date of this Act; or (2) one year after all revenue bonds, notes, and other evidences of indebtedness of the Authority have been fully paid and discharged or otherwise provided for. Upon the abolition of the Authority, all of its rights and property shall pass to and be vested in the State.

(Source: P.A. 89-333, eff. 8-17-95.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Sandoval, **Senate Bill No. 3222** having been printed, was taken up, read by title a second time.

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

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

#### **AMENDMENT NO. 2 TO SENATE BILL 3222**

AMENDMENT NO. 2. Amend Senate Bill 3222 by replacing everything after the enacting clause with the following:

"Section 5. The University of Illinois Act is amended by changing Section 25 as follows:

(110 ILCS 305/25)

Sec. 25. Limitation on tuition increase. This Section applies only to those students who first enroll after the 2003-2004 academic year. For 5 4 continuous academic years following initial enrollment or up to 120 credit hours following initial enrollment, whichever is earlier (or for undergraduate programs that require more than 5 4 years or 120 credit hours to complete, for the normal time to complete the program, as determined by the University), the tuition charged an undergraduate student who is an Illinois resident shall not exceed the amount that the student was charged at the time he or she first enrolled in the University. However, if the student changes majors during this time period, the tuition charged the student shall equal the amount the student would have been charged had he or she been admitted to the changed major when he or she first enrolled.

(Source: P.A. 93-228, eff. 1-1-04.)

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Section 10. The Southern Illinois University Management Act is amended by changing Section 15 as follows:

(110 ILCS 520/15)

Sec. 15. Limitation on tuition increase. This Section applies only to those students who first enroll after the 2003-2004 academic year. For 5 4 continuous academic years following initial enrollment or up to 120 credit hours following initial enrollment, whichever is earlier (or for undergraduate programs that require more than 5 4 years or 120 credit hours to complete, for the normal time to complete the program, as determined by the University), the tuition charged an undergraduate student who is an Illinois resident shall not exceed the amount that the student was charged at the time he or she first enrolled in the University. However, if the student changes majors during this time period, the tuition charged the student shall equal the amount the student would have been charged had he or she been admitted to the changed major when he or she first enrolled.

(Source: P.A. 93-228, eff. 1-1-04.)

Section 15. The Chicago State University Law is amended by changing Section 5-120 as follows:

(110 ILCS 660/5-120)

Sec. 5-120. Limitation on tuition increase. This Section applies only to those students who first enroll after the 2003-2004 academic year. For 5 4 continuous academic years following initial enrollment or up to 120 credit hours following initial enrollment, whichever is earlier (or for undergraduate programs that require more than 5 4 years or 120 credit hours to complete, for the normal time to complete the program, as determined by the University), the tuition charged an undergraduate student who is an Illinois resident shall not exceed the amount that the student was charged at the time he or she first enrolled in the University. However, if the student changes majors during this time period, the tuition charged the student shall equal the amount the student would have been charged had he or she been admitted to the changed major when he or she first enrolled.

(Source: P.A. 93-228; eff. 1-1-04.)

Section 20. The Eastern Illinois University Law is amended by changing Section 10-120 as follows:

(110 ILCS 665/10-120)

Sec. 10-120. Limitation on tuition increase. This Section applies only to those students who first enroll after the 2003-2004 academic year. For 5 4 continuous academic years following initial enrollment or up to 120 credit hours following initial enrollment, whichever is earlier (or for undergraduate programs that require more than 5 4 years or 120 credit hours to complete, for the normal time to complete the program, as determined by the University), the tuition charged an undergraduate student who is an Illinois resident shall not exceed the amount that the student was charged at the time he or she first enrolled in the University. However, if the student changes majors during this time period, the tuition charged the student shall equal the amount the student would have been charged had he or she been admitted to the changed major when he or she first enrolled.

(Source: P.A. 93-228, eff. 1-1-04.)

Section 25. The Governors State University Law is amended by changing Section 15-120 as follows:

(110 ILCS 670/15-120)

Sec. 15-120. Limitation on tuition increase. This Section applies only to those students who first enroll after the 2003-2004 academic year. For 5 4 continuous academic years following initial enrollment or up to 120 credit hours following initial enrollment, whichever is earlier (or for undergraduate programs that require more than 5 4 years or 120 credit hours to complete, for the normal time to complete the program, as determined by the University), the tuition charged an undergraduate student who is an Illinois resident shall not exceed the amount that the student was charged at the time he or she first enrolled in the University. However, if the student changes majors during this time period, the tuition charged the student shall equal the amount the student would have been charged had he or she been admitted to the changed major when he or she first enrolled.

(Source: P.A. 93-228, eff. 1-1-04.)

Section 30. The Illinois State University Law is amended by changing Section 20-125 as follows:

(110 ILCS 675/20-125)

Sec. 20-125. Limitation on tuition increase. This Section applies only to those students who first enroll after the 2003-2004 academic year. For 5 4 continuous academic years following initial enrollment or up to 120 credit hours following initial enrollment, whichever is earlier (or for undergraduate programs that require more than 5 4 years or 120 credit hours to complete, for the normal time to complete the

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program, as determined by the University), the tuition charged an undergraduate student who is an Illinois resident shall not exceed the amount that the student was charged at the time he or she first enrolled in the University. However, if the student changes majors during this time period, the tuition charged the student shall equal the amount the student would have been charged had he or she been admitted to the changed major when he or she first enrolled.  
(Source: P.A. 93-228, eff. 1-1-04.)

Section 35. The Northeastern Illinois University Law is amended by changing Section 25-120 as follows:

(110 ILCS 680/25-120)

Sec. 25-120. Limitation on tuition increase. This Section applies only to those students who first enroll after the 2003-2004 academic year. For 5 4 continuous academic years following initial enrollment or up to 120 credit hours following initial enrollment, whichever is earlier (or for undergraduate programs that require more than 5 4 years or 120 credit hours to complete, for the normal time to complete the program, as determined by the University), the tuition charged an undergraduate student who is an Illinois resident shall not exceed the amount that the student was charged at the time he or she first enrolled in the University. However, if the student changes majors during this time period, the tuition charged the student shall equal the amount the student would have been charged had he or she been admitted to the changed major when he or she first enrolled.

(Source: P.A. 93-228, eff. 1-1-04.)

Section 40. The Northern Illinois University Law is amended by changing Section 30-130 as follows:

(110 ILCS 685/30-130)

Sec. 30-130. Limitation on tuition increase. This Section applies only to those students who first enroll after the 2003-2004 academic year. For 5 4 continuous academic years following initial enrollment or up to 120 credit hours following initial enrollment, whichever is earlier (or for undergraduate programs that require more than 5 4 years or 120 credit hours to complete, for the normal time to complete the program, as determined by the University), the tuition charged an undergraduate student who is an Illinois resident shall not exceed the amount that the student was charged at the time he or she first enrolled in the University. However, if the student changes majors during this time period, the tuition charged the student shall equal the amount the student would have been charged had he or she been admitted to the changed major when he or she first enrolled.

(Source: P.A. 93-228, eff. 1-1-04.)

Section 45. The Western Illinois University Law is amended by changing Section 35-125 as follows:

(110 ILCS 690/35-125)

Sec. 35-125. Limitation on tuition increase. This Section applies only to those students who first enroll after the 2003-2004 academic year. The tuition charged an undergraduate student who is an Illinois resident shall not exceed the amount that the student was charged at the time he or she first enrolled at the University as an Illinois resident if that student first enrolled not more than 4 3 and one-half academic years before or if that student has not earned more than 120 credit hours following initial enrollment, whichever is earlier. However, if the student changes majors during this time period, the tuition charged the student shall equal the amount the student would have been charged had he or she been admitted to the changed major when he or she first enrolled.

(Source: P.A. 93-228, eff. 1-1-04.)

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

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Sandoval, **Senate Bill No. 3231**, having been printed, was taken up, read by title a second time.

Senate Committee 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 Sandoval, **Senate Bill No. 3249** having been printed, was taken up, read by title a second time.

[March 12, 2010]

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

**AMENDMENT NO. 1 TO SENATE BILL 3249**

AMENDMENT NO. 1. Amend Senate Bill 3249 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 45 as follows:

(30 ILCS 105/45 new)

Sec. 45. Grants of capital funds. The granting of State funds for capital purposes is conditioned upon the grantee's written certification that the grantee shall comply with the disadvantaged business practices of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the equal employment practices of Section 2-105 of the Illinois Human Rights Act.

Section 10. The Business Enterprise for Minorities, Females, and Persons with Disabilities Act is amended by changing Section 7 and by adding Section 6.5 as follows:

(30 ILCS 575/6.5 new)

Sec. 6.5. Certification required. A State agency may not include a business in the State agency's proposed or reported achievement of its goals under this Act unless certification, as defined in Section 2, of the business is complete.

(30 ILCS 575/7) (from Ch. 127, par. 132.607)

(Section scheduled to be repealed on June 30, 2010)

Sec. 7. Exemptions and waivers: publication of data.

(1) Individual contract exemptions. The Council, on its own initiative or at the request of the affected agency or university, may permit an individual contract or contract package, (related contracts being bid or awarded simultaneously for the same project or improvements) be made wholly or partially exempt from State contracting goals for businesses owned by minorities, females, and persons with disabilities prior to the advertisement for bids or solicitation of proposals whenever there has been a determination, reduced to writing and based on the best information available at the time of the determination, that there is an insufficient number of businesses owned by minorities, females, and persons with disabilities to ensure adequate competition and an expectation of reasonable prices on bids or proposals solicited for the individual contract or contract package in question.

(2) Class exemptions. (a) Creation. The Council, on its own initiative or at the request of the affected agency or university, may permit an entire class of contracts be made exempt from State contracting goals for businesses owned by minorities, females, and persons with disabilities whenever there has been a determination, reduced to writing and based on the best information available at the time of the determination, that there is an insufficient number of qualified businesses owned by minorities, females, and persons with disabilities to ensure adequate competition and an expectation of reasonable prices on bids or proposals within that class.

(b) Limitation. Any such class exemption shall not be permitted for a period of more than one year at a time.

(3) Waivers. Where a particular contract requires a contractor to meet a goal established pursuant to this Act, the contractor shall have the right to request a waiver from such requirements. The Council shall grant the waiver where the contractor demonstrates that there has been made a good faith effort to comply with the goals for participation by businesses owned by minorities, females, and persons with disabilities.

(4) Conflict with other laws. In the event that any State contract, which otherwise would be subject to the provisions of this Act, is or becomes subject to federal laws or regulations which conflict with the provisions of this Act or actions of the State taken pursuant hereto, the provisions of the federal laws or regulations shall apply and the contract shall be interpreted and enforced accordingly.

(5) The Council shall maintain on its official Internet website a database of waivers granted under this Section. The database, which shall be updated periodically as necessary, shall be searchable by contractor name and by contracting State agency. Each State agency subject to this Act shall include in on its official website a link to the Council's official website. Any unit of local government that grants waivers under a disadvantaged business program similar to the provisions of this Act shall similarly maintain an Internet database of those waivers.

Each public notice required by law of the award of a State contract shall include for each bid submitted for that contract the following: (i) the bidder's name, (ii) the bid amount, and (iii) the bid's percentage of disadvantaged business utilization plan. Any unit of local government subject to a

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disadvantaged business program similar to the provisions of this Act shall include in its public notice of a contract award the same bid information of which a State agency is required to give notice under this subsection.

(Source: P.A. 88-597, eff. 8-28-94.)".

#### AMENDMENT NO. 2 TO SENATE BILL 3249

AMENDMENT NO. 2. Amend Senate Bill 3249 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 45 as follows:

(30 ILCS 105/45 new)

Sec. 45. Grants of capital funds. The granting of State funds for capital purposes is conditioned upon the grantee's written certification that the grantee shall comply with the disadvantaged business practices of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the equal employment practices of Section 2-105 of the Illinois Human Rights Act. All State grantees shall submit affirmative action compliance plans with grant agreements.

Section 10. The Business Enterprise for Minorities, Females, and Persons with Disabilities Act is amended by changing Section 7 as follows:

(30 ILCS 575/7) (from Ch. 127, par. 132.607)

(Section scheduled to be repealed on June 30, 2010)

Sec. 7. Exemptions and waivers; publication of data.

(1) Individual contract exemptions. The Council, on its own initiative or at the request of the affected agency or university, may permit an individual contract or contract package, (related contracts being bid or awarded simultaneously for the same project or improvements) be made wholly or partially exempt from State contracting goals for businesses owned by minorities, females, and persons with disabilities prior to the advertisement for bids or solicitation of proposals whenever there has been a determination, reduced to writing and based on the best information available at the time of the determination, that there is an insufficient number of businesses owned by minorities, females, and persons with disabilities to ensure adequate competition and an expectation of reasonable prices on bids or proposals solicited for the individual contract or contract package in question.

(2) Class exemptions. (a) Creation. The Council, on its own initiative or at the request of the affected agency or university, may permit an entire class of contracts be made exempt from State contracting goals for businesses owned by minorities, females, and persons with disabilities whenever there has been a determination, reduced to writing and based on the best information available at the time of the determination, that there is an insufficient number of qualified businesses owned by minorities, females, and persons with disabilities to ensure adequate competition and an expectation of reasonable prices on bids or proposals within that class.

(b) Limitation. Any such class exemption shall not be permitted for a period of more than one year at a time.

(3) Waivers. Where a particular contract requires a contractor to meet a goal established pursuant to this Act, the contractor shall have the right to request a waiver from such requirements. The Council shall grant the waiver where the contractor demonstrates that there has been made a good faith effort to comply with the goals for participation by businesses owned by minorities, females, and persons with disabilities.

(4) Conflict with other laws. In the event that any State contract, which otherwise would be subject to the provisions of this Act, is or becomes subject to federal laws or regulations which conflict with the provisions of this Act or actions of the State taken pursuant hereto, the provisions of the federal laws or regulations shall apply and the contract shall be interpreted and enforced accordingly.

(5) The Department of Central Management Services shall maintain on its official Internet website a database of waivers granted under this Section. The database, which shall be updated periodically as necessary, shall be searchable by contractor name and by contracting State agency.

Each public notice required by law of the award of a State contract shall include for each bid submitted for that contract the following: (i) the bidder's name, (ii) the bid amount, (iii) the bid's percentage of disadvantaged business utilization plan, and (iv) the bid's percentage of business enterprise program utilization plan.

(Source: P.A. 88-597, eff. 8-28-94.)".

Senate Committee Amendment No. 3 was held in the Committee on Assignments.

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Senator Sandoval offered the following amendment and moved its adoption:

**AMENDMENT NO. 4 TO SENATE BILL 3249**

AMENDMENT NO. 4. Amend Senate Bill 3249, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 45 as follows:  
(30 ILCS 105/45 new)

Sec. 45. Grants of capital funds. The granting of State funds for capital purposes is conditioned upon the grantee's written certification that the grantee shall comply with the business enterprise program practices for minority-owned businesses, female-owned businesses, and businesses owned by persons with disabilities of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the equal employment practices of Section 2-105 of the Illinois Human Rights Act. All State grantees shall submit business enterprise program plans for minority-owned businesses, female-owned businesses, and businesses owned by persons with disabilities with grant agreements.

Section 10. The Business Enterprise for Minorities, Females, and Persons with Disabilities Act is amended by changing Section 7 as follows:

(30 ILCS 575/7) (from Ch. 127, par. 132.607)

(Section scheduled to be repealed on June 30, 2010)

Sec. 7. Exemptions and waivers; publication of data.

(1) Individual contract exemptions. The Council, on its own initiative or at the request of the affected agency or university, may permit an individual contract or contract package, (related contracts being bid or awarded simultaneously for the same project or improvements) be made wholly or partially exempt from State contracting goals for businesses owned by minorities, females, and persons with disabilities prior to the advertisement for bids or solicitation of proposals whenever there has been a determination, reduced to writing and based on the best information available at the time of the determination, that there is an insufficient number of businesses owned by minorities, females, and persons with disabilities to ensure adequate competition and an expectation of reasonable prices on bids or proposals solicited for the individual contract or contract package in question.

(2) Class exemptions. (a) Creation. The Council, on its own initiative or at the request of the affected agency or university, may permit an entire class of contracts be made exempt from State contracting goals for businesses owned by minorities, females, and persons with disabilities whenever there has been a determination, reduced to writing and based on the best information available at the time of the determination, that there is an insufficient number of qualified businesses owned by minorities, females, and persons with disabilities to ensure adequate competition and an expectation of reasonable prices on bids or proposals within that class.

(b) Limitation. Any such class exemption shall not be permitted for a period of more than one year at a time.

(3) Waivers. Where a particular contract requires a contractor to meet a goal established pursuant to this Act, the contractor shall have the right to request a waiver from such requirements. The Council shall grant the waiver where the contractor demonstrates that there has been made a good faith effort to comply with the goals for participation by businesses owned by minorities, females, and persons with disabilities.

(4) Conflict with other laws. In the event that any State contract, which otherwise would be subject to the provisions of this Act, is or becomes subject to federal laws or regulations which conflict with the provisions of this Act or actions of the State taken pursuant hereto, the provisions of the federal laws or regulations shall apply and the contract shall be interpreted and enforced accordingly.

(5) Each chief procurement officer, as defined in the Illinois Procurement Code, shall maintain on his or her official Internet website a database of waivers granted under this Section with respect to contracts under his or her jurisdiction. The database, which shall be updated periodically as necessary, shall be searchable by contractor name and by contracting State agency.

Each public notice required by law of the award of a State contract shall include for each bid submitted for that contract the following: (i) the bidder's name, (ii) the bid amount, (iii) the bid's percentage of disadvantaged business utilization plan, and (iv) the bid's percentage of business enterprise program utilization plan.

(Source: P.A. 88-597, eff. 8-28-94.)"

The motion prevailed.

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And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1, 2 and 4 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Sandoval, **Senate Bill No. 3251**, having been printed, was taken up, read by title a second time.

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

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

At the hour of 9:35 o'clock a.m., Senator Schoenberg, presiding.

On motion of Senator Bond, **Senate Bill No. 3313**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Clayborne, **Senate Bill No. 3342**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **Senate Bill No. 3346** 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 3346**

AMENDMENT NO. 1. Amend Senate Bill 3346 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 Steans, **Senate Bill No. 3347** 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 3347**

AMENDMENT NO. 1. Amend Senate Bill 3347 on page 1, lines 13 and 16, by replacing "January" with "July".

Senate Floor Amendment No. 2 was postponed in the Committee on Environment.

Senator Steans offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO SENATE BILL 3347**

AMENDMENT NO. 3. Amend Senate Bill 3347, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by adding Section 22.23c as follows:

(415 ILCS 5/22.23c new)

Sec. 22.23c. Vehicle wheel weights.

(a) In this Section:

"New vehicle" has the same meaning as ascribed in Section 1-148.4 of the Illinois Vehicle Code.

"Vehicle" has the same meaning as ascribed in Section 1-217 of the Illinois Vehicle Code.

(b) On and after January 1, 2012, no person shall use a weight or other product to balance a vehicle wheel or tire if the weight or other product contains mercury that was intentionally added during the manufacturing process or contains more than 0.1 percent lead by weight.

(c) On and after January 1, 2012, no person shall sell, offer to sell, distribute, or offer to distribute a

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weight or other product for balancing a vehicle wheel or tire if the weight or other product contains mercury that was intentionally added during the manufacturing process or contains more than 0.1 percent lead by weight.

(d) On and after January 1, 2012, no person shall sell a new vehicle equipped with a weight or other product used to balance a vehicle wheel or tire if the weight or other product contains mercury that was intentionally added during the manufacturing process or contains more than 0.1 percent lead by weight.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Steans, **Senate Bill No. 3348**, having been printed, was taken up, read by title a second time.

Senate Committee Amendment Nos. 1, 2 and 3 were postponed in the Committee on Executive.

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

On motion of Senator Raoul, **Senate Bill No. 3404** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3404**

AMENDMENT NO. 1. Amend Senate Bill 3404 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Sections 6.9 and 6.10 as follows:

(5 ILCS 375/6.9)

Sec. 6.9. Health benefits for community college benefit recipients and community college dependent beneficiaries.

(a) Purpose. It is the purpose of this amendatory Act of 1997 to establish a uniform program of health benefits for community college benefit recipients and their dependent beneficiaries under the administration of the Department of Central Management Services.

(b) Creation of program. Beginning July 1, 1999, the Department of Central Management Services shall be responsible for administering a program of health benefits for community college benefit recipients and community college dependent beneficiaries under this Section. The State Universities Retirement System and the boards of trustees of the various community college districts shall cooperate with the Department in this endeavor.

(c) Eligibility. All community college benefit recipients and community college dependent beneficiaries shall be eligible to participate in the program established under this Section, without any interruption or delay in coverage or limitation as to pre-existing medical conditions. Eligibility to participate shall be determined by the appropriate community college and the determination will be provided to the State Universities Retirement System. The State Universities Retirement System may rely on this information in making deductions from annuity payments for premiums. Eligibility information shall be communicated to the Department of Central Management Services in a format acceptable to the Department.

(d) Coverage. The health benefit coverage provided under this Section shall be a program of health, dental, and vision benefits.

The program of health benefits under this Section may include any or all of the benefit limitations, including but not limited to a reduction in benefits based on eligibility for federal medicare benefits, that are provided under subsection (a) of Section 6 of this Act for other health benefit programs under this Act.

(e) Insurance rates and premiums. The Director shall determine the insurance rates and premiums for community college benefit recipients and community college dependent beneficiaries. Rates and premiums may be based in part on age and eligibility for federal Medicare coverage. The Director shall also determine premiums that will allow for the establishment of an actuarially sound reserve for this

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program.

The cost of health benefits under the program shall be paid as follows:

(1) For a community college benefit recipient, up to 75% of the total insurance rate shall be paid from the Community College Health Insurance Security Fund.

(2) The balance of the rate of insurance, including the entire premium for any coverage for community college dependent beneficiaries that has been elected, shall be paid by deductions authorized by the community college benefit recipient to be withheld from his or her monthly annuity or benefit payment from the State Universities Retirement System; except that (i) if the balance of the cost of coverage exceeds the amount of the monthly annuity or benefit payment, the difference shall be paid directly to the State Universities Retirement System by the community college benefit recipient, and (ii) all or part of the balance of the cost of coverage may, at the option of the board of trustees of the community college district, be paid to the State Universities Retirement System by the board of the community college district from which the community college benefit recipient retired. The State Universities Retirement System shall promptly deposit all moneys withheld by or paid to it under this subdivision (e)(2) into the Community College Health Insurance Security Fund. These moneys shall not be considered assets of the State Universities Retirement System.

(f) Financing. All revenues arising from the administration of the health benefit program established under this Section shall be deposited into the Community College Health Insurance Security Fund, which is hereby created as a nonappropriated trust fund to be held outside the State Treasury, with the State Treasurer as custodian. Any interest earned on moneys in the Community College Health Insurance Security Fund shall be deposited into the Fund.

Moneys in the Community College Health Insurance Security Fund shall be used only to pay the costs of the health benefit program established under this Section, including associated administrative costs and the establishment of a program reserve. Beginning January 1, 1999, the Department of Central Management Services may make expenditures from the Community College Health Insurance Security Fund for those costs.

(g) Contract for benefits. The Director shall by contract, self-insurance, or otherwise make available the program of health benefits for community college benefit recipients and their community college dependent beneficiaries that is provided for in this Section. The contract or other arrangement for the provision of these health benefits shall be on terms deemed by the Director to be in the best interest of the State of Illinois and the community college benefit recipients based on, but not limited to, such criteria as administrative cost, service capabilities of the carrier or other contractor, and the costs of the benefits.

(h) Continuation of program. It is the intention of the General Assembly that the program of health benefits provided under this Section be maintained on an ongoing, affordable basis. The program of health benefits provided under this Section may be amended by the State and is not intended to be a pension or retirement benefit subject to protection under Article XIII, Section 5 of the Illinois Constitution.

(i) Other health benefit plans. A health benefit plan provided by a community college district (other than a community college district subject to Article VII of the Public Community College Act) under the terms of a collective bargaining agreement in effect on or prior to the effective date of this amendatory Act of 1997 shall continue in force according to the terms of that agreement, unless otherwise mutually agreed by the parties to that agreement and the affected retiree. A community college benefit recipient or community college dependent beneficiary whose coverage under such a plan expires shall be eligible to begin participating in the program established under this Section without any interruption or delay in coverage or limitation as to pre-existing medical conditions.

This Act does not prohibit any community college district from offering additional health benefits for its retirees or their dependents or survivors.

(j) Nothing in this Section establishes a duty on the part of the State Universities Retirement System to certify, verify, audit, or otherwise ensure the appropriateness or adequacy of the information received from the community colleges.

(Source: P.A. 90-497, eff. 8-18-97; 90-655, eff. 7-30-98.)

(5 ILCS 375/6.10)

Sec. 6.10. Contributions to the Community College Health Insurance Security Fund.

(a) Beginning January 1, 1999, every active contributor of the State Universities Retirement System (established under Article 15 of the Illinois Pension Code) who (1) is a full-time employee of a community college district (other than a community college district subject to Article VII of the Public Community College Act) or an association of community college boards and (2) is not an employee as defined in Section 3 of this Act shall make contributions toward the cost of community college annuitant

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and survivor health benefits at the rate of 0.50% of salary.

These contributions shall be deducted by the employer and paid to the State Universities Retirement System as service agent for the Department of Central Management Services. The System may use the same processes for collecting the contributions required by this subsection that it uses to collect the contributions received from those employees under Section 15-157 of the Illinois Pension Code. An employer may agree to pick up or pay the contributions required under this subsection on behalf of the employee; such contributions shall be deemed to have been paid by the employee.

The State Universities Retirement System shall promptly deposit all moneys collected under this subsection (a) into the Community College Health Insurance Security Fund created in Section 6.9 of this Act. The moneys collected under this Section shall be used only for the purposes authorized in Section 6.9 of this Act and shall not be considered to be assets of the State Universities Retirement System. Contributions made under this Section are not transferable to other pension funds or retirement systems and are not refundable upon termination of service.

(b) Beginning January 1, 1999, every community college district (other than a community college district subject to Article VII of the Public Community College Act) or association of community college boards that is an employer under the State Universities Retirement System shall contribute toward the cost of the community college health benefits provided under Section 6.9 of this Act an amount equal to 0.50% of the salary paid to its full-time employees who participate in the State Universities Retirement System and are not members as defined in Section 3 of this Act.

These contributions shall be paid by the employer to the State Universities Retirement System as service agent for the Department of Central Management Services. The System may use the same processes for collecting the contributions required by this subsection that it uses to collect the contributions received from those employers under Section 15-155 of the Illinois Pension Code.

The State Universities Retirement System shall promptly deposit all moneys collected under this subsection (b) into the Community College Health Insurance Security Fund created in Section 6.9 of this Act. The moneys collected under this Section shall be used only for the purposes authorized in Section 6.9 of this Act and shall not be considered to be assets of the State Universities Retirement System. Contributions made under this Section are not transferable to other pension funds or retirement systems and are not refundable upon termination of service.

The Department of Healthcare and Family Services, or any successor agency designated to procure healthcare contracts pursuant to this Act, is authorized to establish funds, separate accounts provided by any bank or banks as defined by the Illinois Banking Act, or separate accounts provided by any savings and loan association or associations as defined by the Illinois Savings and Loan Act of 1985 to be held by the Director, outside the State treasury, for the purpose of receiving the transfer of moneys from the Community College Health Insurance Security Fund. The Department may promulgate rules further defining the methodology for the transfers. Any interest earned by moneys in the funds or accounts shall inure to the Community College Health Insurance Security Fund. The transferred moneys, and interest accrued thereon, shall be used exclusively for transfers to administrative service organizations or their financial institutions for payments of claims to claimants and providers under the self-insurance health plan. The transferred moneys, and interest accrued thereon, shall not be used for any other purpose including, but not limited to, reimbursement of administration fees due the administrative service organization pursuant to its contract or contracts with the Department.

(c) On or before November 15 of each year, the Board of Trustees of the State Universities Retirement System shall certify to the Governor, the Director of Central Management Services, and the State Comptroller its estimate of the total amount of contributions to be paid under subsection (a) of this Section for the next fiscal year. Beginning in fiscal year 2008, the amount certified shall be decreased or increased each year by the amount that the actual active employee contributions either fell short of or exceeded the estimate used by the Board in making the certification for the previous fiscal year. The State Universities Retirement System shall calculate the amount of actual active employee contributions in fiscal years 1999 through 2005. Based upon this calculation, the fiscal year 2008 certification shall include an amount equal to the cumulative amount that the actual active employee contributions either fell short of or exceeded the estimate used by the Board in making the certification for those fiscal years. The certification shall include a detailed explanation of the methods and information that the Board relied upon in preparing its estimate. As soon as possible after the effective date of this Section, the Board shall submit its estimate for fiscal year 1999.

(d) Beginning in fiscal year 1999, on the first day of each month, or as soon thereafter as may be practical, the State Treasurer and the State Comptroller shall transfer from the General Revenue Fund to the Community College Health Insurance Security Fund 1/12 of the annual amount appropriated for that fiscal year to the State Comptroller for deposit into the Community College Health Insurance Security

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Fund under Section 1.4 of the State Pension Funds Continuing Appropriation Act.

(e) Except where otherwise specified in this Section, the definitions that apply to Article 15 of the Illinois Pension Code apply to this Section.

(f) Nothing in this Section establishes a duty on the part of the State Universities Retirement System to certify, verify, audit, or otherwise ensure the appropriateness or adequacy of the contributions made by or information received from the community colleges.

(Source: P.A. 94-839, eff. 6-6-06; 95-632, eff. 9-25-07.)

Section 10. The Illinois Pension Code is amended by changing Sections 1-150, 1A-108.5, and 15-159 as follows:

(40 ILCS 5/1-150)

Sec. 1-150. Approval of travel or educational mission. The expenses for travel or educational missions of a board member of a retirement system, pension fund, or investment board created under this Code, except those whose investments are restricted by Section 1-113.2 of this Code, must be approved by a majority of the board prior to the travel or educational mission. This Section does not apply to expenses necessarily incurred in the State of Illinois for attending board meetings, board committee meetings, ethics training, or fiduciary training as a trustee of the retirement system, pension fund, or investment board.

(Source: P.A. 96-6, eff. 4-3-09.)

(40 ILCS 5/1A-108.5)

Sec. 1A-108.5. Economic opportunity investments.

(a) For the purposes of this Section:

"Economic opportunity investment" means a qualified investment, managed passively or actively by the pension fund, that promotes economic development within the State of Illinois by providing financially prudent investment opportunities in or through the use of (a) Illinois businesses or (b) Illinois-based projects that promote the economy of the State or a region of the State, including without limitation promotion of venture capital programs, coal and other natural resource development, tourism development, infrastructure development, real estate development, and job development within the State of Illinois, while producing a competitive rate of return commensurate with the risk of investment.

"Illinois business" means a business, including an investment adviser, that is headquartered in Illinois.

"Illinois-based project" means an individual project of a business, including the provision of products and investment and other services to the pension fund, that will result in the conduct of business within the State, the employment of individuals within the State, or the acquisition of real property located within the State.

(b) It is the public policy of the State of Illinois to encourage the pension funds, and any State entity investing funds on behalf of pension funds, to promote the economy of Illinois through the use of economic opportunity investments to the greatest extent feasible within the bounds of financial and fiduciary prudence.

(c) Each pension fund, except pension funds created under Articles 3 and 4 of this Code, shall submit a report to the Governor and the General Assembly by September 1 of each year, beginning in 2009, that identifies the economic opportunity investments made by the fund, the primary location of the business or project, the percentage of the fund's assets in economic opportunity investments, and the actions that the fund has undertaken to increase the use of economic opportunity investments to the greatest extent feasible within the bounds of financial and fiduciary prudence.

(d) Pension funds created under Articles 2, 14, 15, 16, and 18 of this Act, and any State agency investing funds on behalf of those pension funds, must make reasonable efforts to invest in economic opportunity investments.

(e) In making economic opportunity investments, trustees and fiduciaries must comply with the relevant requirements and restrictions set forth in Sections 1-109, 1-109.1, 1-109.2, 1-110, and 1-111 of this Code. Economic opportunity investments that otherwise comply with this Code shall not be deemed imprudent solely because they are investments in an Illinois business or Illinois-based project.

(Source: P.A. 96-753, eff. 8-25-09.)

(40 ILCS 5/15-159) (from Ch. 108 1/2, par. 15-159)

Sec. 15-159. Board created.

(a) A board of trustees constituted as provided in this Section shall administer this System. The board shall be known as the Board of Trustees of the State Universities Retirement System.

(b) Until July 1, 1995, the Board of Trustees shall be constituted as follows:

Two trustees shall be members of the Board of Trustees of the University of Illinois, one shall be a member of the Board of Trustees of Southern Illinois University, one shall be a member of the Board of

Trustees of Chicago State University, one shall be a member of the Board of Trustees of Eastern Illinois University, one shall be a member of the Board of Trustees of Governors State University, one shall be a member of the Board of Trustees of Illinois State University, one shall be a member of the Board of Trustees of Northeastern Illinois University, one shall be a member of the Board of Trustees of Northern Illinois University, one shall be a member of the Board of Trustees of Western Illinois University, and one shall be a member of the Illinois Community College Board, selected in each case by their respective boards, and 2 shall be participants of the system appointed by the Governor for a 6 year term with the first appointment made pursuant to this amendatory Act of 1984 to be effective September 1, 1985, and one shall be a participant appointed by the Illinois Community College Board for a 6 year term, and one shall be a participant appointed by the Board of Trustees of the University of Illinois for a 6 year term, and one shall be a participant or annuitant of the system who is a senior citizen age 60 or older appointed by the Governor for a 6 year term with the first appointment to be effective September 1, 1985.

The terms of all trustees holding office under this subsection (b) on June 30, 1995 shall terminate at the end of that day and the Board shall thereafter be constituted as provided in subsection (c).

(c) Beginning July 1, 1995, the Board of Trustees shall be constituted as follows:

The Board shall consist of 9 trustees appointed by the Governor. Two of the trustees, designated at the time of appointment, shall be participants of the System. Two of the trustees, designated at the time of appointment, shall be annuitants of the System who are receiving retirement annuities under this Article. The 5 remaining trustees may, but need not, be participants or annuitants of the System.

The term of office of trustees appointed under this subsection (c) shall be 6 years, beginning on July 1. However, of the initial trustees appointed under this subsection (c), 3 shall be appointed for terms of 2 years, 3 shall be appointed for terms of 4 years, and 3 shall be appointed for terms of 6 years, to be designated by the Governor at the time of appointment.

The terms of all trustees holding office under this subsection (c) on the effective date of this amendatory Act of the 96th General Assembly shall terminate on that effective date. The Governor shall make nominations for appointment under this Section within 60 days after the effective date of this amendatory Act of the 96th General Assembly. A trustee sitting on the board on the effective date of this amendatory Act of the 96th General Assembly may not hold over in office for more than 90 days after the effective date of this amendatory Act of the 96th General Assembly. Nothing in this Section shall prevent the Governor from making a temporary appointment or nominating a trustee holding office on the day before the effective date of this amendatory Act of the 96th General Assembly.

(d) Beginning on the 90th day after the effective date of this amendatory Act of the 96th General Assembly, the Board of Trustees shall be constituted as follows:

(1) The Chairperson of the Board of Higher Education, who shall act as ~~president chairperson~~ of this Board.

(2) Four trustees appointed by the Governor with the advice and consent of the Senate who may not be members of the system or hold an elective State office and who shall serve for a term of 6 years, except that the terms of the initial appointees under this subsection (d) shall be as follows: 2 for a term of 3 years, expiring on June 30, 2012 and 2 for a term of 6 years, expiring on June 30, 2015.

(3) Four active participants of the system to be elected from the contributing membership of the system by the contributing members, no more than 2 of which may be from any of the University of Illinois campuses, who shall serve for a term of 6 years, except that the terms of the initial electees shall be as follows: 2 for a term of 3 years and 2 for a term of 6 years.

(4) Two annuitants of the system who have been annuitants for at least one full year, to be elected from and by the annuitants of the system, no more than one of which may be from any of the University of Illinois campuses, who shall serve for a term of 6 years, except that the terms of the initial electees shall be as follows: one for a term of 3 years and one for a term of 6 years.

For the purposes of this Section, the Governor may make a nomination and the Senate may confirm the nominee in advance of the commencement of the nominee's term of office.

(e) The 6 elected trustees shall be elected within 90 days after the effective date of this amendatory Act of the 96th General Assembly for a term beginning on the 90th day after the effective date of this amendatory Act. Trustees shall be elected thereafter as terms expire for a 6-year term beginning July 1 ~~45~~ next following their election, and such election shall be ~~concluded held~~ on May 1, or on May 2 when May 1 falls on a Sunday. The Board may establish rules for the election of trustees to implement the provisions of this amendatory Act of the 96th General Assembly and for future elections. Candidates for the participating trustee shall be nominated by petitions in writing, signed by not less than 400 participants with their addresses shown opposite their names. Candidates for the

annuitant trustee shall be nominated by petitions in writing, signed by not less than 100 annuitants with their addresses shown opposite their names. If there is more than one qualified nominee for each elected trustee position, then the board shall conduct a secret ballot election ~~by mail~~ for that trustee, in accordance with rules as established by the board. If there is only one qualified person nominated by petition for each elected trustee position, then the election as required by this Section shall not be conducted for that trustee and the board shall declare such nominee duly elected. A vacancy occurring in the elective membership of the board shall be filled with a qualified person for the remainder of the unexpired term by the elected trustees serving on the board for the remainder of the term.

(f) A vacancy occurring in the appointed membership of ~~on~~ the board of trustees caused by resignation, death, expiration of term of office, or other reason shall be filled by a qualified person appointed by the Governor for the remainder of the unexpired term.

(g) Trustees (other than the trustees incumbent on June 30, 1995 or as provided in subsection (c) of this Section) shall continue in office until their respective successors are appointed and have qualified, except that a trustee appointed to one of the participant positions shall be disqualified immediately upon the termination of his or her status as a participant and a trustee appointed to one of the annuitant positions shall be disqualified immediately upon the termination of his or her status as an annuitant receiving a retirement annuity.

(h) Each trustee must take an oath of office before a notary public of this State and shall qualify as a trustee upon the presentation to the board of a certified copy of the oath. The oath must state that the person will diligently and honestly administer the affairs of the retirement system, and will not knowingly violate or wilfully permit to be violated any provisions of this Article.

Each trustee shall serve without compensation but shall be reimbursed for expenses necessarily incurred in attending board meetings and carrying out his or her duties as a trustee or officer of the system.

(i) This amendatory Act of 1995 is intended to supersede the changes made to this Section by Public Act 89-4.

(Source: P.A. 96-6, eff. 4-3-09; revised 4-14-09.)

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 Raoul, **Senate Bill No. 3405**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bond, **Senate Bill No. 3429**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bond, **Senate Bill No. 3467** having been printed, was taken up, read by title a second time.

The following amendments were offered in the Committee on Criminal Law, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 3467**

AMENDMENT NO. 1. Amend Senate Bill 3467 on page 6, by replacing lines 6 through 8 with the following:

"Section 65 of this Act, ~~unless the person has successfully completed a period of conditional release pursuant to Section 60 of this Act.~~"

**AMENDMENT NO. 2 TO SENATE BILL 3467**

AMENDMENT NO. 2. Amend Senate Bill 3467 on page 1, line 5, by deleting "30,"; and by deleting lines 10 through 25 on page 8, all of pages 9 and 10, and lines 1 and 2 on page 11; and on page 22, line 15, by inserting "or designee" after "director"; and on page 22, line 17, by inserting "whether or not" after "intention"; and

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on page 26, line 13, by inserting "or designee" after "Secretary"; and

on page 26, line 15, by inserting "whether or not" after "determination".

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Muñoz, **Senate Bill No. 3506** having been printed, was taken up, read by title a second time.

Senator Muñoz offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO SENATE BILL 3506**

AMENDMENT NO. 1. Amend Senate Bill 3506 on page 3, by replacing lines 9 through 18 with the following:

"(d) Repair estimates. A person who rents a motor vehicle to another may not collect or attempt to collect the amount described in subsection (b) unless the rental company (i) obtains an estimate from a repair company or an appraiser in the business of providing such appraisals on the costs of repairing the motor vehicle, (ii) makes a copy of the estimate available upon request to the renter who may be liable under subsection (a), ~~or~~ the insurer of the renter, if known by the rental company, or both, and (iii) submits a copy of the estimate with any claim to collect the amount described in subsection (b). If the estimate of the repair exceeds \$3,500, then prior to any repairs being initiated, the renter or the insurer of renter shall be allowed 72 hours from the date of notice to inspect the damaged vehicle and obtain another estimate of repair on the damaged vehicle."

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.

On motion of Senator Cullerton, **Senate Bill No. 3796** having been printed, was taken up, read by title a second time.

Senator Haine offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO SENATE BILL 3796**

AMENDMENT NO. 1. Amend Senate Bill 3796 on page 1, by inserting after line 3 the following:

"Section 1. This Act may be referred to as Chris and Katie's Law."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Sandoval, **Senate Bill No. 3523**, 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. 3533**, 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. 3534**, 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. 3535**, 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. 3537**, 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 Raoul, **Senate Bill No. 3538**, 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. 3539**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hutchinson, **Senate Bill No. 3543** having been printed, was taken up, read by title a second time.

The following amendments were offered in the Committee on Human Services, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 3543**

AMENDMENT NO. 1. Amend Senate Bill 3543 as follows:

on page 10, by inserting immediately below line 21 the following:

"Priority for participation in the Demonstration Program shall be given to entities with experience in providing afterschool programs in Illinois."

**AMENDMENT NO. 2 TO SENATE BILL 3543**

AMENDMENT NO. 2. Amend Senate Bill 3543 as follows:

on page 5, by replacing line 18 with the following:

"(F) Three young people who are between the ages of 16 and 21 and who are members of the Youth Advisory Group as established in paragraph (2) of this subsection."; and

on page 5, by deleting line 19; and

on page 7, line 5, by inserting after the period the following:

"This youth civic engagement organization shall administer the application requirements and process and shall nominate 30 youth. The Department of Human Services shall select 15 of the nominees for the Youth Advisory Group, 3 of whom shall serve on the Council."; and

on page 11, by replacing line 15 with the following:

"reported to the Governor, the General Assembly, the Council, and the Youth Advisory Group".

Senator Hutchinson offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO SENATE BILL 3543**

AMENDMENT NO. 3. Amend Senate Bill 3543 on page 13, by inserting below line 4, the following:

"Section 30. Funding. The creation and establishment of the Council, the Youth Advisory Group, and the Afterschool Demonstration Program shall be subject to appropriations, however the Department of Human Services shall be permitted to accept private funding or private resources at any time to implement this Act."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1, 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Sandoval, **Senate Bill No. 3558** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3558**

AMENDMENT NO. 1. Amend Senate Bill 3558 by replacing everything after the enacting clause with the following:

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"Section 5. The Illinois Vehicle Code is amended by changing Section 1-148.8 as follows:  
(625 ILCS 5/1-148.8)

Sec. 1-148.8. Nondivisible load or vehicle.

(a) A load or vehicle that when separated into smaller loads or vehicles further dismantling would:

(1) Compromise the intended use of the load or vehicle or make it unable to perform the function for which it was intended.

(2) Destroy the value of the load or vehicle or make it unusable for its intended purpose.

(3) Require more than 8 work hours to dismantle using appropriate equipment. The applicant for a nondivisible load has the burden of proof as to the number of work hours required to dismantle the load.

(b) A sealed shipping container destined for international shipment or inbound from a foreign country for domestic delivery. Appropriate confirming documentation must accompany the load and be available for inspection by law enforcement officials.

(Source: P.A. 90-89, eff. 1-1-98.)".

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 Sandoval, **Senate Bill No. 3560**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bond, **Senate Bill No. 3584** having been printed, was taken up, read by title a second time.

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

Senator Bond offered the following amendment and moved its adoption:

#### **AMENDMENT NO. 2 TO SENATE BILL 3584**

AMENDMENT NO. 2. Amend Senate Bill 3584 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by adding Section 18d-153 and by changing Section 18d-160 as follows:

(625 ILCS 5/18d-153 new)

Sec. 18d-153. Misrepresentation of affiliation. It shall be unlawful for any tower to misrepresent an affiliation with the State, a unit of local government, an insurance company, a private club, or any other entity for the purpose of securing a business transaction with a vehicle owner or operator.

(625 ILCS 5/18d-160)

Sec. 18d-160. Unlawful practice. Any commercial vehicle safety relocater engaged in the relocation or storage of damaged or disabled vehicles who fails to comply with Sections 18d-115, 18d-120, 18d-125, 18d-130, 18d-135, ~~or 18d-150~~, or 18d-153 of this Code commits an unlawful practice within the meaning of the Consumer Fraud and Deceptive Business Practices Act.

(Source: P.A. 95-562, eff. 7-1-08.)

Section 10. The Consumer Fraud and Deceptive Business Practices Act is amended by changing Section 2Z as follows:

(815 ILCS 505/2Z) (from Ch. 121 1/2, par. 262Z)

Sec. 2Z. Violations of other Acts. Any person who knowingly violates the Automotive Repair Act, the Automotive Collision Repair Act, the Home Repair and Remodeling Act, the Dance Studio Act, the Physical Fitness Services Act, the Hearing Instrument Consumer Protection Act, the Illinois Union Label Act, the Job Referral and Job Listing Services Consumer Protection Act, the Travel Promotion Consumer Protection Act, the Credit Services Organizations Act, the Automatic Telephone Dialers Act, the Pay-Per-Call Services Consumer Protection Act, the Telephone Solicitations Act, the Illinois Funeral or Burial Funds Act, the Cemetery Oversight Act, the Cemetery Care Act, the Safe and Hygienic Bed Act, the Pre-Need Cemetery Sales Act, the High Risk Home Loan Act, the Payday Loan Reform Act, the Mortgage Rescue Fraud Act, subsection (a) or (b) of Section 3-10 of the Cigarette Tax Act, subsection (a) or (b) of Section 3-10 of the Cigarette Use Tax Act, the Electronic Mail Act, the Internet Caller Identification Act, paragraph (6) of subsection (k) of Section 6-305 of the Illinois Vehicle Code, Section

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18d-115, 18d-120, 18d-125, 18d-135, ~~or 18d-150~~ or 18d-153 of the Illinois Vehicle Code, Article 3 of the Residential Real Property Disclosure Act, the Automatic Contract Renewal Act, or the Personal Information Protection Act commits an unlawful practice within the meaning of this Act. (Source: P.A. 95-413, eff. 1-1-08; 95-562, eff. 7-1-08; 95-876, eff. 8-21-08; 96-863, eff. 1-19-10)."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Demuzio, **Senate Bill No. 3588**, 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. 3700**, 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. 3734** 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 3734**

AMENDMENT NO. 1. Amend Senate Bill 3734 by replacing everything after the enacting clause with the following:

"Section 5. The Drug Paraphernalia Control Act is amended by changing Section 2 as follows:  
(720 ILCS 600/2) (from Ch. 56 1/2, par. 2102)

Sec. 2. As used in this Act, unless the context otherwise requires:

(a) The term "cannabis" shall have the meaning ascribed to it in Section 3 of the Cannabis Control Act, as if that definition were incorporated herein.

(b) The term "controlled substance" shall have the meaning ascribed to it in Section 102 of the Illinois Controlled Substances Act, as if that definition were incorporated herein.

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

(d) "Drug paraphernalia" means all equipment, products and materials of any kind, other than methamphetamine manufacturing materials as defined in Section 10 of the Methamphetamine Control and Community Protection Act, which are intended to be used unlawfully in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body cannabis or a controlled substance in violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act. It includes, but is not limited to:

(1) kits intended to be used unlawfully in manufacturing, compounding, converting, producing, processing or preparing cannabis or a controlled substance;

(2) isomerization devices intended to be used unlawfully in increasing the potency of any species of plant which is cannabis or a controlled substance;

(3) testing equipment intended to be used unlawfully in a private home for identifying or in analyzing the strength, effectiveness or purity of cannabis or controlled substances;

(4) diluents and adulterants intended to be used unlawfully for cutting cannabis or a controlled substance by private persons;

(5) objects intended to be used unlawfully in ingesting, inhaling, or otherwise introducing cannabis, cocaine, hashish, or hashish oil into the human body including, where applicable, the following items:

(A) water pipes;

(B) carburetion tubes and devices;

(B-1) individual tobacco wrappers, known as wraps, blunt wraps, or roll your own cigar wraps, whether in the form of a tobacco leaf, sheet or tube, that consists in whole or in part of reconstituted tobacco leaf or flavored tobacco leaf; however, the term "wrap", "blunt wrap", or "roll your own cigar wrap", as used in this Section, does not include a tobacco leaf wrap that is used in the manufacturing of a

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cigar intended for retail sale:

- (C) smoking and carburetion masks;
  - (D) miniature cocaine spoons and cocaine vials;
  - (E) carburetor pipes;
  - (F) electric pipes;
  - (G) air-driven pipes;
  - (H) chillums;
  - (I) bonges;
  - (J) ice pipes or chillers;
- (6) any item whose purpose, as announced or described by the seller, is for use in violation of this Act.

(Source: P.A. 93-526, eff. 8-12-03; 94-556, eff. 9-11-05.)

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

Senator Raoul offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO SENATE BILL 3734**

AMENDMENT NO. 2. Amend Senate Bill 3734, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 3, line 12 by deleting "tobacco leaf".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Trotter, **Senate Bill No. 3778** 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 3778**

AMENDMENT NO. 1. Amend Senate Bill 3778 on page 1, by replacing line 8 with the following:  
"District shall accept the following described"; and

on page 1, by replacing lines 18 through 21 with the following:

"The transfer must occur as soon as possible, but no later than one year, after the effective date of this"; and

on page 2, line 6, by deleting "authorized and"; and

on page 2, by replacing lines 16 through 18 with the following:

"The transfer must occur as soon as possible, but no later than one year".

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 Bond, **Senate Bill No. 3815** 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 3815**

AMENDMENT NO. 1. Amend Senate Bill 3815 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by adding Section 12-4.40 as follows:  
(305 ILCS 5/12-4.40 new)

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Sec. 12-4.40. Public Benefits Fraud Protection Task Force.

(a) Purpose. The purpose of the Public Benefits Fraud Protection Task Force is to conduct a thorough review of the nature of public assistance fraud in the State of Illinois; to ascertain the feasibility of implementing a mechanism to determine the pervasiveness and frequency of public assistance fraud; to calculate the detriment of public assistance fraud to the financial status and socio-economic status of public aid recipients specifically and Illinois taxpayers generally; and to determine if more stringent penalties or compassionate procedures are necessary.

(b) Definitions. As used in this Section:

"Task Force" means the Public Benefits Fraud Protection Task Force.

"Public assistance" or "public aid" includes, without limitation, Medicaid, TANF, the Illinois LINK Program, General Assistance, Transitional Assistance, the Supplemental Nutrition Assistance Program, and the Child Care Assistance Program.

(c) The Public Benefits Fraud Protection Task Force. The Public Benefits Fraud Protection Task Force is created. The Task Force shall be composed of 13 members appointed as follows:

(1) One member of the Illinois Senate appointed by the President of the Senate, who shall be co-chair to the Task Force;

(2) One member of the Illinois Senate appointed by the Senate Minority Leader;

(3) One member of the Illinois House of Representatives appointed by the Speaker of the House of Representatives, who shall be co-chair to the Task Force;

(4) One member of the Illinois House of Representatives appointed by the House Minority Leader;

(5) The following persons, or their designees: the Director of Public Health, the Director of Healthcare and Family Services, and the Secretary of Human Services;

(6) The Director of the Illinois Department on Aging, or his or her designee;

(7) The Illinois Auditor General, or his or her designee;

(8) The Inspector General of the Illinois Department of Human Services, or his or her designee;

(9) A representative from the Illinois State Police Medicaid Fraud Control Unit;

(10) Three persons, who are not currently employed by a State agency, appointed by the Secretary of Human Services, one of whom shall be a person with professional experience in child care issues, one of whom shall be a person with knowledge and experience in legal aid services, and one of whom shall be a person with knowledge and experience in poverty law; and

(11) The Attorney General, or his or her designee.

(d) Compensation and qualifications. Members shall serve without compensation and shall be adults and residents of Illinois.

(e) Appointments. Appointments shall be made 90 days from the effective date of this amendatory Act of the 96th General Assembly.

(f) Hearings. The Task Force shall solicit comments from stakeholders and hold public hearings before filing any report required by this Section. At the public hearings, the Task Force shall allow interested persons to present their views and comments. The Task Force shall submit all reports required by this Section to the Governor and the General Assembly. In addition to the reports required by this Section, the Task Force may provide, at its discretion, interim reports and recommendations. The Department of Human Services shall provide administrative support to the Task Force.

(g) Task Force duties. The Task Force shall gather information and make recommendations relating to at least the following topics in relation to public assistance fraud:

(1) Reviews of provider billing of public aid claims.

(2) Reviews of recipient utilization of public aid.

(3) Protocols for investigating recipient public aid fraud.

(4) Protocols for investigating provider public aid fraud.

(5) Reporting of alleged fraud by private citizens through qui tam actions.

(6) Examination of current fraud prevention measures which may hinder legitimate aid claims.

(7) Coordination between relevant agencies in fraud investigation.

(8) Financial audit of the current costs borne by aid recipients and Illinois government through fraud.

(9) Examination of enhanced penalties for fraudulent recipients and providers.

(10) Enhanced whistleblower protections.

(11) Partnerships with businesses and community groups to curb fraud.

(h) Task force recommendations. Any of the findings, recommendations, public postings, and other relevant information regarding the Task Force shall be made available on the Department of Human Services' website.

(i) Reporting requirements. The Task Force shall submit findings and recommendations to the

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Governor and the General Assembly by December 31, 2011, including any necessary implementing legislation, and recommendations for changes to policies, rules, or procedures that are not incorporated in the implementing legislation.

(j) Dissolution of Task Force. The Task Force shall be dissolved 90 days after its report has been submitted to the Governor's Office and the General Assembly.

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

Senator Bond offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO SENATE BILL 3815**

AMENDMENT NO. 2. Amend Senate Bill 3815, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1 as follows:

on page 2, line 12, by replacing "13" with "15".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Steans, **Senate Bill No. 3822**, having been printed, was taken up, read by title a second time and ordered to a third reading.

**LEGISLATIVE MEASURES FILED**

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. 1 to Senate Bill 3475

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 377  
 Senate Floor Amendment No. 1 to Senate Bill 389  
 Senate Floor Amendment No. 1 to Senate Bill 422  
 Senate Floor Amendment No. 1 to Senate Bill 663  
 Senate Floor Amendment No. 1 to Senate Bill 853  
 Senate Floor Amendment No. 1 to Senate Bill 935  
 Senate Floor Amendment No. 1 to Senate Bill 2508  
 Senate Floor Amendment No. 1 to Senate Bill 2988  
 Senate Floor Amendment No. 2 to Senate Bill 3085  
 Senate Floor Amendment No. 2 to Senate Bill 3096  
 Senate Floor Amendment No. 3 to Senate Bill 3222  
 Senate Floor Amendment No. 1 to Senate Bill 3616  
 Senate Floor Amendment No. 2 to Senate Bill 3683  
 Senate Floor Amendment No. 2 to Senate Bill 3707  
 Senate Floor Amendment No. 3 to Senate Bill 3707  
 Senate Floor Amendment No. 4 to Senate Bill 3707  
 Senate Floor Amendment No. 5 to Senate Bill 3707  
 Senate Floor Amendment No. 6 to Senate Bill 3707  
 Senate Floor Amendment No. 2 to Senate Bill 3743

**READING BILLS OF THE SENATE A THIRD TIME**

[March 12, 2010]

On motion of Senator Wilhelm, **Senate Bill No. 333**, 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 49; NAYS None.

The following voted in the affirmative:

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

Senator Haine asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 333**.

On motion of Senator Demuzio, **Senate Bill No. 384**, 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 52; NAYS None.

The following voted in the affirmative:

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

[March 12, 2010]

On motion of Senator Forby, **Senate Bill No. 575**, 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 41; NAYS 7.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Sandoval
Bivins	Garrett	Link	Schoenberg
Bomke	Haine	Luechtefeld	Steans
Bond	Harmon	Maloney	Sullivan
Clayborne	Holmes	Martinez	Trotter
Collins	Hunter	McCarter	Viverito
Crotty	Hutchinson	Muñoz	Wilhelmi
Delgado	Jacobs	Noland	Mr. President
Demuzio	Jones, J.	Raoul	
Dillard	Koehler	Righter	
Forby	Kotowski	Rutherford	

The following voted in the negative:

Burzynski	Hultgren	Murphy	Radogno
Duffy	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.

On motion of Senator Hutchinson, **Senate Bill No. 918**, 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 50; NAYS None.

The following voted in the affirmative:

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

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

[March 12, 2010]



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

On motion of Senator Sullivan, **Senate Bill No. 1826**, 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 50; NAYS None.

The following voted in the affirmative:

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

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

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

Senator Lauzen asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 1826**.

On motion of Senator Forby, **Senate Bill No. 1840**, 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 38; NAYS 6; Present 7.

The following voted in the affirmative:

Althoff	Duffy	Jones, J.	Risinger
Bivins	Forby	Koehler	Rutherford
Bomke	Frerichs	Lauzen	Sullivan
Bond	Haine	Luechtefeld	Syverson
Brady	Holmes	McCarter	Trotter
Burzynski	Hultgren	Murphy	Viverito
Clayborne	Hunter	Noland	Wilhelmi
Crotty	Hutchinson	Pankau	Mr. President
Demuzio	Jacobs	Radogno	
Dillard	Jones, E.	Righter	

The following voted in the negative:

Collins	Kotowski	Schoenberg
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[March 12, 2010]

Garrett                      Lightford                      Steans

The following voted present:

Delgado	Link	Martinez	Sandoval
Harmon	Maloney	Raoul	

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

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

On motion of Senator Hutchinson, **Senate Bill No. 2065**, 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 50; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Burzynski

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 Bomke, **Senate Bill No. 2474**, 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 50; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Lauzen	Righter
Bivins	Frerichs	Lightford	Risinger
Bomke	Garrett	Link	Rutherford
Bond	Haine	Luechtefeld	Sandoval

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Brady	Harmon	Maloney	Schoenberg
Burzynski	Holmes	Martinez	Steans
Clayborne	Hultgren	McCarter	Sullivan
Collins	Hunter	Muñoz	Syverson
Crotty	Hutchinson	Murphy	Trotter
Delgado	Jones, E.	Noland	Wilhelmi
Demuzio	Jones, J.	Pankau	Mr. President
Dillard	Koehler	Radogno	
Duffy	Kotowski	Raoul	

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

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

On motion of Senator Dillard, **Senate Bill No. 2509**, 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 51; NAYS None.

The following voted in the affirmative:

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

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

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

Senator Noland asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 2509**.

On motion of Senator Martinez, **Senate Bill No. 2525**, 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 51; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Lauzen	Righter
Bivins	Frerichs	Lightford	Risinger
Bomke	Garrett	Link	Rutherford

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Bond	Haine	Luechtefeld	Sandoval
Brady	Harmon	Maloney	Schoenberg
Burzynski	Holmes	Martinez	Steans
Clayborne	Hultgren	McCarter	Sullivan
Collins	Hunter	Muñoz	Syverson
Crotty	Hutchinson	Murphy	Trotter
Delgado	Jacobs	Noland	Viverito
Demuzio	Jones, E.	Pankau	Wilhelmi
Dillard	Koehler	Radogno	Mr. President
Duffy	Kotowski	Raoul	

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

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

### SENATE BILL RECALLED

On motion of Senator Forby, **Senate Bill No. 2530** was recalled from the order of third reading to the order of second reading.

Senator Forby offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO SENATE BILL 2530

AMENDMENT NO. 2. Amend Senate Bill 2530, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 7-4-7 as follows:  
(65 ILCS 5/7-4-7) (from Ch. 24, par. 7-4-7)

Sec. 7-4-7. Police district.

(a) The territory which is embraced within the corporate limits of adjoining municipalities within any county in this State shall be a police district.

(b) On or after the effective date of this amendatory Act of the 96th General Assembly, the corporate authorities of a municipality located within a county with a population between 39,001 and 39,499, based on the 2000 federal decennial census, may, by an affirmative vote of the majority of its members, dissolve its police district. A municipality that dissolves a police district under this subsection (b) may reconstitute the police district by an affirmative vote of a majority of the members of the corporate authority.

(Source: Laws 1961, p. 576.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 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 Clayborne, **Senate Bill No. 2534**, 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 51; NAYS None.

The following voted in the affirmative:

Allthoff	Forby	Lauzen	Richter
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[March 12, 2010]

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

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

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

On motion of Senator Martinez, **Senate Bill No. 2554**, 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 50; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Steans, **Senate Bill No. 2630**, 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 51; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Lauzen	Righter
Bivins	Frerichs	Lightford	Risinger

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Bomke	Garrett	Link	Rutherford
Bond	Haine	Luechtefeld	Sandoval
Brady	Harmon	Maloney	Schoenberg
Burzynski	Holmes	Martinez	Steans
Clayborne	Hultgren	McCarter	Sullivan
Collins	Hunter	Muñoz	Syverson
Crotty	Hutchinson	Murphy	Trotter
Delgado	Jacobs	Noland	Viverito
Demuzio	Jones, E.	Pankau	Wilhelmi
Dillard	Koehler	Radogno	Mr. President
Duffy	Kotowski	Raoul	

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

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

On motion of Senator Delgado, **Senate Bill No. 2605**, 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 52; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Rutherford
Bivins	Garrett	Link	Sandoval
Bomke	Haine	Luechtefeld	Schoenberg
Bond	Harmon	Maloney	Steans
Brady	Holmes	Martinez	Sullivan
Burzynski	Hultgren	McCarter	Syverson
Clayborne	Hunter	Muñoz	Trotter
Collins	Hutchinson	Murphy	Viverito
Crotty	Jacobs	Noland	Wilhelmi
Delgado	Jones, E.	Pankau	Mr. President
Demuzio	Jones, J.	Radogno	
Dillard	Koehler	Raoul	
Duffy	Kotowski	Righter	
Forby	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 Bomke, **Senate Bill No. 2638**, 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 52; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Rutherford
Bivins	Garrett	Link	Sandoval

[March 12, 2010]

Bomke	Haine	Luechtefeld	Schoenberg
Bond	Harmon	Maloney	Steans
Brady	Holmes	Martinez	Sullivan
Burzynski	Hultgren	McCarter	Syverson
Clayborne	Hunter	Muñoz	Trotter
Collins	Hutchinson	Murphy	Viverito
Crotty	Jacobs	Noland	Wilhelmi
Delgado	Jones, E.	Pankau	Mr. President
Demuzio	Jones, J.	Radogno	
Dillard	Koehler	Raoul	
Duffy	Kotowski	Righter	
Forby	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 Forby, **Senate Bill No. 2794**, 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 51; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Kotowski	Raoul
Bivins	Frerichs	Lauzen	Righter
Bomke	Garrett	Lightford	Risinger
Bond	Haine	Link	Sandoval
Brady	Harmon	Luechtefeld	Schoenberg
Burzynski	Holmes	Maloney	Steans
Clayborne	Hultgren	Martinez	Sullivan
Collins	Hunter	McCarter	Syverson
Crotty	Hutchinson	Muñoz	Trotter
Delgado	Jacobs	Murphy	Viverito
Demuzio	Jones, E.	Noland	Wilhelmi
Dillard	Jones, J.	Pankau	Mr. President
Duffy	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 Martinez, **Senate Bill No. 2797**, 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 9; Present 1.

The following voted in the affirmative:

Althoff	Demuzio	Lauzen	Rutherford
Bivins	Frerichs	Lightford	Sandoval

[March 12, 2010]

Bomke	Garrett	Link	Schoenberg
Bond	Harmon	Martinez	Steans
Clayborne	Holmes	McCarter	Sullivan
Collins	Hutchinson	Muñoz	Trotter
Crotty	Jones, E.	Murphy	Mr. President
Delgado	Kotowski	Noland	

The following voted in the negative:

Dillard	Jacobs	Righter
Duffy	Pankau	Risinger
Haine	Radogno	Viverito

The following voted present:

Maloney

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 Radogno, **Senate Bill No. 2981**, 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 51; 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	Steans
Clayborne	Hultgren	McCarter	Sullivan
Collins	Hunter	Muñoz	Syverson
Crotty	Hutchinson	Murphy	Trotter
Delgado	Jacobs	Noland	Viverito
Demuzio	Jones, E.	Pankau	Wilhelmi
Dillard	Koehler	Radogno	Mr. President
Duffy	Kotowski	Raoul	

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

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

On motion of Senator Sullivan, **Senate Bill No. 2993**, 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 51; NAYS None.

[March 12, 2010]



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	Steans
Clayborne	Hultgren	McCarter	Sullivan
Collins	Hunter	Muñoz	Syverson
Crotty	Hutchinson	Murphy	Trotter
Delgado	Jacobs	Noland	Viverito
Demuzio	Jones, E.	Pankau	Wilhelmi
Dillard	Koehler	Radogno	Mr. President
Duffy	Kotowski	Raoul	

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

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

On motion of Senator Sullivan, **Senate Bill No. 2995**, 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 30; NAYS 19.

The following voted in the affirmative:

Bomke	Harmon	Lightford	Steans
Clayborne	Holmes	Link	Sullivan
Collins	Hunter	Maloney	Trotter
Delgado	Hutchinson	Martinez	Viverito
Demuzio	Jacobs	Muñoz	Wilhelmi
Forby	Jones, E.	Noland	Mr. President
Frerichs	Koehler	Raoul	
Haine	Kotowski	Sandoval	

The following voted in the negative:

Althoff	Duffy	Luechtefeld	Risinger
Bivins	Garrett	Murphy	Rutherford
Brady	Hultgren	Pankau	Schoenberg
Burzynski	Jones, J.	Radogno	Syverson
Dillard	Lauzen	Righter	

This roll call verified.

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. 3004**, 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 12, 2010]

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Kotowski	Raoul
Bivins	Frerichs	Lauzen	Risinger
Bomke	Garrett	Lightford	Rutherford
Bond	Haine	Link	Sandoval
Brady	Harmon	Luechtefeld	Schoenberg
Burzynski	Holmes	Maloney	Steans
Clayborne	Hultgren	Martinez	Sullivan
Collins	Hunter	McCarter	Syverson
Crotty	Hutchinson	Muñoz	Trotter
Delgado	Jacobs	Murphy	Viverito
Demuzio	Jones, E.	Noland	Wilhelmi
Dillard	Jones, J.	Pankau	Mr. President
Duffy	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 Crotty, **Senate Bill No. 3011**, 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 48; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

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.

[March 12, 2010]

On motion of Senator Crotty, **Senate Bill No. 3012**, 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 4.

The following voted in the affirmative:

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

The following voted in the negative:

Bivins	Lauzen
Burzynski	Syverson

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 Crotty, **Senate Bill No. 3018**, 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 50; NAYS 2.

The following voted in the affirmative:

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

The following voted in the negative:

Garrett

Sullivan

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 Jacobs, **Senate Bill No. 3022**, 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 51; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Haine, **Senate Bill No. 3029**, 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 50; NAYS None.

The following voted in the affirmative:

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

[March 12, 2010]

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. 3030**, 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 51; NAYS None.

The following voted in the affirmative:

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

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

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

#### SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 3060** was recalled from the order of third reading to the order of second reading.

Senator Harmon offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO SENATE BILL 3060

AMENDMENT NO. 2. Amend Senate Bill 3060 on page 3, line 19, after "spaces", by inserting "or to a person using an electric motor intermittently to maneuver the watercraft for short distances while fishing".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

#### READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Luechtefeld, **Senate Bill No. 2959**, 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 12, 2010]

YEAS 50; NAYS 2.

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	Steans
Clayborne	Hultgren	McCarter	Sullivan
Collins	Hunter	Muñoz	Syverson
Crotty	Hutchinson	Murphy	Trotter
Delgado	Jacobs	Noland	Wilhelmi
Demuzio	Jones, E.	Pankau	Mr. President
Dillard	Jones, J.	Radogno	
Duffy	Kotowski	Raoul	

The following voted in the negative:

Koehler  
Viverito

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

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

#### SENATE BILL RECALLED

On motion of Senator Althoff, **Senate Bill No. 3061** was recalled from the order of third reading to the order of second reading.

Senator Althoff offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO SENATE BILL 3061

AMENDMENT NO. 1. Amend Senate Bill 3061 on page 2, immediately below line 4, by inserting the following:

"(d) The Secretary may summarily terminate any permit issued pursuant to this Section, without a hearing, if the Secretary finds that evidence in his or her possession indicates that an individual permit holder's continuation in practice would constitute an imminent danger to the public. In the event that the Secretary summarily suspends a permit issued pursuant to this Section, the permit holder may petition the Department for a hearing in accordance with the provisions of this Act to reinstate his or her permit.

In addition to terminating any permit issued pursuant to this Section, the Department may issue a monetary penalty not to exceed \$1,000 upon the permit holder and may notify any state in which the permit holder has been issued a license that his or her Illinois permit has been terminated and the reasons for the termination. The monetary penalty shall be paid within 60 days after the effective date of the order imposing the penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record. It is the intent of the General Assembly that a permit issued pursuant to this Section shall be considered a privilege and not a property right."

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.

[March 12, 2010]

**READING BILL OF THE SENATE A THIRD TIME**

On motion of Senator Collins, **Senate Bill No. 3068**, 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 50; NAYS None.

The following voted in the affirmative:

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

**SENATE BILL RECALLED**

On motion of Senator Haine, **Senate Bill No. 3097** was recalled from the order of third reading to the order of second reading.

Senator Haine offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO SENATE BILL 3097**

AMENDMENT NO. 1. Amend Senate Bill 3097 on page 2, lines 21 and 22, by replacing "battery power source" with "power source, which may be either a battery or batteries or an emergency generator"; and

on page 6, lines 1 and 2, by replacing "battery power source" with "power source, which may be either a battery or batteries or an emergency generator".

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. 3118**, 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 51; NAYS None.

[March 12, 2010]

The following voted in the affirmative:

Althoff	Forby	Kotowski	Raoul
Bivins	Frerichs	Lauzen	Righter
Bomke	Garrett	Lightford	Risinger
Bond	Haine	Link	Rutherford
Brady	Harmon	Luechtefeld	Sandoval
Burzynski	Holmes	Maloney	Schoenberg
Clayborne	Hultgren	Martinez	Steans
Collins	Hunter	McCarter	Sullivan
Crotty	Hutchinson	Muñoz	Syverson
Delgado	Jacobs	Murphy	Trotter
Demuzio	Jones, E.	Noland	Viverito
Dillard	Jones, J.	Pankau	Mr. President
Duffy	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 Harmon, **Senate Bill No. 3139**, 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 50; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Harmon, **Senate Bill No. 3158**, 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 49; NAY 1.

[March 12, 2010]



The following voted in the affirmative:

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

The following voted in the negative:

Duffy

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

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

On motion of Senator Harmon, **Senate Bill No. 3162**, 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 52; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Rutherford
Bivins	Garrett	Link	Sandoval
Bomke	Haine	Luechtefeld	Schoenberg
Bond	Harmon	Maloney	Steans
Brady	Holmes	Martinez	Sullivan
Burzynski	Hultgren	McCarter	Syverson
Clayborne	Hunter	Muñoz	Trotter
Collins	Hutchinson	Murphy	Viverito
Crotty	Jacobs	Noland	Wilhelmi
Delgado	Jones, E.	Pankau	Mr. President
Demuzio	Jones, J.	Radogno	
Dillard	Koehler	Raoul	
Duffy	Kotowski	Righter	
Forby	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 Forby, **Senate Bill No. 3264**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

[March 12, 2010]

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

YEAS 42; NAYS 4; Present 1.

The following voted in the affirmative:

Bomke	Haine	Lightford	Risinger
Bond	Harmon	Link	Rutherford
Clayborne	Holmes	Luechtefeld	Sandoval
Collins	Hultgren	Maloney	Schoenberg
Crotty	Hunter	Martinez	Sullivan
Delgado	Hutchinson	McCarter	Trotter
Demuzio	Jacobs	Muñoz	Viverito
Dillard	Jones, E.	Murphy	Wilhelmi
Forby	Jones, J.	Noland	Mr. President
Frerichs	Koehler	Pankau	
Garrett	Kotowski	Righter	

The following voted in the negative:

Bivins	Lauzen
Burzynski	Radogno

The following voted present:

Syverson

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.

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

At the hour of 12:02 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 12:30 o'clock p.m., the Senate resumed consideration of business.  
Senator Schoenberg, presiding.

#### REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 12, 2010 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Appropriations I: **SENATE BILLS 3847, 3848, 3849, 3850, 3853, 3854, 3855, 3856, 3858, 3859, 3861, 3863, 3866, 3868, 3870, 3878, 3879, 3881, 3883, 3884, 3886, 3888, 3890, 3891, 3892, 3893, 3895, 3896, 3899, 3900, 3902, 3906, 3907, 3908, 3910, 3911, 3912 and 3922.**

[March 12, 2010]

Appropriations II: **SENATE BILLS 3851, 3852, 3857, 3860, 3862, 3864, 3865, 3867, 3869, 3871, 3872, 3873, 3874, 3875, 3876, 3877, 3880, 3882, 3885, 3887, 3889, 3894, 3897, 3898, 3901, 3903, 3904, 3905, 3909, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921 and 3923.**

Executive: **Senate Floor Amendment No. 1 to Senate Bill 1055.**

Transportation Subcommittee on Red Light Cameras: **Senate Floor Amendment No. 1 to Senate Bill 935.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its March 12, 2010 meeting, to which was referred **Senate Bills Numbered 352, 374, 389, 618, 663, 676, 735, 851, 853, 854 and 1058** 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 352, 374, 389, 618, 663, 676, 735, 851, 853, 854 and 1058** were returned to the order of third reading.

### READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Viverito, **Senate Bill No. 3265**, 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 47; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

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 Trotter, **Senate Bill No. 3707**, 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 49; NAYS None.

[March 12, 2010]

The following voted in the affirmative:

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

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

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

#### 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. 5190

A bill for AN ACT concerning professional regulation.

HOUSE BILL NO. 5194

A bill for AN ACT concerning State government.

HOUSE BILL NO. 5203

A bill for AN ACT concerning nuclear safety.

HOUSE BILL NO. 5217

A bill for AN ACT concerning insurance.

HOUSE BILL NO. 5255

A bill for AN ACT concerning professional regulation.

Passed the House, March 12, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 5190, 5194, 5203, 5217 and 5255** 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. 5290

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 5322

A bill for AN ACT concerning education.

HOUSE BILL NO. 5351

A bill for AN ACT concerning health.

HOUSE BILL NO. 5357

[March 12, 2010]

A bill for AN ACT concerning State government.

HOUSE BILL NO. 5378

A bill for AN ACT concerning utilities.

HOUSE BILL NO. 5398

A bill for AN ACT concerning veterans.

HOUSE BILL NO. 5410

A bill for AN ACT concerning criminal law.

Passed the House, March 12, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 5290, 5322, 5351, 5357, 5378, 5398 and 5410** 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. 5331

A bill for AN ACT concerning public aid.

HOUSE BILL NO. 5411

A bill for AN ACT concerning education.

HOUSE BILL NO. 5429

A bill for AN ACT concerning civil law.

Passed the House, March 12, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 5331, 5411 and 5429** 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. 5437

A bill for AN ACT concerning gaming.

HOUSE BILL NO. 5443

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 5444

A bill for AN ACT concerning criminal law.

Passed the House, March 12, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 5437, 5443 and 5444** 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. 5459

A bill for AN ACT concerning children.

HOUSE BILL NO. 5469

A bill for AN ACT concerning financial regulation.

[March 12, 2010]

HOUSE BILL NO. 5477

A bill for AN ACT concerning local government.  
Passed the House, March 12, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 5459, 5469 and 5477** 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. 5458

A bill for AN ACT concerning government.

HOUSE BILL NO. 5510

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 5540

A bill for AN ACT concerning local government.

HOUSE BILL NO. 5664

A bill for AN ACT concerning safety.

HOUSE BILL NO. 5666

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 5668

A bill for AN ACT concerning local government.

HOUSE BILL NO. 5669

A bill for AN ACT concerning public safety.

HOUSE BILL NO. 5673

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 5712

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 5727

A bill for AN ACT concerning local government.

HOUSE BILL NO. 5728

A bill for AN ACT concerning the transfer of real property.

Passed the House, March 12, 2010.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 5458, 5510, 5540, 5664, 5666, 5668, 5669, 5673, 5712, 5727 and 5728** 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 passage of a bill of the following title, to-wit:

SENATE BILL NO. 365

A bill for AN ACT concerning State government.

Passed the House, March 12, 2010.

MARK MAHONEY, Clerk of the House

**RESOLUTIONS CONSENT CALENDAR**

**SENATE RESOLUTION NO. 703**

Offered by Senator Collins and all Senators:

[March 12, 2010]

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.

**SENATE RESOLUTION NO. 706**

Offered by Senator Haine and all Senators:  
Mourns the death of Peggie H. Castelli Castruita of Sun City, Texas.

**SENATE RESOLUTION NO. 708**

Offered by Senator Bomke and all Senators:  
Mourns the death of Charlotte R. Oglesby of Madison, Wisconsin, formerly of Springfield.

**SENATE RESOLUTION NO. 710**

Offered by Senator Link and all Senators:  
Mourns the death of Katherine Beard of Waukegan.

**SENATE RESOLUTION NO. 711**

Offered by Senator Link and all Senators:  
Mourns the death of Mary Ann Jereb (nee Slana) of Grayslake.

**SENATE RESOLUTION NO. 712**

Offered by Senator Link and all Senators:  
Mourns the death of Myrtle Evelyn Towne of North Chicago.

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

**PRESENTATION OF RESOLUTION**

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

**SENATE JOINT RESOLUTION NO. 113**

**RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN**, that when the two Houses adjourn on Friday, March 12, 2010, the Senate stands adjourned until Monday, March 15, 2010 at 12:00 o'clock noon, or until the call of the President and the House of Representatives stands adjourned until Tuesday, March 16, 2010, at 12:00 o'clock noon, or until the call of the Speaker.

The motion prevailed.  
And the resolution was adopted.  
Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

At the hour of 1:09 o'clock p.m., pursuant to **Senate Joint Resolution No. 113**, the Chair announced the Senate stand adjourned until Monday, March 15, 2010, at 12:00 o'clock noon.