



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-EIGHTH GENERAL ASSEMBLY**

**8TH LEGISLATIVE DAY**

**TUESDAY, FEBRUARY 5, 2013**

**12:12 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**8th Legislative Day**

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The Senate met pursuant to adjournment.  
Senator John M. Sullivan, Rushville, Illinois, presiding.  
Prayer by Pastor David Anderson, Modesto Christian Church, Modesto, Illinois.  
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journals of Thursday, January 10, 2013, Wednesday, January 16, 2013, Wednesday, January 23, 2013, Thursday, January 24, 2013, Wednesday, January 30, 2013 and Thursday, January 31, 2013, be postponed, pending arrival of the printed Journals.  
The motion prevailed.

### **REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

DOL Report to the Governor and Legislature, submitted by the Department of Labor.

Collection Statistics for Calendar Year 2012, submitted by the Office of the Attorney General.

Report Pursuant to Public Act 87-522 (Flex time), submitted by the Department of Juvenile Justice.

Report Pursuant to Public Act 87-522 (Flex time), submitted by the Civil Service Commission.

2013 Hispanic, Asian-American and African-American Employment Plan Reports, submitted by the Illinois Tollway.

ICC Annual Report on Electricity, Gas, Water and Sewer Utilities 2012, submitted by the Illinois Commerce Commission.

Reports on conveyances of real surplus property and new installment/lease purchase agreements, submitted by the Department of Central Management Services.

2013 Hispanic, Asian-American and African-American Employment Plan reports, submitted by the Department of Central Management Services.

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

### **LEGISLATIVE MEASURES FILED**

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

Senate Committee Amendment No. 1 to Senate Bill 10  
Senate Committee Amendment No. 1 to Senate Bill 20  
Senate Committee Amendment No. 1 to Senate Bill 26  
Senate Committee Amendment No. 1 to Senate Bill 56

### **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

[February 5, 2013]

February 5, 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 Terry Link to temporarily replace Senator James Clayborne 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

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

JOHN J. CULLERTON  
SENATE PRESIDENT

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

February 5, 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 James Clayborne as a member of the Senate Executive Committee. In addition, I hereby appoint Senator William Delgado to temporarily replace Senator Ira Silverstein as a member of the Senate Executive Committee. These appointments 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

**COMMUNICATION**

**GARY FORBY**  
STATE SENATOR · 59<sup>TH</sup> DISTRICT

January 29, 2013

[February 5, 2013]

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

Dear Mr. Secretary:

Pursuant to Senate Rule 3-1(d), effective immediately, I am resigning from my appointed position on the Senate Committee on Insurance.

Thank you for your attention to this matter.

Sincerely,  
s/Gary Forby  
Gary Forby  
State Senator

**PRESENTATION OF RESOLUTIONS**

**SENATE RESOLUTION NO. 57**

Offered by Senator Duffy and all Senators:  
Mourns the death of Patricia A. Razook of Arlington Heights.

**SENATE RESOLUTION NO. 58**

Offered by Senator Link and all Senators:  
Mourns the death of Bernard C. Douville, formerly of Waukegan.

**SENATE RESOLUTION NO. 59**

Offered by Senator Link and all Senators:  
Mourns the death of Peter Michaels.

**SENATE RESOLUTION NO. 60**

Offered by Senator Link and all Senators:  
Mourns the death of Marvin Whitney.

**SENATE RESOLUTION NO. 61**

Offered by Senator Link and all Senators:  
Mourns the death of Douglas Stacy Rostron of Waukegan.

**SENATE RESOLUTION NO. 62**

Offered by Senator Link and all Senators:  
Mourns the death of Michael J. Leginski of Wadsworth.

**SENATE RESOLUTION NO. 63**

Offered by Senator Link and all Senators:  
Mourns the death of William F. McGrain of Naples, Florida, formerly of Waukegan.

**SENATE RESOLUTION NO. 64**

Offered by Senator Dillard and all Senators:  
Mourns the death of Rodney C. Pennington of Glen Ellyn.

**SENATE RESOLUTION NO. 66**

Offered by Senators Righter - Rose and all Senators:  
Mourns the death of William "Bill" Grimes of Mattoon.

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

[February 5, 2013]

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

**SENATE RESOLUTION NO. 65**

WHEREAS, The State of Illinois, the home state of President Abraham Lincoln, who issued the Emancipation Proclamation 150 years ago freeing black persons held in bondage in Confederate territory and used all the influence of his office to ensure the passage through Congress of the Thirteenth Amendment to the United States Constitution, became the first state in the union to ratify that amendment on February 1, 1865; and

WHEREAS, The Thirteenth Amendment abolished slavery in America and states that "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."; and

WHEREAS, After receiving word that the United States House of Representatives had approved the Thirteenth Amendment, Illinois Governor Richard J. Oglesby on February 1, 1865, informed the State legislature of its passage and urged its immediate ratification on the grounds that doing so was "just" and "humane"; 3 1/2 hours later, the amendment stood ratified by both chambers; and

WHEREAS, The Thirteenth Amendment officially became the law of the land on December 18, 1865, after 27 states - 19 in the north and west, and 8 in the south - had ratified it; and

WHEREAS, Each February, the nation observes Black History Month, a time of teaching and learning about the black men and women who are an integral part of our nation's narrative and have made outstanding contributions to national life and the ongoing struggle for freedom, justice, and equality; and

WHEREAS, The addition of the Thirteenth Amendment to the United States Constitution marked a turning point in the history of American race relations; despite being by no means the end of discrimination, injustice, and oppression, it represented the beginning of a road that has stretched from Jim Crow laws to Brown v. Board of Education to the Selma Civil Rights March to the nation's first black president and beyond; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the month of February in 2013 as Thirteenth Amendment Ratification Month in the State of Illinois to recognize the importance of the Illinois General Assembly's proud vote for abolition in 1865 - the first in the nation - and this document's vital place in the annals of black and American history; and be it further

RESOLVED, That we encourage schools, civic organizations, and other institutions in the State of Illinois, as they observe Black History Month, to study the passage and ratification of the Thirteenth Amendment, the leaders who brought the State and nation to this historic moment, and the effects of ratification on Illinoisans and Americans of all races.

Senators Kotowski - Manar offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Assignments:

**SENATE JOINT RESOLUTION NO. 6  
CONSTITUTIONAL AMENDMENT**

SC0006

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article IV of the Illinois Constitution by changing Section 6 as follows:

[February 5, 2013]

ARTICLE IV  
THE LEGISLATURE

SECTION 6. ORGANIZATION

(a) A majority of the members elected to each house constitutes a quorum.

(b) On the first day of the January session of the General Assembly in odd-numbered years, the Secretary of State shall convene the House of Representatives to elect from its membership a Speaker of the House of Representatives as presiding officer, and the Governor shall convene the Senate to elect from its membership a President of the Senate as presiding officer.

(c) For purposes of powers of appointment conferred by this Constitution, the Minority Leader of either house is a member of the numerically strongest political party other than the party to which the Speaker or the President belongs, as the case may be. A person who has served 2 consecutive 2-year terms as Speaker of the House of Representatives, President of the Senate, Minority Leader of the House of Representatives, or Minority Leader of the Senate may not be re-elected to the same office for a period of 4 years after his or her second term expires. Service before the second Wednesday in January of 2015 shall not be considered in the calculation of a person's service.

(d) Each house shall determine the rules of its proceedings, judge the elections, returns and qualifications of its members and choose its officers. No member shall be expelled by either house, except by a vote of two-thirds of the members elected to that house. A member may be expelled only once for the same offense. Each house may punish by imprisonment any person, not a member, guilty of disrespect to the house by disorderly or contemptuous behavior in its presence. Imprisonment shall not extend beyond twenty-four hours at one time unless the person persists in disorderly or contemptuous behavior.

(Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senator Cunningham offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Assignments:

**SENATE JOINT RESOLUTION NO. 7  
CONSTITUTIONAL AMENDMENT**

SC0007

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Sections 8, 11, and 12 of Article VI of the Illinois Constitution as follows:

ARTICLE VI  
THE JUDICIARY

SECTION 8. ASSOCIATE JUDGES

(a) Each Circuit Court shall have such number of Associate Judges as provided by law. Associate Judges shall be appointed by the Circuit Judges in each circuit as the Supreme Court shall provide by rule. In the First Judicial District, unless otherwise provided by law, at least one-fourth of the Associate Judges shall be appointed from, and reside, outside Chicago. The Supreme Court shall provide by rule for matters to be assigned to Associate Judges.

(b) In a county with a population of 3,000,000 or more, a person shall not be appointed or reappointed as an Associate Judge after the adoption of this Amendment unless he or she has been certified as qualified by the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois as provided in Section 11 of this Article.

(Source: Illinois Constitution.)

SECTION 11. ELIGIBILITY FOR OFFICE

(a) No person shall be eligible to be a Judge or Associate Judge unless he is a United States citizen, a licensed attorney-at-law of this State, and a resident of the unit which selects him. No change in the

[February 5, 2013]

boundaries of a unit shall affect the tenure in office of a Judge or Associate Judge incumbent at the time of such change.

(b) In a county with a population of 3,000,000 or more, a person who is not a Judge or Associate Judge on the date that this Amendment is adopted shall not be eligible to be a Judge or Associate Judge unless he or she has actively practiced law in this State for at least 10 years before his or her election or appointment as a Judge or Associate Judge and his or her license to practice law in this State has not been suspended or revoked for disciplinary reasons by the Supreme Court. A person who is not a Judge or Associate Judge on the date that this Amendment is adopted shall not be eligible to be elected or retained as a Judge, or appointed or reappointed as an Associate Judge, unless the person has been certified as qualified to be a Judge or Associate Judge by at least 5 members of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois. The certification by the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois shall be effective for 2 years after it is issued. A person issued certification is eligible for recertification if the requirements of this Section are met. During the evaluation process, the Commission shall consider each candidate's legal experience, skill and knowledge, as well as his or her academic background, personal character, commitment to community service, and professional conduct and temperament. The Commission may consult with the Illinois State Bar Association and other well established local bar associations in evaluating applicants for Judge or Associate Judge. The Commission shall charge an applicant for Judge or Associate Judge a suitable fee, set by the Commission, in an amount necessary to defray all costs incurred by the evaluation process.

(Source: Illinois Constitution.)

#### SECTION 12. ELECTION AND RETENTION

(a) Supreme, Appellate and Circuit Judges shall be nominated at primary elections or by petition. Judges shall be elected at general or judicial elections as the General Assembly shall provide by law. A person eligible for the office of Judge may cause his name to appear on the ballot as a candidate for Judge at the primary and at the general or judicial elections by submitting petitions. The General Assembly shall prescribe by law the requirements for petitions.

(b) The office of a Judge shall be vacant upon his death, resignation, retirement, removal, or upon the conclusion of his term without retention in office. Whenever an additional Appellate or Circuit Judge is authorized by law, the office shall be filled in the manner provided for filling a vacancy in that office.

(c) A vacancy occurring in the office of Supreme, Appellate or Circuit Judge shall be filled as the General Assembly may provide by law. In the absence of a law, vacancies may be filled by appointment by the Supreme Court. A person appointed to fill a vacancy 60 or more days prior to the next primary election to nominate Judges shall serve until the vacancy is filled for a term at the next general or judicial election. A person appointed to fill a vacancy less than 60 days prior to the next primary election to nominate Judges shall serve until the vacancy is filled at the second general or judicial election following such appointment.

(d) Not less than six months before the general election preceding the expiration of his term of office, a Supreme, Appellate or Circuit Judge who has been elected to that office may file in the office of the Secretary of State a declaration of candidacy to succeed himself. The Secretary of State, not less than 63 days before the election, shall certify the Judge's candidacy to the proper election officials. The names of Judges seeking retention shall be submitted to the electors, separately and without party designation, on the sole question whether each Judge shall be retained in office for another term. The retention elections shall be conducted at general elections in the appropriate Judicial District, for Supreme and Appellate Judges, and in the circuit for Circuit Judges. The affirmative vote of two-thirds ~~three-fifths~~ of the electors voting on the question shall elect the Judge to the office for a term commencing on the first Monday in December following his election.

(e) A law reducing the number of Appellate or Circuit Judges shall be without prejudice to the right of the Judges affected to seek retention in office. A reduction shall become effective when a vacancy occurs in the affected unit.

(f) After the adoption of this Amendment, before a candidate for Judge is eligible to circulate petitions or be placed on the ballot for nomination, election or retention as a Supreme, Appellate and Circuit Judge in a county with a population of 3,000,000 or more, he or she must be certified as qualified to hold the office of Judge by the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois as provided in Section 11 of this Article VI.

(Source: Illinois Constitution.)

#### SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section

[February 5, 2013]



7 of the Illinois Constitutional Amendment Act and applies only to persons seeking election or appointment as a Judge or Associate Judge after the adoption of this Amendment.

### APPOINTMENT MESSAGE

#### Appointment Message No. 0038

To the Honorable Members of the Senate, Ninety-Eighth General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Will County Metropolitan Exposition and Auditorium Authority Board

Start Date: January 22, 2013

End Date: December 1, 2016

Name: Cynthia Tyler

Residence: 2 Eden Lane, Joliet, IL 60431

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Pat McGuire

Most Recent Holder of Office: Mary K. O'Brien

Superseded Appointment Message: Not Applicable

Under the rules, the foregoing Appointment Message was referred to the Committee on Assignments.

### INTRODUCTION OF BILLS

**SENATE BILL NO. 1280.** Introduced by Senator Silverstein, 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. 1281.** Introduced by Senator Noland, a bill for AN ACT concerning education.

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

**SENATE BILL NO. 1282.** Introduced by Senator Noland, a bill for AN ACT concerning education.

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

**SENATE BILL NO. 1283.** Introduced by Senator Noland, a bill for AN ACT concerning education.

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

**SENATE BILL NO. 1284.** Introduced by Senator Forby, a bill for AN ACT concerning firearms.

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

**SENATE BILL NO. 1285.** Introduced by Senator Forby, a bill for AN ACT concerning criminal law.

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

**SENATE BILL NO. 1286.** Introduced by Senator Forby, a bill for AN ACT concerning firearms.

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

**SENATE BILL NO. 1287.** Introduced by Senator Silverstein, 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. 1288.** Introduced by Senator Koehler, a bill for AN ACT concerning elections.

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

**SENATE BILL NO. 1289.** Introduced by Senator Dillard, a bill for AN ACT concerning public employee benefits.

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

**SENATE BILL NO. 1290.** Introduced by Senator Manar, a bill for AN ACT concerning government.

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

**SENATE BILL NO. 1291.** Introduced by Senator Manar, a bill for AN ACT concerning regulation.

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

**SENATE BILL NO. 1292.** Introduced by Senator Manar, a bill for AN ACT concerning health facilities.

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

**SENATE BILL NO. 1293.** Introduced by Senator Manar, a bill for AN ACT concerning warehouses.

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

**SENATE BILL NO. 1294.** Introduced by Senator McCann, a bill for AN ACT concerning transportation.

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

**SENATE BILL NO. 1295.** Introduced by Senator Noland, a bill for AN ACT concerning courts.

[February 5, 2013]

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

**SENATE BILL NO. 1296.** Introduced by Senator Noland, a bill for AN ACT concerning courts.

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

**SENATE BILL NO. 1297.** Introduced by Senator Noland, a bill for AN ACT concerning courts.

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

**SENATE BILL NO. 1298.** Introduced by Senator Haine, a bill for AN ACT concerning employment.

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

**SENATE BILL NO. 1299.** Introduced by Senator Althoff, a bill for AN ACT concerning transportation.

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

**SENATE BILL NO. 1300.** Introduced by Senator Holmes, a bill for AN ACT concerning safety.

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

**SENATE BILL NO. 1301.** Introduced by Senator Lightford, a bill for AN ACT concerning education.

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

**SENATE BILL NO. 1302.** Introduced by Senator Althoff, a bill for AN ACT concerning employment.

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

**SENATE BILL NO. 1303.** Introduced by Senator Kotowski, a bill for AN ACT concerning regulation.

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

**SENATE BILL NO. 1304.** Introduced by Senator Harmon, a bill for AN ACT concerning renewable energy.

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

**SENATE BILL NO. 1305.** Introduced by Senator Harmon, a bill for AN ACT concerning transportation.

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

**SENATE BILL NO. 1306.** Introduced by Senator Harmon, a bill for AN ACT concerning agriculture.

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

**SENATE BILL NO. 1307.** Introduced by Senator Lightford, a bill for AN ACT regarding education.

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

**SENATE BILL NO. 1308.** Introduced by Senator Murphy, a bill for AN ACT concerning revenue.

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

**SENATE BILL NO. 1309.** Introduced by Senator Murphy, a bill for AN ACT concerning revenue.

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

**SENATE BILL NO. 1310.** Introduced by Senator Bush, a bill for AN ACT concerning transportation.

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

**SENATE BILL NO. 1311.** Introduced by Senator Holmes, a bill for AN ACT concerning local government.

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

**SENATE BILL NO. 1312.** Introduced by Senator Holmes, a bill for AN ACT concerning local government.

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

**SENATE BILL NO. 1313.** Introduced by Senator Hutchinson, 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. 1314.** Introduced by Senator Clayborne, a bill for AN ACT concerning State government.

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

**SENATE BILL NO. 1315.** Introduced by Senator Clayborne, a bill for AN ACT concerning State government.

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

**SENATE BILL NO. 1316.** Introduced by Senator Clayborne, a bill for AN ACT concerning State government.

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

**SENATE BILL NO. 1317.** Introduced by Senator Clayborne, a bill for AN ACT concerning gaming.

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

**SENATE BILL NO. 1318.** Introduced by Senator Holmes, a bill for AN ACT concerning water.

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

**SENATE BILL NO. 1319.** Introduced by Senator Hunter, a bill for AN ACT concerning appropriations.

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

[February 5, 2013]

At the hour of 12:22 o'clock p.m., the Chair announced that the Senate stand at ease.

**AT EASE**

At the hour of 12:28 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 February 5, 2013 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **Senate Committee Amendment No. 1 to Senate Bill 10; Senate Committee Amendment No. 1 to Senate Bill 20.**

Public Health: **Senate Committee Amendment No. 1 to Senate Bill 26.**

**INTRODUCTION OF BILLS**

**SENATE BILL NO. 1320.** Introduced by Senator Hunter, a bill for AN ACT concerning State government.

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

**SENATE BILL NO. 1321.** Introduced by Senator Trotter, a bill for AN ACT concerning public health.

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

**SENATE BILL NO. 1322.** Introduced by Senator Haine, a bill for AN ACT concerning criminal law.

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

**SENATE BILL NO. 1323.** Introduced by Senator Hunter, a bill for AN ACT concerning conservation.

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

**SENATE BILL NO. 1324.** Introduced by Senator Martinez, 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. 1325.** Introduced by Senator Martinez, 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. 1326.** Introduced by Senator Forby, a bill for AN ACT concerning employment.

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

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**SENATE BILL NO. 1327.** Introduced by Senator Forby, a bill for AN ACT concerning employment.

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

**SENATE BILL NO. 1328.** Introduced by Senator Forby, a bill for AN ACT concerning employment.

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

**SENATE BILL NO. 1329.** Introduced by Senator Kotowski, a bill for AN ACT concerning State government.

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

**SENATE BILL NO. 1330.** Introduced by Senator Raoul, a bill for AN ACT concerning public aid.

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

**SENATE BILL NO. 1331.** Introduced by Senator Raoul, a bill for AN ACT concerning criminal law.

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

**SENATE BILL NO. 1332.** Introduced by Senator Raoul, a bill for AN ACT concerning criminal law.

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

**SENATE BILL NO. 1333.** Introduced by Senator Raoul, a bill for AN ACT concerning criminal law.

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

**SENATE BILL NO. 1334.** Introduced by Senator Raoul, a bill for AN ACT concerning criminal law.

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

**SENATE BILL NO. 1335.** Introduced by Senator Raoul, a bill for AN ACT concerning safety.

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

**SENATE BILL NO. 1336.** Introduced by Senator Raoul, a bill for AN ACT concerning gun safety and responsibility and the issuance of licenses to carry a concealed firearm.

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

**SENATE BILL NO. 1337.** Introduced by Senator Raoul, a bill for AN ACT concerning safety.

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

**SENATE BILL NO. 1338.** Introduced by Senator Haine, a bill for AN ACT concerning criminal law.

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

**SENATE BILL NO. 1339.** Introduced by Senator Haine, a bill for AN ACT concerning criminal law.

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

**SENATE BILL NO. 1340.** Introduced by Senator Mulroe, 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. 1341.** Introduced by Senator Lightford, a bill for AN ACT concerning conservation.

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

**SENATE BILL NO. 1342.** Introduced by Senator Harmon, a bill for AN ACT concerning criminal law.

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

**SENATE BILL NO. 1343.** Introduced by Senator Harmon, a bill for AN ACT concerning criminal law.

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

**SENATE BILL NO. 1344.** Introduced by Senator Noland, a bill for AN ACT concerning local government.

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

**SENATE BILL NO. 1345.** Introduced by Senator Sandoval, a bill for AN ACT concerning safety.

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

**SENATE BILL NO. 1346.** Introduced by Senator Sandoval, a bill for AN ACT concerning local government.

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

**SENATE BILL NO. 1347.** Introduced by Senator Sandoval, a bill for AN ACT concerning transportation.

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

**SENATE BILL NO. 1348.** Introduced by Senator Sandoval, a bill for AN ACT concerning transportation.

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

**SENATE BILL NO. 1349.** Introduced by Senator Sandoval, a bill for AN ACT concerning transportation.

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

**SENATE BILL NO. 1350.** Introduced by Senator Sandoval, a bill for AN ACT concerning local government.

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

**SENATE BILL NO. 1351.** Introduced by Senator Sandoval, a bill for AN ACT concerning local government.

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

**SENATE BILL NO. 1352.** Introduced by Senator Sandoval, a bill for AN ACT concerning State government.

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

**SENATE BILL NO. 1353.** Introduced by Senator Sandoval, a bill for AN ACT concerning State government.

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

**SENATE BILL NO. 1354.** Introduced by Senator Sandoval, a bill for AN ACT concerning gaming.

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

**SENATE BILL NO. 1355.** Introduced by Senator Sandoval, a bill for AN ACT concerning transportation.

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

**SENATE BILL NO. 1356.** Introduced by Senator Sandoval, a bill for AN ACT concerning transportation.

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

**SENATE BILL NO. 1357.** Introduced by Senator Sandoval, a bill for AN ACT concerning transportation.

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

**SENATE BILL NO. 1358.** Introduced by Senator Kotowski, a bill for AN ACT concerning public aid.

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

**SENATE BILL NO. 1359.** Introduced by Senator Haine, a bill for AN ACT concerning health.

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

**SENATE BILL NO. 1360.** Introduced by Senator Haine, a bill for AN ACT concerning health.

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

**SENATE BILL NO. 1361.** Introduced by Senator Kotowski, a bill for AN ACT concerning State government.

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

**SENATE BILL NO. 1362.** Introduced by Senator Collins, a bill for AN ACT concerning education.

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

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**SENATE BILL NO. 1363.** Introduced by Senator Bertino-Tarrant, a bill for AN ACT concerning education.

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

**SENATE BILL NO. 1364.** Introduced by Senator Holmes, a bill for AN ACT concerning health.

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

**SENATE BILL NO. 1365.** Introduced by Senator Lightford, a bill for AN ACT concerning local government.

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

**SENATE BILL NO. 1366.** Introduced by Senator Biss, a bill for AN ACT concerning public employee benefits.

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

**SENATE BILL NO. 1367.** Introduced by Senator Koehler, a bill for AN ACT concerning elections.

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

**SENATE BILL NO. 1368.** Introduced by Senator Koehler, a bill for AN ACT concerning public aid.

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

**SENATE BILL NO. 1369.** Introduced by Senator Link, a bill for AN ACT concerning education.

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

**SENATE BILL NO. 1370.** Introduced by Senator Link, a bill for AN ACT concerning elections.

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

**SENATE BILL NO. 1371.** Introduced by Senator Link, a bill for AN ACT concerning elections.

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

**SENATE BILL NO. 1372.** Introduced by Senator Link, a bill for AN ACT concerning public employee benefits.

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

**SENATE BILL NO. 1373.** Introduced by Senator Jacobs, a bill for AN ACT concerning regulation.

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

**SENATE BILL NO. 1374.** Introduced by Senator Jacobs, a bill for AN ACT concerning State government.

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

**SENATE BILL NO. 1375.** Introduced by Senator Jacobs, a bill for AN ACT concerning regulation.

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

**SENATE BILL NO. 1376.** Introduced by Senator Link, a bill for AN ACT concerning safety.

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

## MESSAGE FROM THE GOVERNOR

### EXECUTIVE ORDER 3 (2012) ESTABLISHING AN OPEN OPERATING STANDARD FOR ILLINOIS: USING INFORMATION TECHNOLOGY TO PROMOTE TRANSPARENCY, EFFICIENCY AND SAVINGS

WHEREAS, data.illinois.gov empowers the public to access and utilize public data collected and maintained by the State of Illinois and the Federal Government;

WHEREAS, the State of Illinois is committed to be a national leader in improving access to public data sets for all citizens, and to encourage entrepreneurs and innovators to draw on this data for the benefit of all in the Land of Lincoln;

WHEREAS, the State and municipalities of Illinois collect information and data on numerous topics including services available to the residents of the State of Illinois;

WHEREAS, finding and utilizing government data that should be readily accessible is often burdensome for developers and the general public; and

WHEREAS, government information should be organized with consistency and should be freely available to everyone to use as they wish; and

WHEREAS, fully meeting the State's commitment to open data will require adoption of an open data operating standard and utilization of a cloud-based open data platform for the State's open data portal, coordinated strategic planning, where appropriate and feasible, by agencies as to enterprise application portfolio management, and will require the State making its open data portal available to all units of government within the State including, but not limited to, municipalities, counties and public universities statewide so that everyone may participate in the open data movement;

NOW, THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the executive authority set forth in Article V of the Illinois Constitution, do hereby direct as follows:

#### I. Creation – Establishing an Open Operating Standard

There is hereby established an open operating standard (“Illinois Open Data”) for the State of Illinois. Under this open operating standard, each agency, or arm, of State government under the jurisdiction of the Governor—including any office, administration, department, division, bureau, board, commission, advisory committee or other government entity performing a governmental function of the State of Illinois—will undertake best efforts to make available public data data sets of public information. Any unit of local government which elects to do so may adopt the State standard for itself. To implement this Executive Order the State Chief Information Officer (State CIO) will establish policies, standards, and guidance as provided within this Order. In addition, the State CIO will designate, upon consultation with and approval of the Office of the Governor, a current employee of State government to act, in addition to his or her existing responsibilities, as the State Deputy Chief Information Officer for Open Data.

#### II. Purpose – Policies Established

It is the intent of this Executive Order to establish and implement an enterprise-wide commitment to fully adopting an open operating standard because making public data available online using open standards will make the operation of government across the State of Illinois more transparent, effective and accountable to the public. A statewide policy of open data will streamline intra-governmental and inter-governmental communication and interoperability, permit the public to assist

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in identifying efficient solutions for government, promote innovative strategies for social progress and create economic opportunities.

This Order will:

- (i) establish protocols for Illinois State agencies to make public data available online using open standards and a process establishing enterprise-wide IT management standards, policies and governance principles to enable the State to fully implement the open operating standard while managing existing information technology resources and capabilities with enhanced efficiency;
- (ii) provide for coordinated strategic planning by agencies with respect to application modernization, IT and telecommunication policy, in pursuance of a consistent statewide enterprise portfolio strategy to maximize the amount of public data made available and ensure compliance with this Order; and
- (iii) establish, in accordance with Executive Order 10 (2010), a policy, under which each State agency will evaluate cloud computing options before making any new IT or telecom investments.

### III. Function – Protocol and Compliance

#### A. Data Availability Protocol

##### 1. Adopting a Uniform Statewide Portal for Open Data

The public data sets agencies make available on the Internet shall be accessible through a single web portal that is linked to [data.illinois.gov](http://data.illinois.gov) or any successor website maintained by, or on behalf of, the State of Illinois. If an agency cannot make all such public data sets available on the single web portal the agency shall report to the Office of the State CIO which public data set or sets it is unable to make available, the reasons why it cannot do so, and the date by which the agency expects those data sets will be available on the single web portal.

##### 2. Establishing Technical Standards for Publicly Reporting Open Data

- i. Public data sets shall be made available in accordance with technical standards published by the Office of the State CIO, in consultation with the Deputy State Chief Information Officer for Open Data, subject matter experts in all state agencies, and representatives of external entities including, but not limited to, representatives of units of local government, not-for-profit organizations specializing in technology and innovation and representatives of the academic community. Data sets shall be in a format that permits automated processing and shall make use of appropriate technology to notify the public of all updates. The State CIO, in order to ensure successful effectuation of this Order, will establish appropriate policies, procedures and protocols for the coordinated management of the State's information technology resources. In addition, upon consultation with and approval of the Office of the Governor, the State CIO may designate one or more persons to comprise the staff of the Office of the State CIO in order to carry out the duties set forth in this Executive Order.
- ii. Public data sets shall be updated as often as is necessary to preserve the integrity and usefulness of the data sets to the extent that the agency regularly maintains or updates the public data set.
- iii. Public data sets shall be made available without any registration requirement, license requirement or restrictions on their use provided that the department may require a third party providing to the public

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any public data set, or application utilizing such data set, to explicitly identify the source and version of the public data set and a description of any modifications made to such public data set. Registration requirements, license requirements or restrictions as used in this section shall not include measures required to ensure access to public data sets, to protect the single website housing public data sets from unlawful abuse or attempts to damage or impair use of the website, or to analyze the types of data being used to improve service delivery.

- iv. Public data sets shall be accessible to external search capabilities.

#### B. Compliance Timeline

1. There is hereby established a timeline for compliance with agency open data standards.
2. Within 60 days of the effective date of this Order, the State CIO shall prepare and publish: (i) a technical standards manual for the publishing of public data sets in raw or unprocessed form through a single web portal by State agencies for the purpose of making public data available to the greatest number of users and for the greatest number of applications and shall, whenever practicable, use open standards for web publishing and e-government; and (ii) as needed, portfolio management policies for ensuring compliance with the requirements of this Executive Order. The manual shall identify the reasons why each technical standard was selected and for which types of data it is applicable, and may recommend or require that data be published in more than one technical standard. The manual shall include a plan to adopt or utilize a web application programming interface that permits application programs to request and receive public data sets directly from the web portal. The manual and related policies may be updated as necessary.
3. The State CIO shall consult with appropriate external entities, including units of local government, not-for-profit organizations with a specialization in technology and innovation, other State governments, academic institutions and voluntary consensus standards bodies and shall, when such participation is feasible, in the public interest and compatible with agency and departmental missions, authorities and priorities, participate with such bodies in the development of technical and open standards.

#### C. Plan for Agency Compliance

1. Within 120 days of the effective date of this Order, each State agency shall submit a compliance plan and a draft longer term strategic enterprise application plan consistent with this Order to the Office of the Governor and shall make such plan available to the public on the web portal. Each agency shall collaborate with the Governor's Office and the State CIO in formulating its plan. The plan shall include: (i) a summary description of public data sets under the control of each agency on or after the effective date of this Order; and (ii) a summary explanation of how its plans, charters, budgets, capital expenditures, contracts and other related documents and information for each IT and telecommunications project it proposes to undertake can be utilized to support Illinois Open Data and related savings and efficiencies. This plan shall prioritize such public data sets for inclusion on the single web portal on or before December 31, 2014, in accordance with the standards provided for in Subsection III. B.
2. For purposes of prioritizing public data sets, agencies shall consider whether information embodied in the public data set: (1) can be used to increase agency

accountability and responsiveness; (2) improves public knowledge of the agency and its operations; (3) furthers the mission of the agency; (4) creates economic opportunity; (5) is received via the on-line forum for inclusion of particular public data sets; or (6) responds to a need or demand identified by public consultation.

3. No later than July 1, 2013 and every July first thereafter, the State CIO shall submit and post on the web portal an update of the compliance plan. This update shall include the specific measures undertaken to make public data sets available on the single web portal since the immediately preceding update, specific measures that will be undertaken prior to the next update, an update to the list of public data sets if necessary, any changes to the prioritization of public data sets and an update to the timeline for the inclusion of data sets on the single web portal if necessary.
4. Consistent with both the Executive Order 10 (2010) directive requiring agencies to limit information technology expenditures by increasing the use of cloud computing where appropriate, and with the Federal Government's cloud computing strategy, all agencies are required to evaluate safe, secure cloud computing options, before making any new IT or telecom investments, and, if feasible, adopt suitable cloud computing solutions. Each agency shall re-evaluate its technology sourcing strategy to include consideration and application of cloud computing solutions as part of the budget process.

#### IV. Transparency and Liability

- A. The State CIO shall conspicuously publish the open data legal policy of Part IV.C., *infra*, on the web portal.
- B. The State CIO may establish and maintain an on-line forum to solicit feedback from the public and to encourage public discussion on open data policies and public data set availability on the web portal.
- C. The open data legal policy is as follows:

Public data sets made available on the web portal are provided for informational purposes. The State does not warranty the completeness, accuracy, content or fitness for any particular purpose or use of any public data set made available on the web portal, nor are any such warranties to be implied or inferred with respect to the public data sets furnished therein.

The State is not liable for any deficiencies in the completeness, accuracy, content or fitness for any particular purpose or use of any public data set, or application utilizing such data set, provided by any third party.

Nothing in this Order is to be construed to create a private right of action to enforce its provisions.

#### V. Superseding Conflicting, Preceding Orders and Agreements

To the extent that any Executive Order, Administrative Order, Intergovernmental or Interagency Agreement (to which the State of Illinois or one of its executive branch agencies is a party), or other policy, procedure or protocol conflicts with, contradicts, or is inconsistent with any provision of this Executive Order, any such conflicting, contradicting, or inconsistent order, agreement, policy, procedure, or protocol is hereby expressly revoked, repealed and superseded.

#### VI. Definitions

“Cloud computing,” as defined by the National Institute of Standards and Technology, is a model for enabling convenient, on-demand network access to a shared pool of configurable computing resources (e.g., networks, servers, storage, applications, and services) that can be rapidly provisioned and released with minimal management effort or service provider interaction.

“Data” means final versions of statistical or factual information (i) in alphanumeric form reflected in a list, table, graph, chart or other non-narrative form, that can be digitally transmitted or processed; and (ii) regularly created or maintained by or on behalf of and owned by an agency that records a measurement, transaction, or determination related to the mission of an agency. “Data” does not include information provided to an agency by other governmental entities, nor does it include image files, such as designs, drawings, maps, photos, or scanned copies of original documents, except that it does include statistical or factual information about such image files and shall include geographic information system data.

Data not subject to the requirements of this Order include:

- (1) data to which an agency may deny access pursuant to any provision of a federal, state or local law, rule or regulation;
- (2) data that contains a significant amount of data to which an agency may deny access pursuant to any provision of a federal, state or local law, rule or regulation where redacting such protected data in order to publish the unprotected elements would impose undue financial or administrative burden;
- (3) data that reflects the internal deliberative process of an agency or agencies, including but not limited to negotiating positions, future procurements, or pending or reasonably anticipated legal or administrative proceedings;
- (4) data stored on an agency-owned personal computing device, or data stored on a portion of a network that has been exclusively assigned to a single agency employee or a single agency owned or controlled computing device;
- (5) materials subject to copyright, patent, trademark, confidentiality agreements or trade secret protection;
- (6) proprietary applications, computer code, software, operating systems or similar materials;
- (7) employment records, internal employee-related directories or lists, facilities data, information technology, internal service-desk and other data related to internal agency administration; and
- (8) any other data the publication of which is prohibited by law.

“Open operating standard” means a technical standard developed and maintained by a voluntary consensus standards body that is available to the public without royalty or fee. The term indicates a technical and managerial philosophy for public administration that prioritizes openness, transparency and multilateral collaboration in the collection, assessment, reporting and dissemination of all information that is coupled with flexible, evolving but effective policies, procedures, and practices that promote adherence to an enterprise-wide ethos of openness in data collection and reporting while also effectively disincentivizing non-adherence. In addition, “Open operating standard” also involves the conscious effort of the State government to lead a statewide commitment by governments at all levels to adopt a philosophy of openness and transparency in the collection and reporting of information by providing a common statewide portal for open data, establishing guidelines and policies for promoting open data, and promoting the participation of local governments in the Statewide open data effort.

“Public Data” means all data that is collected by any unit of State or local government in pursuance of that entity’s official responsibilities which is otherwise subject to disclosure pursuant to the State’s Freedom of Information Act (FOIA), 5 ILCS 140/ *et. seq.*, and is not prohibited from disclosure pursuant to any other contravening legal instrument, including but not limited to, a superseding provision of Federal or state law or an injunction from a court of competent jurisdiction.

“Strategic Plan” means an organization’s evaluation, over an up-to-5-year window, of its strategy and direction, including a framework for decision-making with respect to resource allocation to achieve

defined goals. Development of a Strategic Plan requires an organization to understand both its internal state and the possible avenues by which it might achieve its goals.

“Voluntary consensus standards body” means an organization that plans, develops, establishes or coordinates voluntary consensus standards using agreed-upon procedures. A voluntary consensus standards body is defined by the following attributes: openness; balance of interest; due process; an appeals process; and consensus.

VII. Savings Clause

Nothing in this Executive Order shall be construed to contravene any State or federal law, or any collective bargaining agreement.

VIII. Severability

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

IX. Effective Date

This Executive Order shall take effect immediately upon its filing with the Secretary of State.

s/Pat Quinn  
Pat Quinn, Governor

Signed by the Governor: September 18, 2012

Filed with the Secretary of State: September 18, 2012

The foregoing message from the Governor was delivered to the Senate on January 9, 2013, pursuant to Article V, Section 11 of the Illinois Constitution.

**COMMITTEE MEETING ANNOUNCEMENT**

The Chair announced the following committee to meet at 1:00 o'clock p.m.:

Executive in Room 212

At the hour of 12:42 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

**AFTER RECESS**

At the hour of 4:16 o'clock p.m., the Senate resumed consideration of business.  
Senator Sullivan, presiding.

**REPORTS FROM STANDING COMMITTEES**

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **Senate Bill No. 70**, 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 **Senate Bills Numbered 10 and 20**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Mulroe, Chairperson of the Committee on Public Health, to which was referred **Senate Bill No. 26**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Mulroe, Chairperson of the Committee on Public Health, to which was referred **Senate Resolution No. 48**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 48** was placed on the Secretary's Desk.

## PRESENTATION OF RESOLUTIONS

### SENATE RESOLUTION NO. 67

Offered by Senator Haine and all Senators:

Mourns the death of Josephine Mary Romano of Wood River, formerly of Alton.

### SENATE RESOLUTION NO. 68

Offered by Senator Link and all Senators:

Mourns the death of Samuel J. Stanczak of Gurnee.

### SENATE RESOLUTION NO. 69

Offered by Senator Link and all Senators:

Mourns the death of Edwin C. Stoyanoff of Waukegan.

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

## MESSAGE 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 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. 156

A bill for AN ACT concerning State government.

Passed the House, February 5, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 156** was taken up, ordered printed and placed on first reading.

## READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

**House Bill No. 156**, sponsored by Senator Jacobs, was taken up, read by title a first time and referred to the Committee on Assignments.

At the hour of 4:18 o'clock p.m., the Chair announced the Senate stand adjourned until Wednesday, February 6, 2013, at 11:00 o'clock a.m.

## PERFUNCTORY SESSION

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The Senate met pursuant to the directive of the President.  
Pursuant to Senate Rule 2-5(c)2, the Secretary of the Senate conducted the perfunctory session.

**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

February 5, 2013

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

Dear Mr. Secretary:

Pursuant to Rule 2-10, I am scheduling a Senate Perfunctory Session to convene on Tuesday, February 5, 2013.

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

cc: Senate Minority Leader Christine Radogno

**MESSAGE 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 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. 190

A bill for AN ACT making appropriations.  
Passed the House, February 5, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 190** was taken up, ordered printed and placed on first reading.

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME**

**House Bill No. 190**, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

At the hour of 7:09 o'clock p.m., the Chair announced the Senate stand adjourned until Wednesday, February 6, 2013, at 11:00 o'clock a.m.

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