



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SEVENTH GENERAL ASSEMBLY

135TH LEGISLATIVE DAY

WEDNESDAY, JANUARY 2, 2013

3:21 O'CLOCK P.M.

SENATE
Daily Journal Index
135th Legislative Day

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The Senate met pursuant to adjournment.
 Senator John M. Sullivan, Rushville, Illinois, presiding.
 Prayer by Pastor Milton Bost, Chatham Baptist Church, Chatham, Illinois.
 Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, December 5, 2012, be postponed, pending arrival of the printed Journal.
 The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

2012 Case Report, submitted by the Legislative Reference Bureau.

Metropolitan Pier and Exposition Authority's Minority- and Women-Owned Business Enterprise Procurement Activity Report, First Quarter Fiscal Year 2013, submitted by the Metropolitan Pier and Exposition Authority.

2012 Illinois' National Rankings, submitted by the Commission on Government Forecasting and Accountability.

Report of the Illinois Delegation to the National Conference of Commissioners on Uniform State Laws, submitted by the Legislative Reference Bureau.

Report #7-13 Pursuant to the Taxpayer Accountability and Budget Stabilization Act, submitted by the Office of the Auditor General.

DOC Report on transitional housing facilities for sex offenders, submitted by the Department of Corrections.

DOC Quarterly Report, October 1, 2012, submitted by the Department of Corrections.

Administration of Psychotropic Medications to Children Act Report, December 18, 2012, submitted by the Department of Children and Family Services.

Illiana Expressway - Will, Kankakee (IL) and Lake (IN) Counties Legislative Report - November 1, 2012, submitted by the Department of Transportation.

Illiana Expressway - Will, Kankakee (IL) and Lake (IN) Counties Legislative Report - December 1, 2012, submitted by the Department of Transportation.

Report of Social Services Block Grant Fund and Local Initiative Fund Receipts and Transfers, State Fiscal Year 2012, submitted by the Department of Human Services.

Report of Social Services Block Grant Fund and Local Initiative Fund Receipts and Transfers, State Fiscal Year 2013, submitted by the Department of Human Services.

DVA Annual Report FY 2012, submitted by the Department of Veterans' Affairs.

Illinois Abortion Statistics 2011, submitted by the Department of Public Health.

Qualified Energy Conservation Bonds Allocations as of June 14, 2012, submitted by the Illinois Finance Authority.

Capital Needs Assessment Survey Results, submitted by the Illinois State Board of Education.

[January 2, 2013]

DJJ Quarterly Report, October 1, 2012, submitted by the Department of Juvenile Justice.

Equal Pay Act FY 2012 Annual Report, Administration and Enforcement Activities, submitted by the Department of Labor.

DOL Report on the Activities and Enforcement of the Child Labor Law, Fiscal Year 2012, submitted by the Department of Labor.

Use of Emerging Investment Managers, November 27, 2012, submitted by the State Universities Retirement System.

Veterans Health Insurance Program Act of 2008, 2012 Annual Report, submitted by the Department of Healthcare and Family Services and the Department of Veterans' Affairs.

Krabbe Disease and Other Leukodystrophies, December 2012, submitted by the Department of Public Health.

Report on Emerging Money Managers, submitted by the Illinois State Board of Investment.

IPCB Annual Report 2012, submitted by the Illinois Pollution Control Board.

Metropolitan Pier and Exposition Authority's Financial Statement for the twelve months ended June 30, 2012, submitted by the Metropolitan Pier and Exposition Authority.

Report on efforts to assist other state agencies in collecting debt owed to the State of Illinois, submitted by the Department of Revenue.

Report on the Use of Emerging Investment Managers and Broker/Dealers, submitted by the Cook County Pension Fund.

Social Security Number Protection Task Force Report for 2012, submitted by the Office of the Attorney General.

Violent Crimes Victim Assistance Program 2012 Status and Updates, submitted by the Office of the Attorney General.

Illinois Automated Victim Notification (AVN) System 2012 Status and Updates, submitted by the Office of the Attorney General.

DCFS OIG Report to the Governor and the General Assembly January 2013, submitted by the Department of Children and Family Services Office of the Inspector General.

Illinois Tollway 2013 Budget, submitted by the Illinois Tollway.

Annual Report of the Supported Employment Program, submitted by the Department of Central Management Services.

FY 12 Report on the Hiring of Veterans by State Vendors, submitted by the Department of Central Management Services.

FY 12 Report on the Hiring of Ex-Offenders by State Vendors, submitted by the Department of Central Management Services.

State Government Suggestion Award Board 2012 Annual Report, submitted by the Department of Central Management Services.

2012 Annual Report on State Employee Child Care Centers, submitted by the Department of Central Management Services.

[January 2, 2013]

Annual Report 2012 Chicago Board of Education OIG, submitted by the Chicago Board of Education Office of the Inspector General.

Illinois Advisory Council on Bilingual Education Report, submitted by the Illinois State Board of Education.

2011 Annual Statistical Report, submitted by the Illinois State Board of Education.

2012 Annual Report of the Local Government Consolidation Commission, submitted by the Local Government Consolidation Commission.

SPAC 2012 Annual Report, submitted by the Illinois Sentencing Policy Advisory Council.

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

MESSAGES FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

December 7, 2012

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish January 8, 2013 as the 3rd Reading deadline for the following House Bills:

House Bills: 153, 2557, 4148, 4278, 4670, 4963, 5019, 5485, and 5761.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

December 10, 2012

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House

[January 2, 2013]

Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish January 8, 2013 as the Committee deadline for the following House Bills:

House Bills: 153, 4278, 4670, 4963, 5019, 5485, and 5761.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

January 2, 2013

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Heather Steans to temporarily replace Senator Kimberly Lightford as a member of the Senate Executive Appointments Committee. This appointment will automatically expire upon adjournment of the Senate Executive Appointments Committee.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

MESSAGES FROM THE GOVERNOR

**OFFICE OF THE GOVERNOR
207 STATE HOUSE
SPRINGFIELD, ILLINOIS 627076**

**PAT QUINN
GOVERNOR**

December 31, 2012

To the Honorable
Members of the Senate
Ninety-Seventh General Assembly

[January 2, 2013]

Mr. President,

On October 28, 2011, Appointment Message 252 nominating Steven E. McCurdy to be Assistant Director of the Central Management Services was delivered to your Honorable Body. As of the date of this letter, is it my understanding that the Senate has not taken action on this nomination.

Please be advised that, the Appointment Message, for which concurrence in and confirmation of your Honorable Body was sought, is hereby withdrawn, effective immediately.

Sincerely,
s/ Pat Quinn
GOVERNOR

OFFICE OF THE GOVERNOR
207 STATE HOUSE
SPRINGFIELD, ILLINOIS 627076

PAT QUINN
GOVERNOR

December 31, 2012

To the Honorable
Members of the Senate
Ninety-Seventh General Assembly

Mr. President,

On October 28, 2011, Appointment Message 283 nominating Eric W. Althoff to be a member of the Prisoner Review Board was delivered to your Honorable Body. As of the date of this letter, is it my understanding that the Senate has not taken action on this nomination.

Please be advised that, the Appointment Message, for which concurrence in and confirmation of your Honorable Body was sought, is hereby withdrawn, effective immediately.

Sincerely,
s/ Pat Quinn
GOVERNOR

LEGISLATIVE MEASURE FILED

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

Senate Floor Amendment No. 3 to House Bill 3816

JOINT ACTION MOTIONS FILED

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

Motion to Concur in House Amendment 1 to Senate Bill 281
Motion to Concur in House Amendment 2 to Senate Bill 1543
Motion to Concur in House Amendment 1 to Senate Bill 3212
Motion to Concur in House Amendment 1 to Senate Bill 3297

[January 2, 2013]

PRESENTATION OF RESOLUTIONS**SENATE RESOLUTION NO. 1035**

Offered by Senator Link and all Senators:
Mourns the death of Helen Heier of Vernon Hills.

SENATE RESOLUTION NO. 1036

Offered by Senator Link and all Senators:
Mourns the death of Mildred Postich of Delavan, Wisconsin, formerly of Waukegan.

SENATE RESOLUTION NO. 1037

Offered by Senator Link and all Senators:
Mourns the death of Orville St. Peter "Pat" Clavey of Waukegan.

SENATE RESOLUTION NO. 1038

Offered by Senator Lauzen and all Senators:
Mourns the death of Thomas J. "Tom" Cook of Oswego.

SENATE RESOLUTION NO. 1039

Offered by Senator Lauzen and all Senators:
Mourns the death of James P. Hughes, Sr.

SENATE RESOLUTION NO. 1040

Offered by Senator Lauzen and all Senators:
Mourns the death of John A. "Jack" Ryan.

SENATE RESOLUTION NO. 1041

Offered by Senator Lauzen and all Senators:
Mourns the death of James D. "Jim" Pittman of Aurora.

SENATE RESOLUTION NO. 1042

Offered by Senator Lauzen and all Senators:
Mourns the death of Paul DesCoteaux of Geneva.

SENATE RESOLUTION NO. 1043

Offered by Senator Sullivan and all Senators:
Mourns the death of Michael R. Kroll.

SENATE RESOLUTION NO. 1044

Offered by Senator E. Jones III and all Senators:
Mourns the death of Andrew Bradie, Jr.

SENATE RESOLUTION NO. 1045

Offered by Senator Harmon and all Senators:
Mourns the death of the Reverend Dr. Lewis Flowers.

SENATE RESOLUTION NO. 1046

Offered by Senator Lauzen and all Senators:
Mourns the death of Robert Francis James of Aurora.

SENATE RESOLUTION NO. 1047

Offered by Senator Lauzen and all Senators:
Mourns the death of Natalie Louise Wulff of Batavia.

SENATE RESOLUTION NO. 1048

Offered by Senator McCarter and all Senators:
Mourns the death of Dr. Sam H. McGowen of Mascoutah.

SENATE RESOLUTION NO. 1049

Offered by Senator Duffy and all Senators:
Mourns the death of Lori Schaeffges Rieger of Countryside Lake.

SENATE RESOLUTION NO. 1050

Offered by Senator Harmon and all Senators:
Mourns the death of Allen J. Oehlert of Chatham.

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

INTRODUCTION OF BILLS

SENATE BILL NO. 3943. Introduced by Senator Sandoval, a bill for AN ACT concerning civil law.

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

SENATE BILL NO. 3944. Introduced by Senator Sandoval, a bill for AN ACT concerning finance.

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

MESSAGES FROM THE HOUSE

A message from the House by
Mr. Mapes, 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, the Governor's specific recommendation for change notwithstanding, to-wit:

SENATE BILL 681

A bill for AN ACT concerning regulation.
Passed the House, December 4, 2012, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

A message from the House by
Mr. Mapes, 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. 98

WHEREAS, The Rock River, known for its beauty and ecological importance, flows south through Rockford, then southwest across northwestern Illinois, passing Oregon, Dixon, Sterling, and Rock Falls before joining the Mississippi River at Rock Island; and

WHEREAS, The Rock River provides opportunities for conservation and recreation for many residents of this State; and

WHEREAS, The Rock River has had an important role in Illinois history, and it attracts many tourists each year to such spots as the area in Dixon where former President Ronald Reagan once served as a lifeguard and his favorite fishing spot, now called "Dutch Landing", located just southwest of Lowell Park; and

WHEREAS, Designating the roads along the Illinois portion of the Rock River Trail as a Scenic and

Historic Route will encourage residents and visitors alike to explore, appreciate, and enjoy the many wonders of the Rock River; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Rock River Trail Scenic and Historic Route is designated as follows:

- (1) from the Illinois-Wisconsin State Line at Shirland Avenue, along South Bluff Road in Rockton Township to Rockton Road on County Highway 9;
- (2) along Rockton Road from South Bluff Road to Race Street in Rockton;
- (3) along Race Street from Rockton Road to West Main Street in Rockton;
- (4) along West Main Street from Race Street to South Blackhawk Boulevard;
- (5) along South Blackhawk Boulevard from West Main Street to Russell Street;
- (6) along Russell Street from South Blackhawk Boulevard to Old River Road;
- (7) along Old River Road from Russell Street to Latham Road;
- (8) along Latham Road from Old River Road to Illinois Route 2;
- (9) along Illinois Route 2 from Latham Road to Riverside Boulevard in Rockford;
- (10) along Riverside Boulevard from Illinois Route 2 to East Drive in Loves Park;
- (11) along East Drive from Riverside Boulevard to Evelyn Avenue;
- (12) along Evelyn Avenue from East Drive to Pearl Avenue;
- (13) along Pearl Avenue from Evelyn Avenue to Illinois Route 251;
- (14) along Illinois Route 251 from Pearl Avenue to Whitman Street;
- (15) along Whitman Street from Illinois Route 251 to North Main Street;
- (16) along North Main Street from Illinois Route 251 to Green Street;
- (17) along Green Street from North Main Street to Illinois Route 2 through the remainder of Winnebago County and through Ogle County and Lee County and Whiteside County to Illinois Route 40 in Sterling;
- (18) along Illinois Route 40 from Illinois Route 2 to US Route 30 in Rock Falls;
- (19) along US Route 30 from Illinois Route 40 to Moline Road;
- (20) along Moline Road from US Route 30 to Illinois Route 78 in Lyndon;
- (21) along Illinois Route 78 from Moline Road to West 3rd Street in Prophetstown;
- (22) along West 3rd Street from Illinois Route 78 to Grove Street;
- (23) along Grove Street from West 3rd Street to Springhill Road (County Road 3);
- (24) along Springhill Road from Grove Street to Banks Road (County Road 13);
- (25) along Banks Road from Springhill Road to Erie Road;
- (26) along Erie Road from Banks Road to Moline Road in Erie;
- (27) along Moline Road from Erie Road to Main Street in Hillsdale;
- (28) along Main Street from Moline Road to County Road V;
- (29) along County Road V from Main Street to County Road W;
- (30) along County Road W from County Road V to Illinois Route 92;
- (31) along Illinois Route 92 from County Road W to Illinois Route 82;
- (32) along Illinois Route 82 from Illinois Route 92 to Wolf Road (County Road 2);
- (33) along Wolf Road from Illinois Route 82 to Cleveland Road;
- (34) along Cleveland Road from Wolf Road to Illinois Route 84 in Colona and the Rock Island County Loop;
- (35) along Illinois Route 84 from Cleveland Road to US Route 6;
- (36) along US Route 6 from Illinois Route 84 to 27th Street in Moline;
- (37) along 27th Street from US Route 6 to Airport Road;
- (38) along Airport Road from 27th Street to US Route 67 in Milan;
- (39) along US Route 67 from Airport Road to 9th Street in Rock Island;
- (40) along 9th Street from US Route 67 to 31st Avenue;
- (41) along 31st Avenue from 9th Street to trailhead at Sunset Park and Marina and return on the Rock Island County Loop;
- (42) along 31st Avenue from Sunset Park and Marina to 9th Street;
- (43) along 9th Street from 31st Avenue to Blackhawk Road (Illinois Route 5);
- (44) along Blackhawk Road from 9th Street to John Deere Road in Moline (Illinois Route 5);
- (45) along John Deere Road from Blackhawk Road to Colona Road in Carbon Cliff;
- (46) along Colona Road from John Deere Road to Illinois Route 84; and
- (47) along Illinois Route 84 from Colona Road to Cleveland Road in Colona and the point

of beginning of the Rock Island County Loop; and be it further

RESOLVED, That the Illinois Department of Transportation and units of local government that maintain any portions of the Rock River Trail Scenic and Historic Route are requested to erect at suitable locations on their respective portions of the route, consistent with State and federal regulations, plaques or signs giving notice of the name; and be it further

RESOLVED, That units of local government that maintain any portion of the Rock River Trail Scenic and Historic Route are urged to enhance suitable areas along the route; and be it further

RESOLVED, That the Illinois Historic Preservation Agency and the Illinois Office of Tourism are requested to post the Rock River Trail Scenic and Historic Route's location on their Agency websites, and to produce and distribute brochures and other related matter that will make the route known to the public; and be it further

RESOLVED, That copies of this resolution be delivered to the Illinois Secretary of Transportation, the Illinois Historic Preservation Agency, the Illinois Office of Tourism, and to each of the local governments having jurisdiction over any portion of the route.

Adopted by the House, December 5, 2012.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 98 was referred to the Committee on Assignments.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 6231, sponsored by Senator Holmes, was taken up, read by title a first time and referred to the Committee on Assignments.

REPORT FROM STANDING COMMITTEE

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred **Appointment Messages Numbered 260, 261, 262, 264, 304, 325, 461, 462, 463, 464, 465, 466, 467, 471, 472, 473, 474, 475, 476, 477, 478, 479, 495, 496, 497, 520, 533, 534, 535, 536, 541, 542, 543, 544, 547, 548, 549, 554 and 555**, reported the same back with the recommendation that the Senate do advise and consent.

Under the rules, the foregoing appointment messages are eligible for consideration by the Senate.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 1051

Offered by Senator J. Collins and all Senators:
Mourns the death of Ruth Burton Foney.

SENATE RESOLUTION NO. 1052

Offered by Senator J. Collins and all Senators:
Mourns the death of Harold Roger Neiman, Jr.

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

[January 2, 2013]

Muñoz, Chairperson of the Committee on Executive Appointments, moved that the Senate resolve itself into Executive Session to consider the report of that Committee relative to the appointment messages.

The motion prevailed.

EXECUTIVE SESSION

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 260, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0260

Title of Office: Member

Agency or Other Body: Illinois Gaming Board

Start Date: November 15, 2011

End Date: July 1, 2012

Name: Lee A. Gould

Residence: 510 W. Erie St., Unit #2303, Chicago, IL 60654

Annual Compensation: Not Applicable

Per diem: \$300 plus expenses

Nominee's Senator: Senator Annazette R. Collins

Most Recent Holder of Office: Charles Gardner

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 48; NAY 1.

The following voted in the affirmative:

Althoff	Haine	Link	Righter
Bivins	Harmon	Maloney	Sandack
Bomke	Holmes	Martinez	Sandoval
Clayborne	Hunter	McGuire	Silverstein
Collins, A.	Hutchinson	Meeks	Steans
Collins, J.	Jacobs	Millner	Sullivan
Crotty	Johnson, C.	Mulroe	Syverson
Cultra	Johnson, T.	Muñoz	Trotter
Delgado	Koehler	Murphy	Mr. President
Dillard	LaHood	Pankau	
Forby	Landek	Radogno	
Frerichs	Lauzen	Raoul	
Garrett	Lightford	Rezin	

The following voted in the negative:

Kotowski

[January 2, 2013]

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 261, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0261

Title of Office: Member and Chairman

Agency or Other Body: Illinois Gaming Board

Start Date: October 28, 2011

End Date: July 1, 2013

Name: Aaron Jaffe

Residence: 23 Williamsburg Terrace, Evanston, IL 60203

Annual Compensation: Expenses

Per diem: \$300

Nominee's Senator: Senator Jeffrey M. Schoenberg

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 46; NAYS 2.

The following voted in the affirmative:

Althoff	Garrett	Lightford	Raoul
Bivins	Haine	Luechtefeld	Righter
Bomke	Harmon	Maloney	Sandack
Clayborne	Holmes	Martinez	Sandoval
Collins, A.	Hunter	McGuire	Silverstein
Collins, J.	Hutchinson	Meeks	Steans
Crotty	Johnson, C.	Millner	Sullivan
Cultra	Johnson, T.	Mulroe	Syverson
Delgado	Koehler	Muñoz	Trotter
Dillard	LaHood	Murphy	Mr. President
Forby	Landek	Pankau	
Frerichs	Lauzen	Radogno	

The following voted in the negative:

Jacobs
Kotowski

The motion prevailed.

[January 2, 2013]

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 262, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0262

Title of Office: Member

Agency or Other Body: Illinois Gaming Board

Start Date: October 28, 2011

End Date: July 1, 2013

Name: Michael Holewinski

Residence: 3838 N. Leclair Ave., Chicago, IL 60641

Annual Compensation: Expenses

Per diem: \$300

Nominee's Senator: Senator Iris Y. Martinez

Most Recent Holder of Office: Eugene Winkler

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 50; NAY 1.

The following voted in the affirmative:

Althoff	Garrett	Lightford	Raoul
Bivins	Haine	Link	Rezin
Bomke	Harmon	Luechtefeld	Righter
Brady	Holmes	Maloney	Sandack
Clayborne	Hunter	Martinez	Sandoval
Collins, A.	Hutchinson	McGuire	Silverstein
Collins, J.	Jacobs	Meeks	Steans
Crotty	Johnson, C.	Millner	Sullivan
Cultra	Johnson, T.	Mulroe	Syverson
Delgado	Koehler	Muñoz	Trotter
Dillard	LaHood	Murphy	Mr. President
Forby	Landek	Pankau	
Frerichs	Lauzen	Radogno	

The following voted in the negative:

Kotowski

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

[January 2, 2013]

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 264, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0264

Title of Office: Member

Agency or Other Body: Illinois Gaming Board

Start Date: October 28, 2011

End Date: July 1, 2014

Name: Maribeth Vander Weele

Residence: 852 W. Belle Plaine Ave., Chicago, IL 60613

Annual Compensation: Expenses

Per diem: \$300

Nominee's Senator: Senator Heather A. Steans

Most Recent Holder of Office: Joe Moore

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 50; NAY 1.

The following voted in the affirmative:

Althoff	Garrett	Lightford	Raoul
Bivins	Haine	Link	Rezin
Bomke	Harmon	Luechtefeld	Righter
Brady	Holmes	Maloney	Sandack
Clayborne	Hunter	Martinez	Sandoval
Collins, A.	Hutchinson	McGuire	Silverstein
Collins, J.	Jacobs	MEEKS	Steans
Crotty	Johnson, C.	Millner	Sullivan
Cultra	Johnson, T.	Mulroe	Syverson
Delgado	Koehler	Muñoz	Trotter
Dillard	LaHood	Murphy	Mr. President
Forby	Landek	Pankau	
Frerichs	Lauzen	Radogno	

The following voted in the negative:

Kotowski

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

[January 2, 2013]

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 304, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0304

Title of Office: Director

Agency or Other Body: Illinois Environmental Protection Agency

Start Date: November 7, 2011

End Date: January 21, 2013

Name: John J. Kim

Residence: 4613 Barrington Drive, Springfield, IL 62711

Annual Compensation: \$133,273

Per diem: Not Applicable

Nominee's Senator: Senator Larry K. Bomke

Most Recent Holder of Office: Doug Scott

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 49; NAYS None; Present 1.

The following voted in the affirmative:

Althoff	Haine	Lightford	Rezin
Bivins	Harmon	Luechtefeld	Righter
Bomke	Holmes	Maloney	Sandack
Brady	Hunter	Martinez	Sandoval
Collins, A.	Hutchinson	McGuire	Silverstein
Collins, J.	Jacobs	Meeks	Steans
Crotty	Johnson, C.	Millner	Sullivan
Cultra	Johnson, T.	Mulroe	Syverson
Delgado	Koehler	Muñoz	Trotter
Dillard	Kotowski	Murphy	Mr. President
Forby	LaHood	Pankau	
Frerichs	Landek	Radogno	
Garrett	Lauzen	Raoul	

The following voted present:

Clayborne

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

[January 2, 2013]

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 325, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0325

Title of Office: Member

Agency or Other Body: Illinois Workforce Investment Board

Start Date: December 15, 2011

End Date: July 1, 2012

Name: Juan Salgado

Residence: 3403 W. 64th Place, Chicago, IL 60629

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Martin A. Sandoval

Most Recent Holder of Office: Rosalind Bruce

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Garrett	Lauzen	Radogno
Bivins	Haine	Lightford	Raoul
Bomke	Harmon	Link	Rezin
Brady	Holmes	Luechtefeld	Righter
Clayborne	Hunter	Maloney	Sandack
Collins, A.	Hutchinson	Martinez	Sandoval
Collins, J.	Jacobs	McGuire	Silverstein
Crotty	Johnson, C.	Meeks	Steans
Cultra	Johnson, T.	Millner	Sullivan
Delgado	Koehler	Mulroe	Syverson
Dillard	Kotowski	Muñoz	Trotter
Forby	LaHood	Murphy	Mr. President
Frerichs	Landek	Pankau	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 353, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0353

[January 2, 2013]

Title of Office: Member

Agency or Other Body: Employment Security Board of Review

Start Date: December 21, 2011

End Date: January 21, 2013

Name: Tumia Romero

Residence: 105 S. Mayfield Ave., Chicago, IL 60644

Annual Compensation: \$15,000

Per diem: Not Applicable

Nominee's Senator: Senator Kimberly A. Lightford

Most Recent Holder of Office: Elwood Flowers, Sr.

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 48; NAY 1.

The following voted in the affirmative:

Althoff	Garrett	Link	Rezin
Bivins	Haine	Luechtefeld	Righter
Bomke	Harmon	Maloney	Sandack
Brady	Hunter	Martinez	Sandoval
Clayborne	Hutchinson	McGuire	Silverstein
Collins, A.	Jacobs	Meeks	Steans
Collins, J.	Johnson, C.	Millner	Sullivan
Crotty	Johnson, T.	Mulroe	Trotter
Cultra	Koehler	Muñoz	Mr. President
Delgado	LaHood	Murphy	
Dillard	Landek	Pankau	
Forby	Lauzen	Radogno	
Frerichs	Lightford	Raoul	

The following voted in the negative:

Kotowski

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

On motion of Senator Muñoz, the Executive Session arose and the Senate resumed consideration of business.

Senator John Sullivan, presiding.

LEGISLATIVE MEASURES FILED

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

[January 2, 2013]

Senate Committee Amendment No. 1 to House Bill 2105
 Senate Committee Amendment No. 1 to House Bill 4963
 Senate Committee Amendment No. 1 to House Bill 5019
 Senate Committee Amendment No. 1 to House Bill 5655

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

Senate Floor Amendment No. 1 to House Bill 815
 Senate Floor Amendment No. 2 to House Bill 815
 Senate Floor Amendment No. 6 to House Bill 1237
 Senate Floor Amendment No. 5 to House Bill 1263
 Senate Floor Amendment No. 6 to House Bill 1263
 Senate Floor Amendment No. 3 to House Bill 2842
 Senate Floor Amendment No. 4 to House Bill 4148
 Senate Floor Amendment No. 2 to House Bill 4466
 Senate Floor Amendment No. 2 to House Bill 5151
 Senate Floor Amendment No. 1 to House Bill 5210
 Senate Floor Amendment No. 2 to House Bill 5210
 Senate Floor Amendment No. 5 to House Bill 5495

At the hour of 4:15 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 4:25 o'clock p.m., the Senate resumed consideration of business.
 Senator Sullivan, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its January 2, 2013 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **House Bills 2105, 5655 and 6193; Senate Floor Amendment No. 3 to House Bill 3816; Senate Committee Amendment No. 1 to House Bill 4963; Senate Floor Amendment No. 2 to House Bill 5151.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its January 2, 2013 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

Executive: **Motion to Concur in House Amendment 1 to Senate Bill 281**
 Insurance: **Motion to Concur in House Amendments 1, 2 and 3 to Senate Bill 3233**
 Revenue: **Motion to Concur in House Amendment 2 to Senate Bill 1543**
Motion to Concur in House Amendment 1 to Senate Bill 3212
Motion to Concur in House Amendment 1 to Senate Bill 3297

Senator Clayborne, Chairperson of the Committee on Assignments, during its January 2, 2013 meeting, to which was referred **Senate Bill No. 24** on January 14, 2012, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

[January 2, 2013]

And **Senate Bill No. 24** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its January 2, 2013 meeting, to which was referred **House Bill No. 815** on July 23, 2011, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **House Bill No. 815** was returned to the order of second reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its January 2, 2013 meeting, to which was referred **House Bill No. 5341** on July 1, 2012, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **House Bill No. 5341** was returned to the order of second reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its January 2, 2013 meeting, to which was referred **House Bills Numbered 1237, 1263, 2842, 2891, 3076, 3450, 3865, 4466, 5210, 5315, 5495, 5528 and 5549** on July 1, 2012, 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 **House Bills Numbered 1237, 1263, 2842, 2891, 3076, 3450, 3865, 4466, 5210, 5315, 5495, 5528 and 5549** were returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its January 2, 2013 meeting, to which was referred **Senate Bill No. 1556** on July 1, 2012, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 1556** was returned to the order of concurrence.

Senator Clayborne, Chairperson of the Committee on Assignments, during its January 2, 2013 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **Senate Floor Amendment No. 6 to House Bill 1237; Senate Committee Amendment No. 1 to House Bill 2105; Senate Floor Amendment No. 3 to House Bill 2842; Senate Floor Amendment No. 2 to House Bill 4466; Senate Committee Amendment No. 1 to House Bill 5019; Senate Floor Amendment No. 1 to House Bill 5210; Senate Floor Amendment No. 2 to House Bill 5210; Senate Committee Amendment No. 1 to House Bill 5655.**

Public Health: **Senate Floor Amendment No. 1 to House Bill 815; Senate Floor Amendment No. 5 to House Bill 1263.**

Revenue: **Senate Floor Amendment No. 4 to House Bill 4148; Senate Floor Amendment No. 5 to House Bill 5495.**

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committees to meet at 5:45 o'clock p.m.:

Executive in Room 212

[January 2, 2013]

Public Health in Room 409

COMMITTEE MEETING ANNOUNCEMENTS FOR JANUARY 3, 2013

The Chair announced the following committees to meet at 8:00 o'clock a.m.:

Appropriations II in Room 212
Insurance in Room 400

The Chair announced the following committee to meet at 9:00 o'clock a.m.:

Revenue in Room 400

POSTING NOTICES WAIVED

Senator Crotty moved to waive the six-day posting requirement on **House Bill No. 2105** so that the measure may be heard in the Committee on Executive that is scheduled to meet January 2, 2013.

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

YEAS 30; NAYS 21.

The following voted in the affirmative:

Clayborne	Harmon	Lightford	Raoul
Collins, J.	Holmes	Link	Sandoval
Crotty	Hunter	Maloney	Silverstein
Delgado	Hutchinson	Martinez	Steans
Forby	Jacobs	McGuire	Trotter
Frerichs	Koehler	Meeks	Mr. President
Garrett	Kotowski	Mulroe	
Haine	Landek	Muñoz	

The following voted in the negative:

Althoff	Johnson, C.	McCarter	Righter
Bivins	Johnson, T.	Millner	Sandack
Bomke	LaHood	Murphy	Syverson
Brady	Lauzen	Pankau	
Cultra	Luechtefeld	Radogno	
Dillard	McCann	Rezin	

The motion prevailed.

Senator Steans moved to waive the six-day posting requirement on **House Bill No. 5655** so that the measure may be heard in the Committee on Executive that is scheduled to meet January 2, 2013.

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

YEAS 28; NAYS 24.

The following voted in the affirmative:

Clayborne	Holmes	Link	Silverstein
Collins, A.	Hunter	Maloney	Steans
Collins, J.	Hutchinson	Martinez	Trotter
Crotty	Jacobs	McGuire	Mr. President
Delgado	Koehler	Mulroe	

[January 2, 2013]

Frerichs	Kotowski	Muñoz
Garrett	Landek	Raoul
Harmon	Lightford	Sandoval

The following voted in the negative:

Althoff	Haine	McCarter	Righter
Bivins	Johnson, C.	Meeks	Sandack
Bomke	Johnson, T.	Millner	Syverson
Brady	LaHood	Murphy	
Cultra	Laufen	Pankau	
Dillard	Luechtefeld	Radogno	
Forby	McCann	Rezin	

The motion lost.

Senator J. Collins moved to waive the six-day posting requirement on **House Bill No. 6193** so that the measure may be heard in the Committee on Executive that is scheduled to meet January 2, 2013.

The motion prevailed.

MESSAGES FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

January 2, 2013

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Kwame Raoul to temporarily replace Senator Michael Noland as a member of the Senate Public Health Committee. In addition, I hereby appoint Senator John Mulroe to temporarily replace Senator Jeff Schoenberg as a member of the Senate Public Health Committee. These appointments will automatically expire upon adjournment of the Senate Public Health Committee.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

[January 2, 2013]

January 2, 2013

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Terry Link to temporarily replace Senator Jeff Schoenberg as a member of the Senate Executive Committee. This appointment will automatically expire upon adjournment of the Senate Executive Committee.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

January 2, 2013

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby extend the applicable committee and 3rd Reading deadlines to January 8, 2013, for the following bills:

House Bills: 815, 1237, 1263, 2105, 2842, 2891, 3076, 3450, 3865, 4466, 5210, 5315, 5341, 5495, 5528, 5549, 5655, 6193 and

Senate Bill 24.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

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

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

[January 2, 2013]

At the hour of 4:58 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 9:02 o'clock p.m., the Senate resumed consideration of business.
Senator Sullivan, presiding.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Kotowski, **House Bill No. 815** was taken up, read by title a second time. Senate Floor Amendment No. 1 was referred to the Committee on Public Health earlier today. There being no further amendments, the bill was ordered to a third reading.

REPORTS FROM STANDING COMMITTEES

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

Senate Amendment No. 1 to House Bill 815
Senate Amendment No. 5 to House Bill 1263

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

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **House Bill No. 6193**, reported the same back with the recommendation that the bill do pass.
Under the rules, the bill was ordered to a second reading.

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **House Bills Numbered 2105, 4963 and 5019**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.
Under the rules, the bills were ordered to a second reading.

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

Senate Amendment No. 6 to House Bill 1237
Senate Amendment No. 3 to House Bill 2842
Senate Amendment No. 3 to House Bill 3816
Senate Amendment No. 2 to House Bill 5151
Senate Amendment No. 1 to House Bill 5210
Senate Amendment No. 2 to House Bill 5210

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

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

Motion to Concur in House Amendment 1 to Senate Bill 281

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Crotty, **House Bill No. 2105** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 2105

AMENDMENT NO. 1. Amend House Bill 2105 by replacing everything after the enacting clause with the following:

"Section 5. The Community Mental Health Act is amended by changing Section 14 as follows:

(405 ILCS 20/14)

(Section scheduled to be repealed on December 31, 2018)

Sec. 14. Advisory committee.

(a) No later than December 31, 2011, the county board chairman in every county with a population of less than 3,000,000, or the township supervisor of a township located in a county with a population of 3,000,000 or more, shall appoint a volunteer 7 member mental health advisory committee composed of members of the general public, if no community mental health board has been established in the county or township as provided under Section 3a of this Act. This subsection shall not apply to townships that currently monitor and address mental health needs of township residents by providing or funding provide mental health services available to individuals and families, and that include the following: psychiatric evaluation, therapy, crisis assessment and intervention, and case management.

(b) The mental health advisory committee shall identify and assess current mental health services in its respective jurisdiction, monitor any expansion or contraction of such services, and, if deemed necessary, provide a report to the county or township board with recommendations for additional services.

(c) The mental health advisory committee shall have no taxing authority.

(d) This Section is repealed on December 31, 2018.

(Source: P.A. 97-439, eff. 8-18-11.)

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

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

On motion of Senator Steans, **House Bill No. 4963** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4963

AMENDMENT NO. 1. Amend House Bill 4963 by replacing everything after the enacting clause with the following:

"Section 5. The Collateral Recovery Act is amended by changing Section 1 as follows:

(225 ILCS 422/1)

(Section scheduled to be repealed on January 1, 2022)

Sec. 1. Short title. This Act may be cited as the ~~the~~ Collateral Recovery Act.

(Source: P.A. 97-576, eff. 7-1-12.)"

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

On motion of Senator J. Collins, **House Bill No. 5019** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5019

AMENDMENT NO. 1. Amend House Bill 5019 by replacing everything after the enacting clause with the following:

[January 2, 2013]

"Section 1. Purpose; intent.

(a) Public Act 97-849, "AN ACT concerning business", was approved July 25, 2012. Public Act 97-849 contained an effective date Section providing that the Act takes effect on January 1, 2013.

(b) The purpose of this Act is to delay the effective date of the amendatory provisions contained in Sections 10, 15, and 25 of Public Act 97-849 until the effective date of the federal regulations implementing Sections 1431, 1432, and 1433 of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act.

(c) This Act is not intended to repeal, even temporarily, any statute that was changed by Sections 10, 15, and 25 of Public Act 97-849; rather, it is the intent of the General Assembly to render the changes to those statutes by Public Act 97-849 inoperative until the effective date of the federal regulations implementing Sections 1431, 1432, and 1433 of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act.

(d) This Act also makes substantive changes to the Code of Civil Procedure unrelated to Public Act 97-849, specifically by amending certain provisions of Section 15-1508 concerning the Making Home Affordable Program.

Section 5. The Code of Civil Procedure is amended by changing Section 15-1508 as follows:

(735 ILCS 5/15-1508) (from Ch. 110, par. 15-1508)

Sec. 15-1508. Report of Sale and Confirmation of Sale.

(a) Report. The person conducting the sale shall promptly make a report to the court, which report shall include a copy of all receipts and, if any, certificate of sale.

(b) Hearing. Upon motion and notice in accordance with court rules applicable to motions generally, which motion shall not be made prior to sale, the court shall conduct a hearing to confirm the sale. Unless the court finds that (i) a notice required in accordance with subsection (c) of Section 15-1507 was not given, (ii) the terms of sale were unconscionable, (iii) the sale was conducted fraudulently, or (iv) justice was otherwise not done, the court shall then enter an order confirming the sale. The confirmation order shall include a name, address, and telephone number of the holder of the certificate of sale or deed issued pursuant to that certificate or, if no certificate or deed was issued, the purchaser, whom a municipality or county may contact with concerns about the real estate. The confirmation order may also:

(1) approve the mortgagee's fees and costs arising between the entry of the judgment of foreclosure and the confirmation hearing, those costs and fees to be allowable to the same extent as provided in the note and mortgage and in Section 15-1504;

(2) provide for a personal judgment against any party for a deficiency; and

(3) determine the priority of the judgments of parties who deferred proving the priority pursuant to subsection (h) of Section 15-1506, but the court shall not defer confirming the sale pending the determination of such priority.

(b-5) Notice with respect to residential real estate. With respect to residential real estate, the notice required under subsection (b) of this Section shall be sent to the mortgagor even if the mortgagor has previously been held in default. In the event the mortgagor has filed an appearance, the notice shall be sent to the address indicated on the appearance. In all other cases, the notice shall be sent to the mortgagor at the common address of the foreclosed property. The notice shall be sent by first class mail. Unless the right to possession has been previously terminated by the court, the notice shall include the following language in 12-point boldface capitalized type:

IF YOU ARE THE MORTGAGOR (HOMEOWNER), YOU HAVE THE RIGHT TO REMAIN IN
POSSESSION FOR 30 DAYS AFTER ENTRY OF AN ORDER OF POSSESSION, IN
ACCORDANCE WITH SECTION 15-1701(c) OF THE ILLINOIS MORTGAGE FORECLOSURE
LAW.

(b-10) Notice of confirmation order sent to municipality or county. A copy of the confirmation order required under subsection (b) shall be sent to the municipality in which the foreclosed property is located, or to the county within the boundary of which the foreclosed property is located if the foreclosed property is located in an unincorporated territory. A municipality or county must clearly publish on its website a single address to which such notice shall be sent. If a municipality or county does not maintain a website, then the municipality or county must publicly post in its main office a single address to which such notice shall be sent. In the event that a municipality or county has not complied with the publication requirement in this subsection (b-10), then such notice to the municipality or county shall be provided pursuant to Section 2-211 of the Code of Civil Procedure.

(c) Failure to Give Notice. If any sale is held without compliance with subsection (c) of Section 15-1507 of this Article, any party entitled to the notice provided for in paragraph (3) of that subsection (c)

who was not so notified may, by motion supported by affidavit made prior to confirmation of such sale, ask the court which entered the judgment to set aside the sale. Any such party shall guarantee or secure by bond a bid equal to the successful bid at the prior sale, unless the party seeking to set aside the sale is the mortgagor, the real estate sold at the sale is residential real estate, and the mortgagor occupies the residential real estate at the time the motion is filed. In that event, no guarantee or bond shall be required of the mortgagor. Any subsequent sale is subject to the same notice requirement as the original sale.

(d) Validity of Sale. Except as provided in subsection (c) of Section 15-1508, no sale under this Article shall be held invalid or be set aside because of any defect in the notice thereof or in the publication of the same, or in the proceedings of the officer conducting the sale, except upon good cause shown in a hearing pursuant to subsection (b) of Section 15-1508. At any time after a sale has occurred, any party entitled to notice under paragraph (3) of subsection (c) of Section 15-1507 may recover from the mortgagee any damages caused by the mortgagee's failure to comply with such paragraph (3). Any party who recovers damages in a judicial proceeding brought under this subsection may also recover from the mortgagee the reasonable expenses of litigation, including reasonable attorney's fees.

(d-5) Making Home Affordable Program. The court that entered the judgment shall set aside a sale held pursuant to Section 15-1507, upon motion of the mortgagor at any time prior to the confirmation of the sale, if the mortgagor proves by a preponderance of the evidence that (i) the mortgagor has applied for assistance under the Making Home Affordable Program established by the United States Department of the Treasury pursuant to the Emergency Economic Stabilization Act of 2008, as amended by the American Recovery and Reinvestment Act of 2009, and (ii) the mortgaged real estate was sold in material violation of the program's requirements for proceeding to a judicial sale. The provisions of this subsection (d-5), except for this sentence, shall become inoperative on January 1, ~~2014~~ ~~2013~~ for all actions filed under this Article after December 31, ~~2013~~ ~~2012~~, in which the mortgagor did not apply for assistance under the Making Home Affordable Program on or before December 31, ~~2013~~ ~~2012~~.

(e) Deficiency Judgment. In any order confirming a sale pursuant to the judgment of foreclosure, the court shall also enter a personal judgment for deficiency against any party (i) if otherwise authorized and (ii) to the extent requested in the complaint and proven upon presentation of the report of sale in accordance with Section 15-1508. Except as otherwise provided in this Article, a judgment may be entered for any balance of money that may be found due to the plaintiff, over and above the proceeds of the sale or sales, and enforcement may be had for the collection of such balance, the same as when the judgment is solely for the payment of money. Such judgment may be entered, or enforcement had, only in cases where personal service has been had upon the persons personally liable for the mortgage indebtedness, unless they have entered their appearance in the foreclosure action.

(f) Satisfaction. Upon confirmation of the sale, the judgment stands satisfied to the extent of the sale price less expenses and costs. If the order confirming the sale includes a deficiency judgment, the judgment shall become a lien in the manner of any other judgment for the payment of money.

(g) The order confirming the sale shall include, notwithstanding any previous orders awarding possession during the pendency of the foreclosure, an award to the purchaser of possession of the mortgaged real estate, as of the date 30 days after the entry of the order, against the parties to the foreclosure whose interests have been terminated.

An order of possession authorizing the removal of a person from possession of the mortgaged real estate shall be entered and enforced only against those persons personally named as individuals in the complaint or the petition under subsection (h) of Section 15-1701 and in the order of possession and shall not be entered and enforced against any person who is only generically described as an unknown owner or nonrecord claimant or by another generic designation in the complaint.

Notwithstanding the preceding paragraph, the failure to personally name, include, or seek an award of possession of the mortgaged real estate against a person in the confirmation order shall not abrogate any right that the purchaser may have to possession of the mortgaged real estate and to maintain a proceeding against that person for possession under Article 9 of this Code or subsection (h) of Section 15-1701; and possession against a person who (1) has not been personally named as a party to the foreclosure and (2) has not been provided an opportunity to be heard in the foreclosure proceeding may be sought only by maintaining a proceeding under Article 9 of this Code or subsection (h) of Section 15-1701.

(h) With respect to mortgaged real estate containing 5 or more dwelling units, the order confirming the sale shall also provide that (i) the mortgagor shall transfer to the purchaser the security deposits, if any, that the mortgagor received to secure payment of rent or to compensate for damage to the mortgaged real estate from any current occupant of a dwelling unit of the mortgaged real estate, as well as any statutory interest that has not been paid to the occupant, and (ii) the mortgagor shall provide an accounting of the security deposits that are transferred, including the name and address of each occupant

for whom the mortgagor holds the deposit and the amount of the deposit and any statutory interest. (Source: P.A. 96-265, eff. 8-11-09; 96-856, eff. 3-1-10; 96-1245, eff. 7-23-10; 97-333, eff. 8-12-11; 97-575, eff. 8-26-11.)

Section 10. "AN ACT concerning business", approved July 25, 2012 (Public Act 97-849), is amended by changing Section 99 as follows:

(P.A. 97-849, Sec. 99)

Sec. 99. Effective date. This Act takes effect on January 1, 2013, except that Sections 10, 15, and 25 take effect on the effective date of the federal regulations implementing Sections 1431, 1432, and 1433 of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act.

(Source: P.A. 97-849.)

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

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

On motion of Senator J. Collins and Senator Millner, **House Bill No. 6193** was taken up, read by title a second time and ordered to a third reading.

MESSAGE FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

January 2, 2013

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Don Harmon to temporarily replace Senator James Clayborne as Chairman of the Senate Committee on Assignments. In addition, I hereby appoint Senator Maggie Crotty to serve as a member of the Senate Committee on Assignments. These appointments will automatically expire upon adjournment of the Senate Committee on Assignments..

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

COMMUNICATION FROM THE MINORITY LEADER

CHRISTINE RADOGNO
SENATE REPUBLICAN LEADER · 41st DISTRICT

January 2, 2013

Mr. Tim Anderson

[January 2, 2013]

Secretary of the Senate
401 State House
Springfield, Illinois 62706

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 3-5 (c), I am hereby appointing Senator Matt Murphy to replace Senator Kirk Dillard as a member of the Senate Committee on Assignments and I am appointing Senator Dale Righter to serve as Minority Spokesperson of the Senate Committee on Assignments. These appointments are effective immediately and shall automatically expire upon adjournment of the Committee on Assignments.

Sincerely,
s/Christine Radogno
Christine Radogno
Senate Republican Leader

cc: Senate President John Cullerton
Assistant Secretary of the Senate Scott Kaiser

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 1 to House Bill 2105

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

Senate Floor Amendment No. 3 to House Bill 815
Senate Floor Amendment No. 7 to House Bill 1263
Senate Floor Amendment No. 3 to House Bill 2842
Senate Floor Amendment No. 5 to House Bill 2891
Senate Floor Amendment No. 1 to House Bill 3450
Senate Floor Amendment No. 2 to House Bill 4963

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

Senate Floor Amendment No. 1 to Senate Bill 24

At the hour of 9:33 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 9:39 o'clock p.m., the Senate resumed consideration of business.
Senator Sullivan, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Harmon, Chairperson of the Committee on Assignments, during its January 2, 2013 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

[January 2, 2013]

Appropriations II: **Senate Floor Amendment No. 1 to Senate Bill 24; Senate Floor Amendment No. 5 to House Bill 2891.**

Executive: **Senate Floor Amendment No. 3 to House Bill 815; Senate Floor Amendment No. 7 to House Bill 1263; Senate Floor Amendment No. 1 to House Bill 3450; Senate Floor Amendment No. 2 to House Bill 4963.**

COMMITTEE MEETING ANNOUNCEMENTS FOR JANUARY 3, 2013

The Chair announced the following committee to meet at 8:00 o'clock a.m.:

Appropriations II in Room 212

The Chair announced that the Committee on State Government and Veterans' Affairs scheduled to meet at 8:00 o'clock a.m. has been cancelled.

The Chair announced the following committee to meet at 11:00 o'clock a.m.:

Executive in Room 212

At the hour of 9:41 o'clock p.m., the Chair announced the Senate stand adjourned until Thursday, January 3, 2013, at 10:00 o'clock a.m.