



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-EIGHTH GENERAL ASSEMBLY

70TH LEGISLATIVE DAY

WEDNESDAY, OCTOBER 23, 2013

12:06 O'CLOCK P.M.

SENATE
Daily Journal Index
70th Legislative Day

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The Senate met pursuant to adjournment.
Senator Terry Link, Waukegan, Illinois, presiding.
Prayer by Pastor Gary Crowder, Midwest Christian Center, Springfield, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, October 22, 2013, be postponed, pending arrival of the printed Journal.
The motion prevailed.

LEGISLATIVE MEASURES FILED

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 636

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

House Committee Amendment No. 1 to House Bill 353
House Committee Amendment No. 1 to House Bill 2453
House Committee Amendment No. 1 to House Bill 2536
House Committee Amendment No. 2 to House Bill 2898

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

October 23, 2013

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

Dear Mr. Secretary:

Pursuant to the provisions of Rule 2-10, I am canceling Session scheduled Thursday, October 24, 2013. Session will reconvene on Tuesday, November 5, 2013.

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

[October 23, 2013]

October 23, 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 Ira Silverstein 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

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 650

Offered by Senators Barickman – Brady and all Senators:
Mourns the death of Jeffrey Rance Hilton of Lexington.

SENATE RESOLUTION NO. 651

Offered by Senator Brady and all Senators:
Mourns the death of J. Mark Harrison of Springfield.

SENATE RESOLUTION NO. 652

Offered by Senator Bush and all Senators:
Mourns the death of Kim K. Kearby.

SENATE RESOLUTION NO. 653

Offered by Senator Murphy and all Senators:
Mourns the death of Bette B. Novak of Arlington Heights.

SENATE RESOLUTION NO. 654

Offered by Senator Haine and all Senators:
Mourns the death of Harrison Brooks “Jug” Paisley of Wood River.

SENATE RESOLUTION NO. 655

Offered by Senator Link and all Senators:
Mourns the death of Norman R. Cravens of Dahlgren.

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

INTRODUCTION OF BILLS

SENATE BILL NO. 2609. Introduced by Senator Noland, 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.

[October 23, 2013]

SENATE BILL NO. 2610. Introduced by Senator T. Cullerton, 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.

REPORTS FROM STANDING COMMITTEES

Senator Koehler, Chairperson of the Committee on Agriculture and Conservation, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 635
Senate Amendment No. 1 to Senate Bill 853

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

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 1007

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator E. Jones III, Chairperson of the Committee on Local Government, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 496

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Collins, Chairperson of the Committee on Financial Institutions, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 1045

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 656

Offered by Senator Frerichs and all Senators:
Mourns the death of Erving Robert "Bob" Pape III of Danville.

SENATE RESOLUTION NO. 657

Offered by Senator Frerichs and all Senators:
Mourns the death of Larry S. Mills of Danville.

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

REPORT FROM COMMITTEE ON ASSIGNMENTS

[October 23, 2013]

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 23, 2013 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committee of the Senate:

Executive: Senate Committee Amendment No. 1 to House Bill 353; Senate Floor Amendment No. 1 to Senate Bill 636; Senate Committee Amendment No. 2 to House Bill 1551; Senate Committee Amendment No. 1 to House Bill 2453; Senate Committee Amendment No. 1 to House Bill 2536; Senate Committee Amendment No. 2 to House Bill 2898.

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 23, 2013 meeting, to which was referred **House Bill No. 2747** on August 9, 2013, 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. 2747** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 23, 2013 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Resolutions 637 and 640; Senate Joint Resolution 43.

The foregoing resolutions were placed on the Secretary's Desk.

COMMITTEE MEETING ANNOUNCEMENT

The Chair announced the following committees to meet at 1:35 o'clock p.m.:

Executive in Room 212

State Government and Veterans Affairs in Room 409

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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1689

A bill for AN ACT concerning elections.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1689

House Amendment No. 2 to SENATE BILL NO. 1689

Passed the House, as amended, October 23, 2013.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1689

AMENDMENT NO. 1. Amend Senate Bill 1689 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Section 10-9 as follows:
(10 ILCS 5/10-9) (from Ch. 46, par. 10-9)

Sec. 10-9. ~~The~~ The following electoral boards are designated for the purpose of hearing and passing upon the objector's petition described in Section 10-8.

1. The State Board of Elections will hear and pass upon objections to the nominations of

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candidates for State offices, nominations of candidates for congressional, legislative and judicial offices of districts, subcircuits, or circuits situated in more than one county, nominations of candidates for the offices of State's attorney or regional superintendent of schools to be elected from more than one county, and petitions for proposed amendments to the Constitution of the State of Illinois as provided for in Section 3 of Article XIV of the Constitution.

2. The county officers electoral board to hear and pass upon objections to the nominations of candidates for county offices, for congressional, legislative and judicial offices of a district, subcircuit, or circuit coterminous with or less than a county, for school trustees to be voted for by the electors of the county or by the electors of a township of the county, for the office of multi-township assessor where candidates for such office are nominated in accordance with this Code, and for all special district offices, shall be composed of the county clerk, or an assistant designated by the county clerk, the State's attorney of the county or an Assistant State's Attorney designated by the State's Attorney, and the clerk of the circuit court, or an assistant designated by the clerk of the circuit court, of the county, of whom the county clerk or his designee shall be the chairman, except that in any county which has established a county board of election commissioners that board shall constitute the county officers electoral board ex-officio.

3. The municipal officers electoral board to hear and pass upon objections to the nominations of candidates for officers of municipalities shall be composed of the mayor or president of the board of trustees of the city, village or incorporated town, and the city, village or incorporated town clerk, and one member of the city council or board of trustees, that member being designated who is eligible to serve on the electoral board and has served the greatest number of years as a member of the city council or board of trustees, of whom the mayor or president of the board of trustees shall be the chairman.

4. The township officers electoral board to pass upon objections to the nominations of township officers shall be composed of the township supervisor, the town clerk, and that eligible town trustee elected in the township who has had the longest term of continuous service as town trustee, of whom the township supervisor shall be the chairman.

5. The education officers electoral board to hear and pass upon objections to the nominations of candidates for offices in school or community college districts shall be composed of the presiding officer of the school or community college district board, who shall be the chairman, the secretary of the school or community college district board and the eligible elected school or community college board member who has the longest term of continuous service as a board member.

6. In all cases, however, where the Congressional, Legislative, or Representative district is wholly or partially within the jurisdiction of a single municipal board of election commissioners in Cook County and in all cases where the school district or special district is wholly within the jurisdiction of a municipal board of election commissioners and in all cases where the municipality or township is wholly or partially within the jurisdiction of a municipal board of election commissioners, the board of election commissioners shall ex-officio constitute the electoral board.

For special districts situated in more than one county, the county officers electoral board of the county in which the principal office of the district is located has jurisdiction to hear and pass upon objections. For purposes of this Section, "special districts" means all political subdivisions other than counties, municipalities, townships and school and community college districts.

In the event that any member of the appropriate board is a candidate for the office with relation to which the objector's petition is filed, he shall not be eligible to serve on that board and shall not act as a member of the board and his place shall be filled as follows:

a. In the county officers electoral board by the county treasurer, and if he or she is ineligible to serve, by the sheriff of the county.

b. In the municipal officers electoral board by the eligible elected city council or board of trustees member who has served the second greatest number of years as a city council or board of trustees member.

c. In the township officers electoral board by the eligible elected town trustee who has had the second longest term of continuous service as a town trustee.

d. In the education officers electoral board by the eligible elected school or community college district board member who has had the second longest term of continuous service as a board member.

In the event that the chairman of the electoral board is ineligible to act because of the fact that he is a candidate for the office with relation to which the objector's petition is filed, then the substitute chosen under the provisions of this Section shall be the chairman; In this case, the officer or board with whom the

objector's petition is filed, shall transmit the certificate of nomination or nomination papers as the case may be, and the objector's petition to the substitute chairman of the electoral board.

When 2 or more eligible individuals, by reason of their terms of service on a city council or board of trustees, township board of trustees, or school or community college district board, qualify to serve on an electoral board, the one to serve shall be chosen by lot.

Any vacancies on an electoral board not otherwise filled pursuant to this Section shall be filled by public members appointed by the Chief Judge of the Circuit Court for the county wherein the electoral board hearing is being held upon notification to the Chief Judge of such vacancies. The Chief Judge shall be so notified by a member of the electoral board or the officer or board with whom the objector's petition was filed. In the event that none of the individuals designated by this Section to serve on the electoral board are eligible, the chairman of an electoral board shall be designated by the Chief Judge.

(Source: P.A. 96-1008, eff. 7-6-10.)".

AMENDMENT NO. 2 TO SENATE BILL 1689

AMENDMENT NO. 2. Amend Senate Bill 1689, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by adding Section 7-67 as follows:

(10 ILCS 5/7-67 new)

Sec. 7-67. Nominations; regional superintendents of schools.

(a) Notwithstanding any provision of law to the contrary, this Section shall apply only to the making of nominations for established party candidates for regional superintendent of schools in the 2014 general primary election.

(b) A candidate's petition for nomination must contain at least 200 signatures or the number of signatures equal to 0.5% of the primary electors of his or her party in the territory comprising the county or counties, whichever is less. For purposes of this subsection, the number of primary electors shall be determined by taking the total votes cast in the applicable district for the candidate for that political party who received the highest number of votes, statewide, at the last general election in the State at which electors for President of the United States were elected.

(c) Petitions for nomination for regional superintendent of schools shall be filed no earlier than December 16, 2013, and no later than December 23, 2013.

(d) Petitions for single-county districts shall be filed with the county election authority. Petitions for multi-county districts shall be filed with the State Board of Elections. Signatures and circulator statements on petitions for nomination filed with the State Board of Elections or county election authority during the filing period for nominations shall not be deemed invalid for the sole reason that the petitions were circulated between 90 and 111 days before the last day for filing petitions.

(e) In the case of a conflict between the provisions of this Section and any other provision of this Code, the provisions of this Section shall control.

Section 10. The School Code is amended by changing Section 3A-4 as follows:

(105 ILCS 5/3A-4) (from Ch. 122, par. 3A-4)

Sec. 3A-4. Mandatory consolidation of educational service regions.

(a) After July 1, 2015, each region must contain at least 61,000 inhabitants. Before June 30, 2013, regions may be consolidated voluntarily under Section 3A-3 or by joint resolution of the county boards of regions seeking to join a voluntary consolidation, effective July 1, 2015, to meet these population requirements. The boundaries of regions already meeting these population requirements on the effective date of ~~Public Act 97-703 this amendatory Act of the 97th General Assembly~~ may not be changed except to consolidate with another region or a whole county portion of another region which does not meet these population requirements. If, before ~~November 1, 2013~~ ~~January 1, 2014~~, locally determined consolidation decisions result in more than 35 regions of population greater than 61,000 each, the State Board of Education shall, before ~~November 23, 2013~~ ~~June 1, 2014~~, direct further consolidation, beginning with the region of lowest population, until the number of 35 regions is achieved.

(b) (Blank).

(c) If, within 90 days after the most recent certified federal census, a region does not meet the population requirements of this Section, then regions may be consolidated voluntarily under Section 3A-3 of this Code or by joint resolution of the county boards of regions seeking to join a voluntary consolidation to meet these population requirements. If locally determined consolidation decisions result in a region not meeting the population requirements of this Section or result in more than 35 regions, then the State Board

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of Education shall have the authority to impose further consolidation by order of the State Superintendent of Education. Such an order shall be a final order and is subject to the Administrative Review Law.

(d) All population determinations shall be based on the most recent federal census.
(Source: P.A. 97-703, eff. 6-25-12.)

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

Under the rules, the foregoing **Senate Bill No. 1689**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

JOINT ACTION MOTION FILED

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

Motion to Concur in House Amendments 1 and 2 to Senate Bill 1689

Senator 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

MOTION IN WRITING

Senator Muñoz presented the following Motion in Writing:

Pursuant to Senate Rule 10-1(c), as the Chairman of the Executive Appointments Committee, I move to compile the following Appointment Messages to be acted on together by a single vote of the Senate:

AM 62 (Department of Labor Advisory Board).
 AM 71 (Board of Trustees of Governor State University).
 AM 75 (Illinois Finance Authority).
 AM 76 and AM 78 (Health Information Exchange Authority).
 AM 79, AM 80, and AM 174 (Illinois Housing Development Authority).
 AM 81 (Public Guardian & Public Administrator for Adams County).
 AM 82 (Public Guardian & Public Administrator for Brown County).
 AM 83 (Public Guardian & Public Administrator for Jackson County).
 AM 84 (Public Guardian & Public Administrator for Stephenson County).
 AM 88, AM 89, and AM 90 (Illinois Torture Inquiry & Relief Commission).
 AM 98 (Joliet Regional Port District Board).
 AM 105, AM 106, AM 107 (Financial Reporting Standards Board).
 AM 108 (Public Guardian & Public Administrator for Whiteside County).
 AM 109 (Public Guardian & Public Administrator for Kendall County).
 AM 111 (Public Guardian & Public Administrator for Franklin County).
 AM 170 (Will County Metropolitan Exposition & Auditorium Authority Board).
 AM 171 (Central Midwest Interstate Low-Level Radioactive Waste Commission).
 AM 175 and AM 186 (Guardianship & Advocacy Commission).
 AM 180 (Board of Trustees of Eastern Illinois University).
 AM 193 (State Medical Disciplinary Board).
 AM 194 (Abraham Lincoln Presidential Library Advisory Board).
 AM 197 and AM 198 (Illinois Workforce Investment Board).
 AM 200 (Public Guardian & Public Administrator for Carroll County).
 AM 201 and AM 202 (Board of Trustees of Chicago State University).
 AM 205, AM 206, AM 207, AM 208, AM 209, AM 210, AM 211, AM 212, AM 213, AM 214, and AM 215 (Employment Security Advisory Board).

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AM 216 (Advisory Council on Spinal Cord and Head Injuries).
AM 223, AM 238, and AM 239 (Illinois Comprehensive Health Insurance Plan Board).
AM 224, AM 225, AM 226, AM 227, AM 228, AM 229, AM 250, AM 251, AM 252, AM
253, AM 254, and AM 255 (Children and Family Services Advisory Council).

Date: October 23, 2013

s/Antonio Muñoz
ASSISTANT MAJORITY LEADER ANTONIO MUÑOZ
CHAIRMAN, EXECUTIVE APPOINTMENTS COMMITTEE

The foregoing Motion in Writing was filed with the Secretary and ordered placed on the Senate Calendar.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 39, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0039

Title of Office: Member

Agency or Other Body: Illinois Commerce Commission

Start Date: February 13, 2013

End Date: January 15, 2018

Name: Miguel Del Valle

Residence: 2218 N. Lamon Ave., Chicago, IL 60639

Annual Compensation: \$117,043

Per diem: Not Applicable

Nominee's Senator: Senator William Delgado

Most Recent Holder of Office: Lula M. Ford

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; NAYS 5.

The following voted in the affirmative:

Althoff	Dillard	Lightford	Radogno
Barickman	Forby	Link	Raoul
Bertino-Tarrant	Frerichs	Luechtefeld	Rezin
Biss	Haine	Manar	Sandoval
Bivins	Harmon	Martinez	Stadelman
Brady	Harris	McConnaughay	Steans
Bush	Holmes	McGuire	Sullivan
Clayborne	Hunter	Morrison	Trotter
Collins	Hutchinson	Mulroe	Mr. President
Connelly	Jacobs	Muñoz	

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Cullerton, T.	Koehler	Murphy
Cunningham	Kotowski	Noland
Delgado	Landek	Oberweis

The following voted in the negative:

Duffy	McCarter	Rose
LaHood	Righter	

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 95, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0095

Title of Office: Assistant Secretary

Agency or Other Body: Department of Human Services

Start Date: February 25, 2013

End Date: January 19, 2015

Name: Nelida Smyser-DeLeon

Residence: 1707 N. Mozart St., Chicago, IL 60647

Annual Compensation: \$127,739

Per diem: Not Applicable

Nominee's Senator: Senator William Delgado

Most Recent Holder of Office: Grace B. Hou

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 55; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Radogno
Barickman	Haine	Luechtefeld	Raoul
Biss	Harmon	Manar	Rezin
Brady	Hastings	Martinez	Righter
Bush	Holmes	McCann	Rose
Clayborne	Hunter	McCarter	Sandoval
Collins	Hutchinson	McConnaughay	Stadelman
Connelly	Jacobs	McGuire	Steans
Cullerton, T.	Jones, E.	Morrison	Sullivan
Cunningham	Koehler	Mulroe	Syverson
Delgado	Kotowski	Muñoz	Trotter

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Dillard	LaHood	Murphy	Van Pelt
Duffy	Landek	Noland	Mr. President
Forby	Lightford	Oberweis	

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 97, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0097

Title of Office: Member

Agency or Other Body: Illinois Commerce Commission

Start Date: March 19, 2013

End Date: January 15, 2018

Name: Sherina Maye

Residence: 520 S. State Street, Unit 1508, Chicago, IL 60605

Annual Compensation: \$117,043

Per diem: Not Applicable

Nominee's Senator: Senator Mattie Hunter

Most Recent Holder of Office: Erin M. O'Connell-Diaz

Superseded Appointment Message: Appointment Message 96 of the 98th General Assembly

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; NAYS 6.

The following voted in the affirmative:

Althoff	Forby	Landek	Oberweis
Barickman	Frerichs	Lightford	Radogno
Bertino-Tarrant	Haine	Link	Raoul
Biss	Harmon	Luechtefeld	Rezin
Bivins	Harris	Manar	Sandoval
Brady	Hastings	Martinez	Steans
Bush	Holmes	McConnaughay	Sullivan
Clayborne	Hunter	McGuire	Syverson
Collins	Hutchinson	Morrison	Trotter
Connelly	Jacobs	Mulroe	Van Pelt
Cullerton, T.	Jones, E.	Muñoz	Mr. President
Cunningham	Koehler	Murphy	
Delgado	Kotowski	Noland	

The following voted in the negative:

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Duffy
LaHood

McCann
McCarter

Righter
Rose

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 132, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0132

Title of Office: Director

Agency or Other Body: Illinois Department of Human Rights

Start Date: March 18, 2013

End Date: January 19, 2015

Name: Rocco J. Claps

Residence: 413 S. Riverside Dr., Villa Park, IL 60181

Annual Compensation: \$115,613

Per diem: Not Applicable

Nominee's Senator: Senator Thomas Cullerton

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 54; NAYS 3; Present 1.

The following voted in the affirmative:

Althoff	Forby	Landek	Radogno
Barickman	Frerichs	Lightford	Raoul
Bertino-Tarrant	Haine	Link	Rezin
Biss	Harmon	Luechtefeld	Righter
Bivins	Harris	Manar	Sandoval
Brady	Hastings	Martinez	Stadelman
Bush	Holmes	McCann	Steans
Clayborne	Hunter	McConaughay	Sullivan
Collins	Hutchinson	McGuire	Syverson
Connelly	Jacobs	Morrison	Trotter
Cullerton, T.	Jones, E.	Mulroe	Van Pelt
Cunningham	Koehler	Muñoz	Mr. President
Delgado	Kotowski	Murphy	
Dillard	LaHood	Noland	

The following voted in the negative:

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Duffy
McCarter
Rose

The following voted present:

Oberweis

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 145, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0145

Title of Office: Director

Agency or Other Body: Illinois Department of Veterans' Affairs

Start Date: March 18, 2013

End Date: January 19, 2015

Name: Erica J. Borggren

Residence: 2212 W. Eastwood Ave., Chicago, IL 60625

Annual Compensation: \$115,613

Per diem: Not Applicable

Nominee's Senator: Senator Heather A. Steans

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 53; NAYS 4.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Raoul
Barickman	Haine	Link	Rezin
Bertino-Tarrant	Harmon	Luechtefeld	Righter
Biss	Harris	Manar	Sandoval
Bivins	Hastings	Martinez	Stadelman
Brady	Holmes	McCann	Steans
Bush	Hunter	McConnaughay	Sullivan
Clayborne	Hutchinson	McGuire	Syverson
Collins	Jacobs	Morrison	Trotter
Connelly	Jones, E.	Mulroe	Van Pelt
Cullerton, T.	Koehler	Muñoz	Mr. President
Cunningham	Kotowski	Murphy	

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Delgado	LaHood	Noland
Forby	Landek	Radogno

The following voted in the negative:

Duffy	Oberweis
McCarter	Rose

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 146, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0146

Title of Office: Assistant Director

Agency or Other Body: Illinois Department of Veterans' Affairs

Start Date: March 18, 2013

End Date: January 19, 2015

Name: Rodrigo Garcia

Residence: 721 Lindsey Lane, Bolingbrook, IL 60440

Annual Compensation: \$98,543

Per diem: Not Applicable

Nominee's Senator: Senator Pat McGuire

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 50; NAYS 5.

The following voted in the affirmative:

Althoff	Forby	Landek	Radogno
Barickman	Frerichs	Lightford	Raoul
Bertino-Tarrant	Haine	Link	Rezin
Biss	Harmon	Manar	Righter
Bivins	Harris	Martinez	Sandoval
Brady	Holmes	McCann	Stadelman
Bush	Hunter	McConnaughay	Steans
Clayborne	Hutchinson	McGuire	Sullivan
Collins	Jacobs	Morrison	Syverson
Cullerton, T.	Jones, E.	Mulroe	Trotter
Cunningham	Koehler	Muñoz	Mr. President
Delgado	Kotowski	Murphy	

[October 23, 2013]

Dillard LaHood Noland

The following voted in the negative:

Connelly McCarter Rose
Duffy Oberweis

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 153, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0153

Title of Office: Member

Agency or Other Body: Human Rights Commission

Start Date: March 18, 2013

End Date: January 16, 2017

Name: David J. Walsh

Residence: 616 W. Fulton St., Apt. 307, Chicago, IL 60661

Annual Compensation: \$46,960

Per diem: Not Applicable

Nominee's Senator: Senator Mattie Hunter

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 54; NAYS 3.

The following voted in the affirmative:

Althoff	Forby	Lightford	Raoul
Barickman	Frerichs	Link	Rezin
Bertino-Tarrant	Haine	Luechtefeld	Righter
Biss	Harmon	Manar	Rose
Bivins	Harris	Martinez	Sandoval
Brady	Hastings	McCann	Stadelman
Bush	Hunter	McConnaughay	Steans
Clayborne	Hutchinson	McGuire	Sullivan
Collins	Jacobs	Morrison	Syverson
Connelly	Jones, E.	Mulroe	Trotter
Cullerton, T.	Koehler	Muñoz	Van Pelt
Cunningham	Kotowski	Murphy	Mr. President
Delgado	LaHood	Noland	

[October 23, 2013]

Dillard

Landek

Radogno

The following voted in the negative:

Duffy
McCarter
Oberweis

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 154, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0154

Title of Office: Member

Agency or Other Body: Human Rights Commission

Start Date: March 18, 2013

End Date: January 16, 2017

Name: Lauren Beth Gash

Residence: 1345 Forest Ave., Highland Park, IL 60035

Annual Compensation: \$46,960

Per diem: Not Applicable

Nominee's Senator: Senator Julie A. Morrison

Most Recent Holder of Office: Marylee Freeman

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; NAYS 6.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Radogno
Barickman	Forby	Landek	Raoul
Bertino-Tarrant	Frerichs	Lightford	Rezin
Biss	Haine	Link	Sandoval
Bivins	Harmon	Manar	Stadelman
Brady	Harris	Martinez	Steans
Bush	Hastings	McConnaughay	Sullivan
Clayborne	Holmes	McGuire	Syverson
Collins	Hunter	Morrison	Trotter
Connelly	Hutchinson	Mulroe	Van Pelt
Cullerton, T.	Jacobs	Muñoz	Mr. President
Cunningham	Jones, E.	Murphy	

[October 23, 2013]

Delgado Koehler Noland

The following voted in the negative:

Duffy McCann Oberweis
LaHood McCarter Rose

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 155, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0155

Title of Office: Member

Agency or Other Body: Human Rights Commission

Start Date: March 18, 2013

End Date: January 16, 2017

Name: Diane M. Viverito

Residence: 410 N. Ashland Ave., La Grange Park, IL 60526

Annual Compensation: \$46,960

Per diem: Not Applicable

Nominee's Senator: Senator Kimberly A. Lightford

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 48; NAYS 5.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Raoul
Barickman	Forby	Landek	Rezin
Bertino-Tarrant	Frerichs	Lightford	Sandoval
Biss	Haine	Link	Stadelman
Bivins	Harmon	Manar	Stears
Brady	Harris	Martinez	Sullivan
Bush	Hastings	McConaughay	Trotter
Clayborne	Holmes	McGuire	Van Pelt
Collins	Hunter	Mulroe	Mr. President
Connelly	Hutchinson	Muñoz	
Cullerton, T.	Jacobs	Murphy	
Cunningham	Jones, E.	Noland	
Delgado	Koehler	Radogno	

[October 23, 2013]

The following voted in the negative:

Duffy	McCarter	Rose
McCann	Oberweis	

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 156, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0156

Title of Office: Member

Agency or Other Body: Human Rights Commission

Start Date: March 18, 2013

End Date: January 16, 2017

Name: Patricia Bakalis Yadgir

Residence: 5916 Jackson Dr., Woodridge, IL 60517

Annual Compensation: \$46,960

Per diem: Not Applicable

Nominee's Senator: Senator Christine Radogno

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 51; NAYS 5.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Noland
Barickman	Forby	LaHood	Radogno
Bertino-Tarrant	Frerichs	Landek	Raoul
Biss	Haine	Lightford	Rezin
Bivins	Harmon	Link	Sandoval
Brady	Harris	Luechtefeld	Stadelman
Bush	Hastings	Manar	Steans
Clayborne	Holmes	Martinez	Sullivan
Collins	Hunter	McConnaughay	Syverson
Connelly	Hutchinson	McGuire	Trotter
Cullerton, T.	Jacobs	Mulroe	Van Pelt
Cunningham	Jones, E.	Muñoz	Mr. President
Delgado	Koehler	Murphy	

[October 23, 2013]

The following voted in the negative:

Duffy	McCarter	Rose
McCann	Oberweis	

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 157, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0157

Title of Office: Member

Agency or Other Body: Human Rights Commission

Start Date: March 18, 2013

End Date: January 16, 2017

Name: Terry Cosgrove

Residence: 5901 N. Sheridan Rd., Apt. 4B, Chicago, IL 60660

Annual Compensation: \$46,960

Per diem: Not Applicable

Nominee's Senator: Senator Heather A. Steans

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 36; NAYS 20.

The following voted in the affirmative:

Bertino-Tarrant	Harris	Lightford	Sandoval
Biss	Hastings	Link	Stadelman
Bush	Holmes	Manar	Steans
Clayborne	Hunter	Martinez	Trotter
Collins	Hutchinson	McGuire	Van Pelt
Cullerton, T.	Jacobs	Morrison	Mr. President
Cunningham	Jones, E.	Mulroe	
Delgado	Koehler	Muñoz	
Frerichs	Kotowski	Noland	
Harmon	Landek	Raoul	

The following voted in the negative:

Barickman	Forby	McConnaughay	Rose
Bivins	Haine	Murphy	Syverson

[October 23, 2013]

Brady	LaHood	Oberweis
Connelly	Luechtefeld	Radogno
Dillard	McCann	Rezin
Duffy	McCarter	Righter

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 158, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0158

Title of Office: Member

Agency or Other Body: Illinois Labor Relations Board (State Panel)

Start Date: March 18, 2013

End Date: January 23, 2017

Name: Albert Washington

Residence: 624 S. Larkspur Ln., Matteson, IL 60443

Annual Compensation: \$93,926

Per diem: Not Applicable

Nominee's Senator: Senator Michael E. Hastings

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 50; NAYS 5.

The following voted in the affirmative:

Althoff	Forby	LaHood	Noland
Bertino-Tarrant	Frerichs	Landek	Radogno
Biss	Haine	Lightford	Raoul
Bivins	Harmon	Link	Rezin
Brady	Harris	Manar	Sandoval
Bush	Hastings	Martinez	Stadelman
Clayborne	Holmes	McCann	Steans
Collins	Hunter	McConnaughay	Sullivan
Connelly	Hutchinson	McGuire	Trotter
Cullerton, T.	Jacobs	Morrison	Van Pelt
Cunningham	Jones, E.	Mulroe	Mr. President
Delgado	Koehler	Muñoz	
Dillard	Kotowski	Murphy	

The following voted in the negative:

[October 23, 2013]

Barickman
Duffy

McCarter
Oberweis

Rose

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 159, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0159

Title of Office: Member

Agency or Other Body: Illinois Labor Relations Board (Local Panel)

Start Date: March 18, 2013

End Date: January 23, 2017

Name: Robert M. Gierut

Residence: 1618 Old Oak Place, Darien, IL 60561

Annual Compensation: \$93,926

Per diem: Not Applicable

Nominee's Senator: Senator Christine Radogno

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 51; NAYS 4.

The following voted in the affirmative:

Althoff	Dillard	LaHood	Noland
Barickman	Forby	Landek	Radogno
Bertino-Tarrant	Frerichs	Lightford	Raoul
Biss	Haine	Luechtefeld	Rezin
Bivins	Harmon	Manar	Sandoval
Brady	Hastings	Martinez	Stadelman
Bush	Holmes	McCann	Steans
Clayborne	Hunter	McConaughay	Sullivan
Collins	Hutchinson	McGuire	Syverson
Connelly	Jacobs	Morrison	Trotter
Cullerton, T.	Jones, E.	Mulroe	Van Pelt
Cunningham	Koehler	Muñoz	Mr. President
Delgado	Kotowski	Murphy	

The following voted in the negative:

[October 23, 2013]

Duffy Oberweis
McCarter Rose

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 160, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0160

Title of Office: Member

Agency or Other Body: Prisoner Review Board

Start Date: March 18, 2013

End Date: January 21, 2019

Name: Salvador Z. Diaz

Residence: 6905 N. Caldwell Ave., Chicago, IL 60646

Annual Compensation: \$85,886

Per diem: Not Applicable

Nominee's Senator: Senator Ira I. Silverstein

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 53; NAYS 3.

The following voted in the affirmative:

Althoff	Forby	Landek	Raoul
Barickman	Frerichs	Lightford	Rezin
Bertino-Tarrant	Haine	Link	Rose
Biss	Harmon	Luechtefeld	Sandoval
Bivins	Harris	Manar	Stadelman
Brady	Hastings	Martinez	Steans
Bush	Holmes	McCann	Sullivan
Clayborne	Hunter	McConaughay	Syverson
Collins	Hutchinson	McGuire	Trotter
Connelly	Jacobs	Morrison	Van Pelt
Cullerton, T.	Jones, E.	Mulroe	Mr. President
Cunningham	Koehler	Murphy	
Delgado	Kotowski	Noland	
Dillard	LaHood	Radogno	

The following voted in the negative:

[October 23, 2013]

Duffy
McCarter
Oberweis

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 161, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0161

Title of Office: Member

Agency or Other Body: Prisoner Review Board

Start Date: March 18, 2013

End Date: January 21, 2019

Name: Tom Johnson

Residence: 0S330 Bauman Ct., West Chicago, IL 60185

Annual Compensation: \$85,886

Per diem: Not Applicable

Nominee's Senator: Senator Michael Connelly

Most Recent Holder of Office: Norman Sula

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 55; NAYS None; Present 1.

The following voted in the affirmative:

Althoff	Forby	Lightford	Oberweis
Barickman	Frerichs	Link	Radogno
Bertino-Tarrant	Haine	Luechtefeld	Raoul
Biss	Harmon	Manar	Rezin
Bivins	Harris	Martinez	Rose
Brady	Hastings	McCann	Sandoval
Bush	Holmes	McCarter	Stadelman
Clayborne	Hunter	McConnaughay	Steans
Collins	Jacobs	McGuire	Sullivan
Connelly	Jones, E.	Morrison	Syverson
Cullerton, T.	Koehler	Mulroe	Trotter
Cunningham	Kotowski	Muñoz	Van Pelt
Delgado	LaHood	Murphy	Mr. President
Dillard	Landek	Noland	

The following voted present:

[October 23, 2013]

Duffy

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 163, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0163

Title of Office: Member

Agency or Other Body: Prisoner Review Board

Start Date: March 18, 2013

End Date: January 21, 2019

Name: Jesse D. Madison

Residence: 8127 S. Prairie Park Place, Chicago, IL 60619

Annual Compensation: \$85,886

Per diem: Not Applicable

Nominee's Senator: Senator Donne E. Trotter

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 51; NAYS 4.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Murphy
Barickman	Forby	LaHood	Noland
Bertino-Tarrant	Frerichs	Lightford	Radogno
Biss	Haine	Link	Raoul
Bivins	Harmon	Luechtefeld	Rezin
Brady	Harris	Manar	Sandoval
Bush	Hastings	Martinez	Stadelman
Clayborne	Holmes	McCann	Steans
Collins	Hunter	McConaughay	Sullivan
Connelly	Hutchinson	McGuire	Trotter
Cullerton, T.	Jacobs	Morrison	Van Pelt
Cunningham	Jones, E.	Mulroe	Mr. President
Delgado	Koehler	Muñoz	

The following voted in the negative:

[October 23, 2013]

Duffy
McCarter

Oberweis
Rose

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 166, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0166

Title of Office: Commissioner

Agency or Other Body: Illinois Workers' Compensation Commission

Start Date: March 18, 2013

End Date: January 16, 2017

Name: Ruth White

Residence: 1824 S. Noble Ave., Springfield, IL 62704

Annual Compensation: \$119,840

Per diem: Not Applicable

Nominee's Senator: Senator Wm. Sam McCann

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 50; NAYS 5.

The following voted in the affirmative:

Althoff	Forby	Landek	Noland
Bertino-Tarrant	Frerichs	Lightford	Radogno
Biss	Haine	Link	Raoul
Bivins	Harmon	Luechtefeld	Rezin
Brady	Hastings	Manar	Sandoval
Bush	Holmes	Martinez	Stadelman
Clayborne	Hunter	McCann	Steans
Collins	Hutchinson	McConnaughay	Sullivan
Connelly	Jacobs	McGuire	Trotter
Cullerton, T.	Jones, E.	Morrison	Van Pelt
Cunningham	Koehler	Mulroe	Mr. President
Delgado	Kotowski	Muñoz	
Dillard	LaHood	Murphy	

The following voted in the negative:

[October 23, 2013]

Barickman	McCarter	Rose
Duffy	Oberweis	

The motion prevailed.

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

Senator Murphy asked and obtained unanimous consent for the Journal to reflect his intention to have voted Present on **Appointment Message No. 166**.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 167, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0167

Title of Office: Commissioner

Agency or Other Body: Illinois Workers' Compensation Commission

Start Date: March 18, 2013

End Date: January 16, 2017

Name: Thomas J. Tyrrell

Residence: 432 Lake Shore Dr., East Dundee, IL 60118

Annual Compensation: \$119,840

Per diem: Not Applicable

Nominee's Senator: Senator Karen McConnaughay

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 51; NAYS 5.

The following voted in the affirmative:

Althoff	Forby	LaHood	Murphy
Bertino-Tarrant	Frerichs	Landek	Noland
Biss	Haine	Lightford	Radogno
Bivins	Harmon	Link	Raoul
Brady	Harris	Luechtefeld	Rezin
Bush	Hastings	Manar	Sandoval
Clayborne	Holmes	Martinez	Stadelman
Collins	Hunter	McCann	Steans
Connelly	Hutchinson	McConnaughay	Sullivan
Cullerton, T.	Jacobs	McGuire	Trotter
Cunningham	Jones, E.	Morrison	Van Pelt
Delgado	Koehler	Mulroe	Mr. President
Dillard	Kotowski	Muñoz	

The following voted in the negative:

[October 23, 2013]

Barickman
Duffy

McCarter
Oberweis

Rose

The motion prevailed.

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

Senator Murphy asked and obtained unanimous consent for the Journal to reflect his intention to have voted Present on **Appointment Message No. 167**.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 168, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0168

Title of Office: Commissioner

Agency or Other Body: Illinois Workers' Compensation Commission

Start Date: March 18, 2013

End Date: January 16, 2017

Name: Mario Basurto

Residence: 5457 S. Hyde Park Blvd., Chicago, IL 60615

Annual Compensation: \$119,840

Per diem: Not Applicable

Nominee's Senator: Senator Kwame Raoul

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 49; NAYS 6.

The following voted in the affirmative:

Althoff	Haine	Lightford	Radogno
Bertino-Tarrant	Harmon	Link	Raoul
Biss	Harris	Luechtefeld	Rezin
Bivins	Hastings	Manar	Sandoval
Brady	Holmes	Martinez	Stadelman
Bush	Hunter	McCann	Steans
Clayborne	Hutchinson	McConnaughay	Sullivan
Collins	Jacobs	McGuire	Trotter
Cunningham	Jones, E.	Morrison	Van Pelt
Delgado	Koehler	Mulroe	Mr. President
Dillard	Kotowski	Muñoz	
Forby	LaHood	Murphy	
Frerichs	Landek	Noland	

[October 23, 2013]

The following voted in the negative:

Barickman	Duffy	Oberweis
Connelly	McCarter	Rose

The motion prevailed.

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

Senator Murphy asked and obtained unanimous consent for the Journal to reflect his intention to have voted Present on **Appointment Message No. 168**.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 230, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0230

Title of Office: Executive Inspector General

Agency or Other Body: Office of the Executive Inspector General for the Governor

Start Date: July 1, 2013

End Date: June 30, 2018

Name: Ricardo Meza

Residence: 2111 N. Verde Drive, Arlington Heights, IL 60004

Annual Compensation: \$150,168

Per diem: Not Applicable

Nominee's Senator: Senator Matt Murphy

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 51; NAYS 4.

The following voted in the affirmative:

Althoff	Dillard	LaHood	Murphy
Barickman	Forby	Landek	Noland
Bertino-Tarrant	Frerichs	Lightford	Radogno
Biss	Haine	Link	Raoul
Bivins	Harmon	Luechtefeld	Rezin
Brady	Harris	Manar	Sandoval
Bush	Hastings	Martinez	Stadelman
Clayborne	Holmes	McCann	Steans
Collins	Hunter	McConnaughay	Sullivan
Connelly	Hutchinson	McGuire	Trotter
Cullerton, T.	Jones, E.	Morrison	Van Pelt
Cunningham	Koehler	Mulroe	Mr. President
Delgado	Kotowski	Muñoz	

[October 23, 2013]

The following voted in the negative:

Duffy	Oberweis
McCarter	Rose

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 231, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 0231

Title of Office: Member and Chair

Agency or Other Body: Secretary of State Merit Commission

Start Date: July 1, 2013

End Date: June 30, 2019

Name: Ferdinand P. Serpe

Residence: 391 Woodside Dr., Wood Dale, IL 60191

Annual Compensation: Determined by the Secretary of State

Per diem: Expenses

Nominee's Senator: Senator Don Harmon

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 49; NAYS 4.

The following voted in the affirmative:

Barickman	Forby	Lightford	Radogno
Bertino-Tarrant	Frerichs	Link	Raoul
Biss	Haine	Luechtefeld	Rezin
Bivins	Harmon	Manar	Sandoval
Brady	Harris	Martinez	Stadelman
Bush	Hastings	McCann	Steans
Clayborne	Holmes	McConnaughay	Sullivan
Collins	Hunter	McGuire	Trotter
Connelly	Jones, E.	Morrison	Van Pelt
Cullerton, T.	Koehler	Mulroe	Mr. President
Cunningham	Kotowski	Muñoz	
Delgado	LaHood	Murphy	
Dillard	Landek	Noland	

[October 23, 2013]

The following voted in the negative:

Duffy	Oberweis
McCarter	Rose

The motion prevailed.

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

CONSIDERATION OF MOTION IN WRITING

Pursuant to Motion in Writing filed earlier today, Senator Muñoz moved to compile the following Appointment Messages to be acted on together by a single vote of the Senate:

AM 62 (Department of Labor Advisory Board).
 AM 71 (Board of Trustees of Governor State University).
 AM 75 (Illinois Finance Authority).
 AM 76 and AM 78 (Health Information Exchange Authority).
 AM 79, AM 80, and AM 174 (Illinois Housing Development Authority).
 AM 81 (Public Guardian & Public Administrator for Adams County).
 AM 82 (Public Guardian & Public Administrator for Brown County).
 AM 83 (Public Guardian & Public Administrator for Jackson County).
 AM 84 (Public Guardian & Public Administrator for Stephenson County).
 AM 88, AM 89, and AM 90 (Illinois Torture Inquiry & Relief Commission).
 AM 98 (Joliet Regional Port District Board).
 AM 105, AM 106, AM 107 (Financial Reporting Standards Board).
 AM 108 (Public Guardian & Public Administrator for Whiteside County).
 AM 109 (Public Guardian & Public Administrator for Kendall County).
 AM 111 (Public Guardian & Public Administrator for Franklin County).
 AM 170 (Will County Metropolitan Exposition & Auditorium Authority Board).
 AM 171 (Central Midwest Interstate Low-Level Radioactive Waste Commission).
 AM 175 and AM 186 (Guardianship & Advocacy Commission).
 AM 180 (Board of Trustees of Eastern Illinois University).
 AM 193 (State Medical Disciplinary Board).
 AM 194 (Abraham Lincoln Presidential Library Advisory Board).
 AM 197 and AM 198 (Illinois Workforce Investment Board).
 AM 200 (Public Guardian & Public Administrator for Carroll County).
 AM 201 and AM 202 (Board of Trustees of Chicago State University).
 AM 205, AM 206, AM 207, AM 208, AM 209, AM 210, AM 211, AM 212, AM 213, AM 214, and AM 215 (Employment Security Advisory Board).
 AM 216 (Advisory Council on Spinal Cord and Head Injuries).
 AM 223, AM 238, and AM 239 (Illinois Comprehensive Health Insurance Plan Board).
 AM 224, AM 225, AM 226, AM 227, AM 228, AM 229, AM 250, AM 251, AM 252, AM 253, AM 254, and AM 255 (Children and Family Services Advisory Council).

The motion prevailed.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 62, 71, 75, 76, 78, 79, 80, 81, 82, 83, 84, 88, 89, 90, 98, 105, 106, 107, 108, 109, 111, 170, 171, 174, 175, 180, 186, 193, 194, 197, 198, 200, 201, 202, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 223, 224, 225, 226, 227, 228, 229, 238, 239, 250, 251, 252, 253, 254 and 255 reported the same back with the recommendation that the Senate advise and consent to the following appointments:

Appointment Message No. 0062

Title of Office: Member

[October 23, 2013]

Agency or Other Body: Department of Labor Advisory Board

Start Date: February 15, 2013

End Date: January 19, 2015

Name: Ralph Graham

Residence: 314 S. Vicksburg St. (P.O. Box 1231), Marion, IL 62959

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Gary Forby

Most Recent Holder of Office: Colleen M. McShane

Superseded Appointment Message: Not Applicable

Appointment Message No. 0071

Title of Office: Member

Agency or Other Body: Board of Trustees of Governors State University

Start Date: February 25, 2013

End Date: January 21, 2019

Name: Bruce N. Friefeld

Residence: 10930 Jornar Court, Mokena, IL 60448

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Michael E. Hastings

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0075

Title of Office: Member

Agency or Other Body: Illinois Finance Authority

Start Date: February 25, 2013

End Date: July 17, 2015

Name: Roger Poole

[October 23, 2013]

Residence: 5034 Sand Rock Rd., Smithton, IL 62285

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator David S. Luechtefeld

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0076

Title of Office: Director

Agency or Other Body: Health Information Exchange Authority

Start Date: February 25, 2013

End Date: February 7, 2015

Name: Bechara Choucair, M.D.

Residence: 663 W. Barry Ave., Apt. 4C, Chicago, IL 60657

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator John J. Cullerton

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0078

Title of Office: Director

Agency or Other Body: Health Information Exchange Authority

Start Date: February 25, 2013

End Date: February 7, 2015

Name: Mark R. Neaman

Residence: 1085 Ashley Rd., Lake Forest, IL 60045

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Julie A. Morrison

Most Recent Holder of Office: Reappointment

[October 23, 2013]

Superseded Appointment Message: Not Applicable

Appointment Message No. 0079

Title of Office: Member

Agency or Other Body: Illinois Housing Development Authority

Start Date: February 25, 2013

End Date: January 9, 2017

Name: Cristina Castro

Residence: 940 N. Spring Street, Elgin, IL 60120

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Michael Noland

Most Recent Holder of Office: Mark A. Kochan

Superseded Appointment Message: Not Applicable

Appointment Message No. 0080

Title of Office: Member

Agency or Other Body: Illinois Housing Development Authority

Start Date: February 25, 2013

End Date: January 12, 2015

Name: Salvatore Tornatore

Residence: 265 Mulford Lane, Roselle, IL 60172

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dan Kotowski

Most Recent Holder of Office: Robert J. Barker

Superseded Appointment Message: Not Applicable

Appointment Message No. 0081

Title of Office: Public Guardian and Public Administrator

[October 23, 2013]

Agency or Other Body: Adams County

Start Date: February 25, 2013

End Date: December 7, 2015

Name: Christopher Scholz

Residence: 2121 Jersey St., Quincy, IL 62301

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator John M. Sullivan

Most Recent Holder of Office: Bruce A. Alford

Superseded Appointment Message: Not Applicable

Appointment Message No. 0082

Title of Office: Public Guardian and Public Administrator

Agency or Other Body: Brown County

Start Date: February 25, 2013

End Date: December 2, 2013

Name: Janet G. Miley

Residence: 2 Ingleside Dr., Mount Sterling, IL 62353

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator John M. Sullivan

Most Recent Holder of Office: Doris I. Lehne

Superseded Appointment Message: Not Applicable

Appointment Message No. 0083

Title of Office: Public Administrator and Public Guardian

Agency or Other Body: Jackson County

Start Date: February 25, 2013

End Date: December 2, 2013

Name: Shannon Rieckenberg

Residence: 93 Morber Rd., Ava, IL 62907

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator David S. Luechtefeld

Most Recent Holder of Office: Marlene N. Gibbs

Superseded Appointment Message: Not Applicable

Appointment Message No. 0084

Title of Office: Public Administrator and Public Guardian

Agency or Other Body: Stephenson County

Start Date: February 25, 2013

End Date: December 2, 2013

Name: Charles D. Robinson

Residence: 6 Haven Ct., Freeport, IL 61032

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Tim Bivins

Most Recent Holder of Office: George Koehler

Superseded Appointment Message: Not Applicable

Appointment Message No. 0088

Title of Office: Member

Agency or Other Body: Illinois Torture Inquiry and Relief Commission

Start Date: February 25, 2013

End Date: December 31, 2014

Name: Craig Futterman

Residence: 1130 E. Hyde Park Blvd., Apt. 2, Chicago, IL 60615

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Kwame Raoul

[October 23, 2013]

Most Recent Holder of Office: Robert Acton

Superseded Appointment Message: Not Applicable

Appointment Message No. 0089

Title of Office: Member

Agency or Other Body: Illinois Torture Inquiry and Relief Commission

Start Date: February 25, 2013

End Date: December 31, 2014

Name: Neil Toppel

Residence: 3049 W. Sunnyside Ave., Chicago, IL 60625

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator John J. Cullerton

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0090

Title of Office: Member

Agency or Other Body: Illinois Torture Inquiry and Relief Commission

Start Date: February 25, 2013

End Date: December 31, 2014

Name: Leonard Cavise

Residence: 850 W. Adams St., Apt. 2B, Chicago, IL 60607

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Patricia Van Pelt

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0098

Title of Office: Member

Agency or Other Body: Joliet Regional Port District Board

Start Date: March 4, 2013

End Date: June 1, 2013

Name: Joseph Strong

Residence: 1211 Betty Drive, Plainfield, IL 60586

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Jennifer Bertino-Tarrant

Most Recent Holder of Office: George J. Michas

Superseded Appointment Message: Not Applicable

Appointment Message No. 0105

Title of Office: Member

Agency or Other Body: Financial Reporting Standards Board

Start Date: February 15, 2013

End Date: February 15, 2017

Name: Daniel W. Cadigan

Residence: 1324 S. Douglas, Springfield, IL 62704

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Wm. Sam McCann

Most Recent Holder of Office: Original Appointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0106

Title of Office: Member

Agency or Other Body: Financial Reporting Standards Board

Start Date: February 15, 2013

End Date: February 15, 2015

Name: Don William Templeman

[October 23, 2013]

Residence: 500 Prairie Lane, Monticello, IL 61856

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Chapin Rose

Most Recent Holder of Office: Original Appointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0107

Title of Office: Member

Agency or Other Body: Financial Reporting Standards Board

Start Date: February 15, 2013

End Date: February 15, 2016

Name: Robert Grogan

Residence: 418 Bunning Dr., Downers Grove, IL 60516

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Christine Radogno

Most Recent Holder of Office: Original Appointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0108

Title of Office: Public Guardian and Public Administrator

Agency or Other Body: Whiteside County

Start Date: March 8, 2013

End Date: December 2, 2013

Name: William Lee

Residence: 414 E. Main St., Amboy, IL 61310

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Tim Bivins

Most Recent Holder of Office: Daniel C. Hawkins

[October 23, 2013]

Superseded Appointment Message: Not Applicable

Appointment Message No. 0109

Title of Office: Public Guardian and Public Administrator

Agency or Other Body: Kendall County

Start Date: March 8, 2013

End Date: December 2, 2013

Name: Valerie Lee Burd

Residence: 300 E. Hydraulic St., Yorkville, IL 60560

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Jim Oberweis

Most Recent Holder of Office: Robert P. Pilmer

Superseded Appointment Message: Not Applicable

Appointment Message No. 0111

Title of Office: Public Guardian and Public Administrator

Agency or Other Body: Franklin County

Start Date: March 8, 2013

End Date: December 2, 2013

Name: Allen Ward

Residence: 360 W. Matthew St., Sesser, IL 62884

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Gary Forby

Most Recent Holder of Office: Nancy Cockrum

Superseded Appointment Message: Not Applicable

Appointment Message No. 0170

Title of Office: Member

[October 23, 2013]

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

Start Date: March 26, 2013

End Date: December 1, 2016

Name: Gale Murphy

Residence: 1422 Tiger Lily Ln., Joliet, IL 60435

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Jennifer Bertino-Tarrant

Most Recent Holder of Office: Lee A. Goodson

Superseded Appointment Message: Not Applicable

Appointment Message No. 0171

Title of Office: Commissioner

Agency or Other Body: Central Midwest Interstate Low-Level Radioactive Waste Commission

Start Date: March 26, 2013

End Date: January 19, 2015

Name: Gary McCandless

Residence: 3609 Hoylake Drive, Springfield, IL 62712

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Andy Manar

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

Superseded Appointment Message: Not Applicable

Appointment Message No. 0174

Title of Office: Member

Agency or Other Body: Illinois Housing Development Authority

Start Date: March 27, 2013

End Date: January 9, 2017

Name: Harlan Karp

Residence: 1530 S. State St., Apt. 929, Chicago, IL 60565

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Mattie Hunter

Most Recent Holder of Office: S. Raja Krishnamoorthi

Superseded Appointment Message: Not Applicable

Appointment Message No. 0175

Title of Office: Member

Agency or Other Body: Guardianship and Advocacy Commission

Start Date: March 27, 2013

End Date: June 30, 2015

Name: Brian Rubin

Residence: 453 Caren Dr., Buffalo Grove, IL 60089

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Terry Link

Most Recent Holder of Office: Kathy Ryg

Superseded Appointment Message: Not Applicable

Appointment Message No. 0180

Title of Office: Member

Agency or Other Body: Board of Trustees of Eastern Illinois University

Start Date: March 29, 2013

End Date: January 21, 2019

Name: William E. Dano III

Residence: 529 Danbury Dr., Oswego, IL 60543

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Sue Rezin

Most Recent Holder of Office: Reappointment

[October 23, 2013]

Superseded Appointment Message: Not Applicable

Appointment Message No. 0186

Title of Office: Member

Agency or Other Body: Guardianship and Advocacy Commission

Start Date: March 27, 2013

End Date: June 30, 2014

Name: Lawrence Schlam

Residence: 29955 Oak Meadow Dr., Kingston, IL 60145

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dave Syverson

Most Recent Holder of Office: Kenley Wade

Superseded Appointment Message: Not Applicable

Appointment Message No. 0193

Title of Office: Member

Agency or Other Body: Illinois State Medical Disciplinary Board

Start Date: April 15, 2013

End Date: January 1, 2015

Name: Tariq Butt

Residence: 1322 S. Plymouth Court, Chicago, IL 60605

Annual Compensation: Expenses

Per diem: Determined by the Secretary

Nominee's Senator: Senator Mattie Hunter

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0194

Title of Office: Member

Agency or Other Body: Abraham Lincoln Presidential Library Advisory Board

Start Date: April 15, 2013

End Date: December 31, 2018

Name: Richard Craig Sautter

Residence: 7658 N. Rogers Ave., Chicago, IL 60626

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Heather A. Steans

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0197

Title of Office: Member

Agency or Other Body: Illinois Workforce Investment Board

Start Date: April 15, 2013

End Date: July 1, 2014

Name: Barbara Oilschlager

Residence: 818 Jeanne Court, Grayslake, IL 60030

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Melinda Bush

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0198

Title of Office: Member

Agency or Other Body: Illinois Workforce Investment Board

Start Date: April 15, 2013

End Date: July 1, 2014

Name: Lawrence M. Walsh

Residence: 18801 W. Brown Rd., Elwood, IL 60421

[October 23, 2013]

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Pat McGuire

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0200

Title of Office: Public Administrator and Public Guardian

Agency or Other Body: Carroll County

Start Date: February 15, 2013

End Date: December 2, 2013

Name: Carol Lois Gloor

Residence: 946 N. 4th St., Savanna, IL 61074

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Mike Jacobs

Most Recent Holder of Office: Ralph Sprecher

Superseded Appointment Message: Appointment Message 51 of the 98th General Assembly

Appointment Message No. 0201

Title of Office: Member

Agency or Other Body: Board of Trustees of Chicago State University

Start Date: April 22, 2013

End Date: January 19, 2017

Name: Spencer Leak

Residence: 9157 S. Constance Ave., Chicago, IL 60617

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Donne E. Trotter

Most Recent Holder of Office: Adam Stanley

Superseded Appointment Message: Not Applicable

Appointment Message No. 0202

Title of Office: Member

Agency or Other Body: Board of Trustees of Chicago State University

Start Date: April 22, 2013

End Date: January 21, 2019

Name: Horace Smith

Residence: 1160 S. Michigan Ave., Chicago, IL 60605

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Mattie Hunter

Most Recent Holder of Office: Zalduwaynaka Scott

Superseded Appointment Message: Not Applicable

Appointment Message No. 0205

Title of Office: Chair/Member

Agency or Other Body: Employment Security Advisory Board

Start Date: April 26, 2013

End Date: January 19, 2015

Name: James G. Argionis

Residence: 1124 S. Rose Ave., Park Ridge, IL 60068

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dan Kotowski

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0206

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

[October 23, 2013]

Start Date: April 26, 2013

End Date: January 19, 2015

Name: Gregory Baise

Residence: 7 Carriage Lane, Lemont, IL 60439

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Christine Radogno

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0207

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: April 26, 2013

End Date: January 19, 2015

Name: John Bouman

Residence: 1014 N. 2nd Ave., Maywood, IL 60153

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Don Harmon

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0208

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: April 26, 2013

End Date: January 19, 2015

Name: Timothy E. Drea

Residence: 8028 Wilson Terrace, Springfield, IL 62712

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Wm. Sam McCann

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0209

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: April 26, 2013

End Date: January 19, 2015

Name: Kathleen Dudley

Residence: 5526 West Cassidy Dr., Bartonville, IL 61607

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator David Koehler

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0210

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: April 26, 2013

End Date: January 19, 2015

Name: Anthony Garcia

Residence: 5618 W. Von Ave., Unit B, Monee, IL 60449

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Napoleon Harris III

[October 23, 2013]

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0211

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: April 26, 2013

End Date: January 19, 2015

Name: Hanah JubeH

Residence: 22 West Washington St., Chicago, IL 60602

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Jacqueline Y. Collins

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0212

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: April 26, 2013

End Date: January 19, 2015

Name: Kim Clarke Maisch

Residence: 43 Illmo Dr., Springfield, IL 62711

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Wm. Sam McCann

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0213

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: April 26, 2013

End Date: January 19, 2015

Name: Diane M. Morgan

Residence: 12600 Highland Ave., Blue Island, IL 60406

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Emil Jones, III

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0214

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: April 26, 2013

End Date: January 19, 2015

Name: William H. Potts, Jr.

Residence: 1120 Crestview Circle, Elgin, IL 60123

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Karen McConnaughay

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0215

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: April 26, 2013

End Date: January 19, 2015

Name: David Vite

[October 23, 2013]

Residence: 1338 Oakview Terrace, Woodstock, IL 60098

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Pamela Althoff

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0216

Title of Office: Member

Agency or Other Body: Advisory Council on Spinal Cord and Head Injuries

Start Date: April 26, 2013

End Date: June 30, 2014

Name: Amanda Kloepfer

Residence: 5488 Wansford Way, Unit 210, Rockford, IL 61109

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Steve Stadelman

Most Recent Holder of Office: Dawn Wentar Henry

Superseded Appointment Message: Not Applicable

Appointment Message No. 0223

Title of Office: Member

Agency or Other Body: Illinois Comprehensive Health Insurance Board

Start Date: May 13, 2013

End Date: July 1, 2015

Name: David K. Hill

Residence: 1110 Church St., #1E, Evanston, IL 60201

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Daniel Biss

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0224

Title of Office: Member

Agency or Other Body: Children and Family Services Advisory Council

Start Date: May 13, 2013

End Date: January 16, 2017

Name: Julie A. Morrison

Residence: 1530 Woodvale Ave., Deerfield, IL 60015

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Julie A. Morrison

Most Recent Holder of Office: Charlotte Mushow

Superseded Appointment Message: Not Applicable

Appointment Message No. 0225

Title of Office: Member

Agency or Other Body: Children and Family Services Advisory Council

Start Date: May 13, 2013

End Date: January 16, 2017

Name: Erin McNamee

Residence: 112 Cloverdale Ln., Schaumburg, IL 60193

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Dan Kotowski

Most Recent Holder of Office: Rick Velasquez

Superseded Appointment Message: Not Applicable

Appointment Message No. 0226

Title of Office: Member

[October 23, 2013]

Agency or Other Body: Children and Family Services Advisory Council

Start Date: May 13, 2013

End Date: January 16, 2017

Name: Naomi Jakobsson

Residence: 803 W. Main St., Urbana, IL 61801

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Michael W. Frerichs

Most Recent Holder of Office: Susan L. Kelsey

Superseded Appointment Message: Not Applicable

Appointment Message No. 0227

Title of Office: Member

Agency or Other Body: Children and Family Services Advisory Council

Start Date: May 13, 2013

End Date: January 16, 2017

Name: Mattie Hunter

Residence: 5604 S. Prairie Ave., Apt. 3, Chicago, IL 60637

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Mattie Hunter

Most Recent Holder of Office: Linda Goforth

Superseded Appointment Message: Not Applicable

Appointment Message No. 0228

Title of Office: Member

Agency or Other Body: Children and Family Services Advisory Council

Start Date: May 13, 2013

End Date: January 16, 2017

Name: Timothy Egan

Residence: 855 N. LaSalle St., Unit 1, Chicago, IL 60610

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Mattie Hunter

Most Recent Holder of Office: Judy H. Fried

Superseded Appointment Message: Not Applicable

Appointment Message No. 0229

Title of Office: Member

Agency or Other Body: Children and Family Services Advisory Council

Start Date: May 13, 2013

End Date: January 16, 2017

Name: Jay Paul Deratany

Residence: 429 West Roslyn Place, Chicago, IL 60614

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator John J. Cullerton

Most Recent Holder of Office: Barbara Cempura

Superseded Appointment Message: Not Applicable

Appointment Message No. 0238

Title of Office: Member

Agency or Other Body: Comprehensive Health Insurance Plan

Start Date: June 13, 2013

End Date: July 1, 2015

Name: Nasiruddin Rana

Residence: 1306 Midwest Club Parkway, Oak Brook, IL 60523

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Kirk W. Dillard

Most Recent Holder of Office: Laura Leon

[October 23, 2013]

Superseded Appointment Message: Not Applicable

Appointment Message No. 0239

Title of Office: Member

Agency or Other Body: Comprehensive Health Insurance Plan

Start Date: June 13, 2013

End Date: July 1, 2015

Name: Carrie McAteer-Fournier

Residence: 5831 N. Kirby Ave., Chicago, IL 60646

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Ira I. Silverstein

Most Recent Holder of Office: Ann Hilton Fisher

Superseded Appointment Message: Not Applicable

Appointment Message No. 0250

Title of Office: Member

Agency or Other Body: Children and Family Services Advisory Council

Start Date: June 3, 2013

End Date: January 16, 2015

Name: Marina Ammendola

Residence: 512 N. McClurg Ct., Unit 5101, Chicago, IL 60611

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Kwame Raoul

Most Recent Holder of Office: Clara Kirk

Superseded Appointment Message: Not Applicable

Appointment Message No. 0251

Title of Office: Member

[October 23, 2013]

Agency or Other Body: Children and Family Services Advisory Council

Start Date: June 3, 2013

End Date: January 16, 2015

Name: Margaret Berglind

Residence: 155 N. Harbor Dr., Apt. #607, Chicago, IL 60601

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Kwame Raoul

Most Recent Holder of Office: Linda Young

Superseded Appointment Message: Not Applicable

Appointment Message No. 0252

Title of Office: Member

Agency or Other Body: Children and Family Services Advisory Council

Start Date: June 3, 2013

End Date: January 16, 2015

Name: Jill Glick

Residence: 15420 W. Rockland Road, Libertyville, IL 60048

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Dan Duffy

Most Recent Holder of Office: Carolyn B. Smoot

Superseded Appointment Message: Not Applicable

Appointment Message No. 0253

Title of Office: Member

Agency or Other Body: Children and Family Services Advisory Council

Start Date: June 3, 2013

End Date: January 16, 2015

Name: Dana Weiner

[October 23, 2013]

Residence: 3846 N. Oakley Ave., Chicago, IL 60618

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator John J. Cullerton

Most Recent Holder of Office: Neil Matlins

Superseded Appointment Message: Not Applicable

Appointment Message No. 0254

Title of Office: Member

Agency or Other Body: Children and Family Services Advisory Council

Start Date: June 3, 2013

End Date: January 16, 2017

Name: Billie M. Larkin

Residence: 156 Springdale Lane, Bloomingdale, IL 60108

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Thomas Cullerton

Most Recent Holder of Office: Eva Annetta Wilson

Superseded Appointment Message: Not Applicable

Appointment Message No. 0255

Title of Office: Member

Agency or Other Body: Children and Family Services Advisory Council

Start Date: June 3, 2013

End Date: January 16, 2015

Name: Andrea Durbin

Residence: 11322 S. Bell Ave., Chicago, IL 60643

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Emil Jones, III

Most Recent Holder of Office: Abdul Basit

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 6.

The following voted in the affirmative:

Althoff	Dillard	Link	Raoul
Barickman	Forby	Luechtefeld	Rezin
Bertino-Tarrant	Frerichs	Manar	Righter
Biss	Haine	Martinez	Sandoval
Bivins	Harris	McCann	Stadelman
Brady	Hastings	McConaughay	Steans
Bush	Holmes	McGuire	Sullivan
Clayborne	Hutchinson	Mulroe	Trotter
Collins	Jones, E.	Muñoz	Van Pelt
Connelly	Koehler	Murphy	Mr. President
Cullerton, T.	Kotowski	Noland	
Cunningham	Landek	Oberweis	
Delgado	Lightford	Radogno	

The following voted present:

Duffy	LaHood	Morrison
Hunter	McCarter	Rose

The motion prevailed.

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

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

At the hour of 1:25 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 2:46 o'clock p.m., the Senate resumed consideration of business. Senator Sullivan, presiding.

PRESENTATION OF RESOLUTION

Senators Lightford - Manar offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

SENATE JOINT RESOLUTION NO. 44

WHEREAS, The State of Illinois has put forth a comprehensive plan to strengthen the State's public education system and improve student performance; and

WHEREAS, The State's education leaders raised standards for students, strengthened teacher and principal evaluation to provide feedback and improve instruction, redesigned school report cards, and

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intensified efforts to improve struggling schools - all of which pave the way for better outcomes and opportunities for students; and

WHEREAS, Four years of cuts to public education in Illinois threaten to derail much-needed improvements and strip away support for student performance; and

WHEREAS, When adjusted for inflation, the State of Illinois cut \$1.4 billion from the total K-12 budget from Fiscal Year 2009 through Fiscal Year 2013; and

WHEREAS, The funding gap continues to widen between what the Education Funding Advisory Board deems necessary and what the General Assembly determines the State will provide; and

WHEREAS, In 2012 and 2013, the General Assembly did not appropriate sufficient money to fully fund the statutorily set foundation level of \$6,119, therefore triggering the proration of General State Aid dollars; and

WHEREAS, In Fiscal Year 2012, the State's school districts only received 95% of the foundation level and, in Fiscal Year 2013, they received just 89%; and

WHEREAS, When the State prorates General State Aid dollars, it disproportionately hurts school districts most dependent on State dollars and causes the highest-poverty districts to lose more than \$500 per student in Fiscal Year 2013, totaling roughly \$160 million; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we state our disapproval of the prorating of payments to school districts, a budgetary tactic that has a decidedly regressive effect; and be it further

RESOLVED, That we further state our disapproval of the cutting of education funding and recommend the abolishment of the proration of General State Aid dollars, given the undue harm to the neediest school districts; and be it further

RESOLVED, That, in the event that the State of Illinois does not fund the State Board of Education's budget request, we urge the members of the General Assembly to pass legislation that equitably spreads reductions among school districts by evenly cutting dollars on a per-pupil basis or using another non-regressive approach.

REPORTS FROM STANDING COMMITTEES

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 116

Under the rules, the foregoing floor amendment is eligible for consideration on 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. 1 to Senate Bill 633

Senate Amendment No. 1 to Senate Bill 636

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 Bills Numbered 353, 1551, 2453, 2536 and 2898**, 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 amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 1584

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

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, to-wit:

SENATE BILL NO. 1219

A bill for AN ACT concerning government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1219

Passed the House, as amended, October 23, 2013.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1219

AMENDMENT NO. 1. Amend Senate Bill 1219 by replacing everything after the enacting clause with the following:

"Section 5. "An Act concerning real property", Public Act 95-19, approved August 1, 2007, is amended by changing Section 20 as follows:

(P.A. 95-19, Sec. 20)

Sec. 20. Interstate 55 Interchange project. Subject to appropriation, an amount of money in the Road Fund equal to the amount of money deposited into the Road Fund pursuant to Section 10 shall be used by the Department of Transportation to pay for the cost of the highway interchange project on Interstate Highway 55 at Weber Road in Will County. However, notwithstanding any other provision of this Act, neither the ability of the Department of Transportation to use moneys as provided in this Section nor the property sale (or deposit of sale proceeds) described in Section 10 of this Act is a condition precedent to the development of that highway interchange project.

(Source: P.A. 95-19, eff. 8-1-07.)

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

Under the rules, the foregoing **Senate Bill No. 1219**, with House Amendment No. 1, was referred to the Secretary's Desk.

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, to-wit:

SENATE BILL NO. 1496

A bill for AN ACT concerning regulation.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 1496

House Amendment No. 3 to SENATE BILL NO. 1496

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Passed the House, as amended, October 23, 2013.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 1496

AMENDMENT NO. 2. Amend Senate Bill 1496 by replacing everything after the enacting clause with the following:

"Section 5. The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act is amended by changing Section 25 as follows:

(225 ILCS 130/25)

(Section scheduled to be repealed on January 1, 2014)

Sec. 25. Application for registration. An application for an initial registration shall be made to ~~the~~ the Department in writing on forms prescribed by the Department and shall be accompanied by the required nonrefundable fee. An application shall require information that, in the judgment of the Department, will enable the Department to evaluate the qualifications of an applicant for registration.

If an applicant fails to obtain a certificate of registration under this Act within 3 years after filing his or her application, the application shall be denied. The applicant may make a new application, which shall be accompanied by the required nonrefundable fee.

(Source: P.A. 93-280, eff. 7-1-04.)"

AMENDMENT NO. 3 TO SENATE BILL 1496

AMENDMENT NO. 3. Amend Senate Bill 1496, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Section 4.24 as follows:

(5 ILCS 80/4.24)

Sec. 4.24. ~~Act Acts~~ repealed on December 31 January 1, 2014. The following Act is Acts are repealed on December 31 January 1, 2014:

The Medical Practice Act of 1987.

(Source: P.A. 97-1139, eff. 12-28-12; 98-140, eff. 12-31-13; 98-253, eff. 8-9-13; 98-254, eff. 8-9-13; 98-264, eff. 12-31-13; 98-339, eff. 12-31-13; 98-363, eff. 8-16-13; 98-364, eff. 12-31-13; 98-445, eff. 12-31-13; revised 8-27-13.)

(5 ILCS 80/4.23 rep.)

Section 7. The Regulatory Sunset Act is amended by repealing Section 4.23.

Section 10. The Medical Practice Act of 1987 is amended by by adding Section 9.3 and changing Sections 22 and 23 as follows:

(225 ILCS 60/9.3 new)

Sec. 9.3. Withdrawal of application. Any applicant applying for a license or permit under this Act may withdraw his or her application at any time. If an applicant withdraws his or her application after receipt of a written Notice of Intent to Deny License or Permit, then the withdrawal shall be reported to the Federation of State Medical Boards.

(225 ILCS 60/22) (from Ch. 111, par. 4400-22)

(Section scheduled to be repealed on December 31, 2013)

Sec. 22. Disciplinary action.

(A) The Department may revoke, suspend, place on probation, reprimand, refuse to issue or renew, or take any other disciplinary or non-disciplinary action as the Department may deem proper with regard to the license or permit of any person issued under this Act to practice medicine, or a chiropractic physician, including imposing fines not to exceed \$10,000 for each violation, upon any of the following grounds:

(1) Performance of an elective abortion in any place, locale, facility, or institution other than:

(a) a facility licensed pursuant to the Ambulatory Surgical Treatment Center Act;

(b) an institution licensed under the Hospital Licensing Act;

(c) an ambulatory surgical treatment center or hospitalization or care facility maintained by the State or any agency thereof, where such department or agency has authority under law to establish and enforce standards for the ambulatory surgical treatment centers, hospitalization, or care facilities under its management and control;

(d) ambulatory surgical treatment centers, hospitalization or care facilities

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maintained by the Federal Government; or

(e) ambulatory surgical treatment centers, hospitalization or care facilities maintained by any university or college established under the laws of this State and supported principally by public funds raised by taxation.

(2) Performance of an abortion procedure in a wilful and wanton manner on a woman who was not pregnant at the time the abortion procedure was performed.

(3) A plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States of any crime that is a felony.

(4) Gross negligence in practice under this Act.

(5) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public.

(6) Obtaining any fee by fraud, deceit, or misrepresentation.

(7) Habitual or excessive use or abuse of drugs defined in law as controlled substances, of alcohol, or of any other substances which results in the inability to practice with reasonable judgment, skill or safety.

(8) Practicing under a false or, except as provided by law, an assumed name.

(9) Fraud or misrepresentation in applying for, or procuring, a license under this Act or in connection with applying for renewal of a license under this Act.

(10) Making a false or misleading statement regarding their skill or the efficacy or value of the medicine, treatment, or remedy prescribed by them at their direction in the treatment of any disease or other condition of the body or mind.

(11) Allowing another person or organization to use their license, procured under this Act, to practice.

(12) Disciplinary action of another state or jurisdiction against a license or other authorization to practice as a medical doctor, doctor of osteopathy, doctor of osteopathic medicine or doctor of chiropractic, a certified copy of the record of the action taken by the other state or jurisdiction being prima facie evidence thereof.

(13) Violation of any provision of this Act or of the Medical Practice Act prior to the repeal of that Act, or violation of the rules, or a final administrative action of the Secretary, after consideration of the recommendation of the Disciplinary Board.

(14) Violation of the prohibition against fee splitting in Section 22.2 of this Act.

(15) A finding by the Disciplinary Board that the registrant after having his or her license placed on probationary status or subjected to conditions or restrictions violated the terms of the probation or failed to comply with such terms or conditions.

(16) Abandonment of a patient.

(17) Prescribing, selling, administering, distributing, giving or self-administering any drug classified as a controlled substance (designated product) or narcotic for other than medically accepted therapeutic purposes.

(18) Promotion of the sale of drugs, devices, appliances or goods provided for a patient in such manner as to exploit the patient for financial gain of the physician.

(19) Offering, undertaking or agreeing to cure or treat disease by a secret method, procedure, treatment or medicine, or the treating, operating or prescribing for any human condition by a method, means or procedure which the licensee refuses to divulge upon demand of the Department.

(20) Immoral conduct in the commission of any act including, but not limited to, commission of an act of sexual misconduct related to the licensee's practice.

(21) Wilfully making or filing false records or reports in his or her practice as a physician, including, but not limited to, false records to support claims against the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(22) Wilful omission to file or record, or wilfully impeding the filing or recording, or inducing another person to omit to file or record, medical reports as required by law, or wilfully failing to report an instance of suspected abuse or neglect as required by law.

(23) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(24) Solicitation of professional patronage by any corporation, agents or persons, or

profiting from those representing themselves to be agents of the licensee.

(25) Gross and wilful and continued overcharging for professional services, including filing false statements for collection of fees for which services are not rendered, including, but not limited to, filing such false statements for collection of monies for services not rendered from the medical assistance program of the Department of Healthcare and Family Services (formerly Department of Public Aid) under the Illinois Public Aid Code.

(26) A pattern of practice or other behavior which demonstrates incapacity or incompetence to practice under this Act.

(27) Mental illness or disability which results in the inability to practice under this Act with reasonable judgment, skill or safety.

(28) Physical illness, including, but not limited to, deterioration through the aging process, or loss of motor skill which results in a physician's inability to practice under this Act with reasonable judgment, skill or safety.

(29) Cheating on or attempt to subvert the licensing examinations administered under this Act.

(30) Wilfully or negligently violating the confidentiality between physician and patient except as required by law.

(31) The use of any false, fraudulent, or deceptive statement in any document connected with practice under this Act.

(32) Aiding and abetting an individual not licensed under this Act in the practice of a profession licensed under this Act.

(33) Violating state or federal laws or regulations relating to controlled substances, legend drugs, or ephedra as defined in the Ephedra Prohibition Act.

(34) Failure to report to the Department any adverse final action taken against them by another licensing jurisdiction (any other state or any territory of the United States or any foreign state or country), by any peer review body, by any health care institution, by any professional society or association related to practice under this Act, by any governmental agency, by any law enforcement agency, or by any court for acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(35) Failure to report to the Department surrender of a license or authorization to practice as a medical doctor, a doctor of osteopathy, a doctor of osteopathic medicine, or doctor of chiropractic in another state or jurisdiction, or surrender of membership on any medical staff or in any medical or professional association or society, while under disciplinary investigation by any of those authorities or bodies, for acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(36) Failure to report to the Department any adverse judgment, settlement, or award arising from a liability claim related to acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this Section.

(37) Failure to provide copies of medical records as required by law.

(38) Failure to furnish the Department, its investigators or representatives, relevant information, legally requested by the Department after consultation with the Chief Medical Coordinator or the Deputy Medical Coordinator.

(39) Violating the Health Care Worker Self-Referral Act.

(40) Willful failure to provide notice when notice is required under the Parental Notice of Abortion Act of 1995.

(41) Failure to establish and maintain records of patient care and treatment as required by this law.

(42) Entering into an excessive number of written collaborative agreements with licensed advanced practice nurses resulting in an inability to adequately collaborate.

(43) Repeated failure to adequately collaborate with a licensed advanced practice nurse.

(44) Violating the Compassionate Use of Medical Cannabis Pilot Program Act.

Except for actions involving the ground numbered (26), all proceedings to suspend, revoke, place on probationary status, or take any other disciplinary action as the Department may deem proper, with regard to a license on any of the foregoing grounds, must be commenced within 5 years next after receipt by the Department of a complaint alleging the commission of or notice of the conviction order for any of the acts described herein. Except for the grounds numbered (8), (9), (26), and (29), no action shall be commenced more than 10 years after the date of the incident or act alleged to have violated this Section. For actions involving the ground numbered (26), a pattern of practice or other behavior includes all incidents alleged to be part of the pattern of practice or other behavior that occurred, or a report pursuant to Section 23 of

this Act received, within the 10-year period preceding the filing of the complaint. In the event of the settlement of any claim or cause of action in favor of the claimant or the reduction to final judgment of any civil action in favor of the plaintiff, such claim, cause of action or civil action being grounded on the allegation that a person licensed under this Act was negligent in providing care, the Department shall have an additional period of 2 years from the date of notification to the Department under Section 23 of this Act of such settlement or final judgment in which to investigate and commence formal disciplinary proceedings under Section 36 of this Act, except as otherwise provided by law. The time during which the holder of the license was outside the State of Illinois shall not be included within any period of time limiting the commencement of disciplinary action by the Department.

The entry of an order or judgment by any circuit court establishing that any person holding a license under this Act is a person in need of mental treatment operates as a suspension of that license. That person may resume their practice only upon the entry of a Departmental order based upon a finding by the Disciplinary Board that they have been determined to be recovered from mental illness by the court and upon the Disciplinary Board's recommendation that they be permitted to resume their practice.

The Department may refuse to issue or take disciplinary action concerning the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied as determined by the Illinois Department of Revenue.

The Department, upon the recommendation of the Disciplinary Board, shall adopt rules which set forth standards to be used in determining:

- (a) when a person will be deemed sufficiently rehabilitated to warrant the public trust;
- (b) what constitutes dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, or harm the public;
- (c) what constitutes immoral conduct in the commission of any act, including, but not limited to, commission of an act of sexual misconduct related to the licensee's practice; and
- (d) what constitutes gross negligence in the practice of medicine.

However, no such rule shall be admissible into evidence in any civil action except for review of a licensing or other disciplinary action under this Act.

In enforcing this Section, the Disciplinary Board or the Licensing Board, upon a showing of a possible violation, may compel, in the case of the Disciplinary Board, any individual who is licensed to practice under this Act or holds a permit to practice under this Act, or, in the case of the Licensing Board, any individual who has applied for licensure or a permit pursuant to this Act, to submit to a mental or physical examination and evaluation, or both, which may include a substance abuse or sexual offender evaluation, as required by the Licensing Board or Disciplinary Board and at the expense of the Department. The Disciplinary Board or Licensing Board shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination and evaluation, or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed chiropractic physicians, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination and evaluation pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing. The Disciplinary Board, the Licensing Board, or the Department may order the examining physician or any member of the multidisciplinary team to provide to the Department, the Disciplinary Board, or the Licensing Board any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed. The Disciplinary Board, the Licensing Board, or the Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning this examination and evaluation of the licensee, permit holder, or applicant, including testimony concerning any supplemental testing or documents relating to the examination and evaluation. No information, report, record, or other documents in any way related to the examination and evaluation shall be excluded by reason of any common law or statutory privilege relating to communication between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee, permit holder, or applicant ordered to undergo an evaluation and examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The individual to be examined may

have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any individual to submit to mental or physical examination and evaluation, or both, when directed, shall result in an automatic suspension, without hearing, until such time as the individual submits to the examination. If the Disciplinary Board finds a physician unable to practice because of the reasons set forth in this Section, the Disciplinary Board shall require such physician to submit to care, counseling, or treatment by physicians approved or designated by the Disciplinary Board, as a condition for continued, reinstated, or renewed licensure to practice. Any physician, whose license was granted pursuant to Sections 9, 17, or 19 of this Act, or, continued, reinstated, renewed, disciplined or supervised, subject to such terms, conditions or restrictions who shall fail to comply with such terms, conditions or restrictions, or to complete a required program of care, counseling, or treatment, as determined by the Chief Medical Coordinator or Deputy Medical Coordinators, shall be referred to the Secretary for a determination as to whether the licensee shall have their license suspended immediately, pending a hearing by the Disciplinary Board. In instances in which the Secretary immediately suspends a license under this Section, a hearing upon such person's license must be convened by the Disciplinary Board within 15 days after such suspension and completed without appreciable delay. The Disciplinary Board shall have the authority to review the subject physician's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act, affected under this Section, shall be afforded an opportunity to demonstrate to the Disciplinary Board that they can resume practice in compliance with acceptable and prevailing standards under the provisions of their license.

The Department may promulgate rules for the imposition of fines in disciplinary cases, not to exceed \$10,000 for each violation of this Act. Fines may be imposed in conjunction with other forms of disciplinary action, but shall not be the exclusive disposition of any disciplinary action arising out of conduct resulting in death or injury to a patient. Any funds collected from such fines shall be deposited in the Medical Disciplinary Fund.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(B) The Department shall revoke the license or permit issued under this Act to practice medicine or a chiropractic physician who has been convicted a second time of committing any felony under the Illinois Controlled Substances Act or the Methamphetamine Control and Community Protection Act, or who has been convicted a second time of committing a Class 1 felony under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A person whose license or permit is revoked under this subsection B shall be prohibited from practicing medicine or treating human ailments without the use of drugs and without operative surgery.

(C) The Disciplinary Board shall recommend to the Department civil penalties and any other appropriate discipline in disciplinary cases when the Board finds that a physician willfully performed an abortion with actual knowledge that the person upon whom the abortion has been performed is a minor or an incompetent person without notice as required under the Parental Notice of Abortion Act of 1995. Upon the Board's recommendation, the Department shall impose, for the first violation, a civil penalty of \$1,000 and for a second or subsequent violation, a civil penalty of \$5,000.

(Source: P.A. 96-608, eff. 8-24-09; 96-1000, eff. 7-2-10; 97-622, eff. 11-23-11.)

(225 ILCS 60/23) (from Ch. 111, par. 4400-23)

(Section scheduled to be repealed on December 31, 2013)

Sec. 23. Reports relating to professional conduct and capacity.

(A) Entities required to report.

(1) Health care institutions. The chief administrator or executive officer of any health care institution licensed by the Illinois Department of Public Health shall report to the Disciplinary Board when any person's clinical privileges are terminated or are restricted based on a final determination made in accordance with that institution's by-laws or rules and regulations that a person has either committed an act or acts which may directly threaten patient care or that a person may be mentally or physically disabled in such a manner as to endanger patients under that person's care. Such officer also shall report if a person accepts voluntary termination or restriction of clinical privileges in lieu of formal action based upon conduct related directly to patient care or in lieu of formal action seeking to determine whether a person may be mentally or physically disabled in such a manner as to endanger patients under that person's care. The Disciplinary Board shall, by rule, provide for the reporting to it by health care institutions of all instances in which a person, licensed under this Act, who is impaired by reason of age, drug or alcohol abuse or physical or mental impairment, is under supervision and, where appropriate, is in a program of rehabilitation. Such reports shall be strictly

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confidential and may be reviewed and considered only by the members of the Disciplinary Board, or by authorized staff as provided by rules of the Disciplinary Board. Provisions shall be made for the periodic report of the status of any such person not less than twice annually in order that the Disciplinary Board shall have current information upon which to determine the status of any such person. Such initial and periodic reports of impaired physicians shall not be considered records within the meaning of The State Records Act and shall be disposed of, following a determination by the Disciplinary Board that such reports are no longer required, in a manner and at such time as the Disciplinary Board shall determine by rule. The filing of such reports shall be construed as the filing of a report for purposes of subsection (C) of this Section.

(1.5) Clinical training programs. The program director of any post-graduate clinical training program shall report to the Disciplinary Board if a person engaged in a post-graduate clinical training program at the institution, including, but not limited to, a residency or fellowship, separates from the program for any reason prior to its conclusion. The program director shall provide all documentation relating to the separation if, after review of the report, the Disciplinary Board determines that a review of those documents is necessary to determine whether a violation of this Act occurred.

(2) Professional associations. The President or chief executive officer of any association or society, of persons licensed under this Act, operating within this State shall report to the Disciplinary Board when the association or society renders a final determination that a person has committed unprofessional conduct related directly to patient care or that a person may be mentally or physically disabled in such a manner as to endanger patients under that person's care.

(3) Professional liability insurers. Every insurance company which offers policies of professional liability insurance to persons licensed under this Act, or any other entity which seeks to indemnify the professional liability of a person licensed under this Act, shall report to the Disciplinary Board the settlement of any claim or cause of action, or final judgment rendered in any cause of action, which alleged negligence in the furnishing of medical care by such licensed person when such settlement or final judgment is in favor of the plaintiff.

(4) State's Attorneys. The State's Attorney of each county shall report to the Disciplinary Board, within 5 days, any instances in which a person licensed under this Act is convicted of any felony or Class A misdemeanor. The State's Attorney of each county may report to the Disciplinary Board through a verified complaint any instance in which the State's Attorney believes that a physician has willfully violated the notice requirements of the Parental Notice of Abortion Act of 1995.

(5) State agencies. All agencies, boards, commissions, departments, or other instrumentalities of the government of the State of Illinois shall report to the Disciplinary Board any instance arising in connection with the operations of such agency, including the administration of any law by such agency, in which a person licensed under this Act has either committed an act or acts which may be a violation of this Act or which may constitute unprofessional conduct related directly to patient care or which indicates that a person licensed under this Act may be mentally or physically disabled in such a manner as to endanger patients under that person's care.

(B) Mandatory reporting. All reports required by items (34), (35), and (36) of subsection (A) of Section 22 and by Section 23 shall be submitted to the Disciplinary Board in a timely fashion. Unless otherwise provided in this Section, the reports shall be filed in writing within 60 days after a determination that a report is required under this Act. All reports shall contain the following information:

(1) The name, address and telephone number of the person making the report.

(2) The name, address and telephone number of the person who is the subject of the report.

(3) The name and date of birth of any patient or patients whose treatment is a subject of the report, if available, or other means of identification if such information is not available, identification of the hospital or other healthcare facility where the care at issue in the report was rendered, provided, however, no medical records may be revealed.

(4) A brief description of the facts which gave rise to the issuance of the report, including the dates of any occurrences deemed to necessitate the filing of the report.

(5) If court action is involved, the identity of the court in which the action is filed, along with the docket number and date of filing of the action.

(6) Any further pertinent information which the reporting party deems to be an aid in the evaluation of the report.

The Disciplinary Board or Department may also exercise the power under Section 38 of this Act to subpoena copies of hospital or medical records in mandatory report cases alleging death or permanent

bodily injury. Appropriate rules shall be adopted by the Department with the approval of the Disciplinary Board.

When the Department has received written reports concerning incidents required to be reported in items (34), (35), and (36) of subsection (A) of Section 22, the licensee's failure to report the incident to the Department under those items shall not be the sole grounds for disciplinary action.

Nothing contained in this Section shall act to in any way, waive or modify the confidentiality of medical reports and committee reports to the extent provided by law. Any information reported or disclosed shall be kept for the confidential use of the Disciplinary Board, the Medical Coordinators, the Disciplinary Board's attorneys, the medical investigative staff, and authorized clerical staff, as provided in this Act, and shall be afforded the same status as is provided information concerning medical studies in Part 21 of Article VIII of the Code of Civil Procedure, except that the Department may disclose information and documents to a federal, State, or local law enforcement agency pursuant to a subpoena in an ongoing criminal investigation or to a health care licensing body or medical licensing authority of this State or another state or jurisdiction pursuant to an official request made by that licensing body or medical licensing authority. Furthermore, information and documents disclosed to a federal, State, or local law enforcement agency may be used by that agency only for the investigation and prosecution of a criminal offense, or, in the case of disclosure to a health care licensing body or medical licensing authority, only for investigations and disciplinary action proceedings with regard to a license. Information and documents disclosed to the Department of Public Health may be used by that Department only for investigation and disciplinary action regarding the license of a health care institution licensed by the Department of Public Health.

(C) Immunity from prosecution. Any individual or organization acting in good faith, and not in a wilful and wanton manner, in complying with this Act by providing any report or other information to the Disciplinary Board or a peer review committee, or assisting in the investigation or preparation of such information, or by voluntarily reporting to the Disciplinary Board or a peer review committee information regarding alleged errors or negligence by a person licensed under this Act, or by participating in proceedings of the Disciplinary Board or a peer review committee, or by serving as a member of the Disciplinary Board or a peer review committee, shall not, as a result of such actions, be subject to criminal prosecution or civil damages.

(D) Indemnification. Members of the Disciplinary Board, the Licensing Board, the Medical Coordinators, the Disciplinary Board's attorneys, the medical investigative staff, physicians retained under contract to assist and advise the medical coordinators in the investigation, and authorized clerical staff shall be indemnified by the State for any actions occurring within the scope of services on the Disciplinary Board or Licensing Board, done in good faith and not wilful and wanton in nature. The Attorney General shall defend all such actions unless he or she determines either that there would be a conflict of interest in such representation or that the actions complained of were not in good faith or were wilful and wanton.

Should the Attorney General decline representation, the member shall have the right to employ counsel of his or her choice, whose fees shall be provided by the State, after approval by the Attorney General, unless there is a determination by a court that the member's actions were not in good faith or were wilful and wanton.

The member must notify the Attorney General within 7 days of receipt of notice of the initiation of any action involving services of the Disciplinary Board. Failure to so notify the Attorney General shall constitute an absolute waiver of the right to a defense and indemnification.

The Attorney General shall determine within 7 days after receiving such notice, whether he or she will undertake to represent the member.

(E) Deliberations of Disciplinary Board. Upon the receipt of any report called for by this Act, other than those reports of impaired persons licensed under this Act required pursuant to the rules of the Disciplinary Board, the Disciplinary Board shall notify in writing, by certified mail, the person who is the subject of the report. Such notification shall be made within 30 days of receipt by the Disciplinary Board of the report.

The notification shall include a written notice setting forth the person's right to examine the report. Included in such notification shall be the address at which the file is maintained, the name of the custodian of the reports, and the telephone number at which the custodian may be reached. The person who is the subject of the report shall submit a written statement responding, clarifying, adding to, or proposing the amending of the report previously filed. The person who is the subject of the report shall also submit with the written statement any medical records related to the report. The statement and accompanying medical records shall become a permanent part of the file and must be received by the Disciplinary Board no more than 30 days after the date on which the person was notified by the Disciplinary Board of the existence of the original report.

The Disciplinary Board shall review all reports received by it, together with any supporting information and responding statements submitted by persons who are the subject of reports. The review by the Disciplinary Board shall be in a timely manner but in no event, shall the Disciplinary Board's initial review of the material contained in each disciplinary file be less than 61 days nor more than 180 days after the receipt of the initial report by the Disciplinary Board.

When the Disciplinary Board makes its initial review of the materials contained within its disciplinary files, the Disciplinary Board shall, in writing, make a determination as to whether there are sufficient facts to warrant further investigation or action. Failure to make such determination within the time provided shall be deemed to be a determination that there are not sufficient facts to warrant further investigation or action.

Should the Disciplinary Board find that there are not sufficient facts to warrant further investigation, or action, the report shall be accepted for filing and the matter shall be deemed closed and so reported to the Secretary. The Secretary shall then have 30 days to accept the Disciplinary Board's decision or request further investigation. The Secretary shall inform the Board of the decision to request further investigation, including the specific reasons for the decision. The individual or entity filing the original report or complaint and the person who is the subject of the report or complaint shall be notified in writing by the Secretary of any final action on their report or complaint. The Department shall disclose to the individual or entity who filed the original report or complaint, on request, the status of the Disciplinary Board's review of a specific report or complaint. Such request may be made at any time, including prior to the Disciplinary Board's determination as to whether there are sufficient facts to warrant further investigation or action.

(F) Summary reports. The Disciplinary Board shall prepare, on a timely basis, but in no event less than once every other month, a summary report of final disciplinary actions taken upon disciplinary files maintained by the Disciplinary Board. The summary reports shall be made available to the public upon request and payment of the fees set by the Department. This publication may be made available to the public on the Department's website. Information or documentation relating to any disciplinary file that is closed without disciplinary action taken shall not be disclosed and shall be afforded the same status as is provided by Part 21 of Article VIII of the Code of Civil Procedure.

(G) Any violation of this Section shall be a Class A misdemeanor.

(H) If any such person violates the provisions of this Section an action may be brought in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois, for an order enjoining such violation or for an order enforcing compliance with this Section. Upon filing of a verified petition in such court, the court may issue a temporary restraining order without notice or bond and may preliminarily or permanently enjoin such violation, and if it is established that such person has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this paragraph shall be in addition to, and not in lieu of, all other remedies and penalties provided for by this Section.

(Source: P.A. 96-1372, eff. 7-29-10; P.A. 97-449, eff. 1-1-12; 97-622, eff. 11-23-11.)

Section 99. Effective date. This Act takes effect December 30, 2013."

Under the rules, the foregoing **Senate Bill No. 1496**, with House Amendments numbered 2 and 3, was referred to the Secretary's Desk.

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, to-wit:

SENATE BILL NO. 1595

A bill for AN ACT concerning finance.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1595

Passed the House, as amended, October 23, 2013.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1595

AMENDMENT NO. 1. Amend Senate Bill 1595 by replacing everything after the enacting clause with the following:

[October 23, 2013]

"Section 5. The School Construction Law is amended by changing Section 5-40 as follows:
(105 ILCS 230/5-40)

Sec. 5-40. Supervision of school construction projects; green projects. The Capital Development Board shall exercise general supervision over school construction projects financed pursuant to this Article. School districts, however, must be allowed to choose the architect and engineer for their school construction projects, and no project may be disapproved by the State Board of Education or the Capital Development Board solely due to a school district's selection of an architect or engineer.

With respect to those school construction projects for which a school district first applies for a grant on or after July 1, 2007, the school construction project must receive certification from the United States Green Building Council's Leadership in Energy and Environmental Design Green Building Rating System or the Green Building Initiative's Green Globes Green Building Rating System or must meet green building standards of the Capital Development Board and its Green Building Advisory Committee. With respect to those school construction projects for which a school district applies for a grant on or after July 1, 2009, the school construction project must receive silver certification from the United States Green Building Council's Leadership in Energy and Environmental Design Green Building Rating System unless all of the following are met:

(1) the application submitted can be categorized as a capital need prioritized under item (1) of Section 5-30 of this Law;

(2) the renovation or replacement school construction project is less than 40% replacement cost, or the project has been granted a waiver by the Capital Development Board in consultation with the State Board of Education in accordance with rules promulgated pursuant to this Law;

(3) the school construction project is located in a county that borders the Mississippi River with a population of more than 33,000 and less than 34,000, according to the 2010 decennial census;

(4) the school district for which the school construction grant will be issued has no more than 1,100 students, with the relevant school facility housing no more than 700 students;

(5) the facilities for which the school construction grant will be used have been condemned as of July 23, 2012; and

(6) the application for the school construction grant has been approved prior to the effective date of this amendatory Act of the 98th General Assembly.

(Source: P.A. 95-416, eff. 8-24-07; 96-37, eff. 7-13-09.)

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

Under the rules, the foregoing **Senate Bill No. 1595**, with House Amendment No. 1, was referred to the Secretary's Desk.

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, to-wit:

SENATE BILL NO. 1600

A bill for AN ACT concerning regulation.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1600

Passed the House, as amended, October 23, 2013.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1600

AMENDMENT NO. 1. Amend Senate Bill 1600 by replacing everything after the enacting clause with the following:

"Section 5. The Sex Offender Evaluation and Treatment Provider Act is amended by changing Sections 35 and 999 as follows:

(225 ILCS 109/35)

Sec. 35. Qualifications for licensure.

(a)(1) A person is qualified for licensure as a sex offender evaluator if that person:

[October 23, 2013]

- (A) has applied in writing on forms prepared and furnished by the Department;
- (B) has not engaged or is not engaged in any practice or conduct that would be grounds for disciplining a licensee under Section 75 of this Act; and
- (C) satisfies the licensure and experience requirements of paragraph (2) of this subsection (a).

(2) A person who applies to the Department shall be issued a sex offender evaluator license by the Department if the person meets the qualifications set forth in paragraph (1) of this subsection (a) and provides evidence to the Department that the person:

(A) is a physician licensed to practice medicine in all of its branches under the Medical Practice Act of 1987 or licensed under the laws of another state; an advanced practice nurse with psychiatric specialty licensed under the Nurse Practice Act or licensed under the laws of another state; a clinical psychologist licensed under the Clinical Psychologist Licensing Act or licensed under the laws of another state; a licensed clinical social worker licensed under the Clinical Social Work and Social Work Practice Act or licensed under the laws of another state; a licensed clinical professional counselor licensed under the Professional Counselor and Clinical Professional Counselor Licensing Act or licensed under the laws of another state; or a licensed marriage and family therapist licensed under the Marriage and Family Therapist Licensing Act or licensed under the laws of another state;

(B) has 400 hours of supervised experience in the treatment or evaluation of sex offenders in the last 4 years, at least 200 of which are face-to-face therapy or evaluation with sex offenders;

(C) has completed at least 10 sex offender evaluations under supervision in the past 4 years; and

(D) has at least 40 hours of documented training in the specialty of sex offender evaluation, treatment, or management.

Until January 1, 2015, the requirements of subparagraphs (B) and (D) of paragraph (2) of this subsection (a) are satisfied if the applicant has been listed on the Sex Offender Management Board's Approved Provider List for a minimum of 2 years before application for licensure. Until January 1, 2015, the requirements of subparagraph (C) of paragraph (2) of this subsection (a) are satisfied if the applicant has completed at least 10 sex offender evaluations within the 4 years before application for licensure.

(b)(1) A person is qualified for licensure as a sex offender treatment provider if that person:

- (A) has applied in writing on forms prepared and furnished by the Department;
- (B) has not engaged or is not engaged in any practice or conduct that would be grounds for disciplining a licensee under Section 75 of this Act; and
- (C) satisfies the licensure and experience requirements of paragraph (2) of this subsection (b).

(2) A person who applies to the Department shall be issued a sex offender treatment provider license by the Department if the person meets the qualifications set forth in paragraph (1) of this subsection (b) and provides evidence to the Department that the person:

(A) is a physician licensed to practice medicine in all of its branches under the Medical Practice Act of 1987 or licensed under the laws of another state; an advanced practice nurse with psychiatric specialty licensed under the Nurse Practice Act or licensed under the laws of another state; a clinical psychologist licensed under the Clinical Psychologist Licensing Act or licensed under the laws of another state; a licensed clinical social worker licensed under the Clinical Social Work and Social Work Practice Act or licensed under the laws of another state; a licensed clinical professional counselor licensed under the Professional Counselor and Clinical Professional Counselor Licensing Act or licensed under the laws of another state; or a licensed marriage and family therapist licensed under the Marriage and Family Therapist Licensing Act or licensed under the laws of another state;

(B) has 400 hours of supervised experience in the treatment of sex offenders in the last 4 years, at least 200 of which are face-to-face therapy with sex offenders; and

(C) has at least 40 hours documented training in the specialty of sex offender evaluation, treatment, or management.

Until January 1, 2015, the requirements of subparagraphs (B) and (C) of paragraph (2) of this subsection (b) are satisfied if the applicant has been listed on the Sex Offender Management Board's Approved Provider List for a minimum of 2 years before application.

(c)(1) A person is qualified for licensure as an associate sex offender provider if that person:

- (A) has applied in writing on forms prepared and furnished by the Department;
- (B) has not engaged or is not engaged in any practice or conduct that would be grounds for disciplining a licensee under Section 75 of this Act; and
- (C) satisfies the education and experience requirements of paragraph (2) of this

subsection (c).

(2) A person who applies to the Department shall be issued an associate sex offender provider license by the Department if the person meets the qualifications set forth in paragraph (1) of this subsection (c) and provides evidence to the Department that the person holds a master's degree or higher in social work, psychology, marriage and family therapy, counseling or closely related behavioral science degree, or psychiatry.

(Source: P.A. 97-1098, eff. 7-1-13.)

(225 ILCS 109/999)

Sec. 999. Effective date. This Act takes effect July 1, 2013, except that this Section, Section 175, Section 180, and the amendatory changes to Sections 2 and 3 of the Sex Offender Registration Act take effect on January 1, 2013, the other amendatory changes to Section 3-5 of the Sex Offender Registration Act, the amendatory changes to the Sexually Dangerous Persons Act, and the amendatory changes to the Sexually Violent Persons Commitment Act take effect ~~July~~ January 1, 2014.

(Source: P.A. 97-1098, eff. 1-1-13.)

Section 10. The Sex Offender Registration Act is amended by changing Section 3 as follows:

(730 ILCS 150/3)

Sec. 3. Duty to register.

(a) A sex offender, as defined in Section 2 of this Act, or sexual predator shall, within the time period prescribed in subsections (b) and (c), register in person and provide accurate information as required by the Department of State Police. Such information shall include a current photograph, current address, current place of employment, the sex offender's or sexual predator's telephone number, including cellular telephone number, the employer's telephone number, school attended, all e-mail addresses, instant messaging identities, chat room identities, and other Internet communications identities that the sex offender uses or plans to use, all Uniform Resource Locators (URLs) registered or used by the sex offender, all blogs and other Internet sites maintained by the sex offender or to which the sex offender has uploaded any content or posted any messages or information, extensions of the time period for registering as provided in this Article and, if an extension was granted, the reason why the extension was granted and the date the sex offender was notified of the extension. The information shall also include a copy of the terms and conditions of parole or release signed by the sex offender and given to the sex offender by his or her supervising officer or aftercare specialist, the county of conviction, license plate numbers for every vehicle registered in the name of the sex offender, the age of the sex offender at the time of the commission of the offense, the age of the victim at the time of the commission of the offense, and any distinguishing marks located on the body of the sex offender. A sex offender convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012 shall provide all Internet protocol (IP) addresses in his or her residence, registered in his or her name, accessible at his or her place of employment, or otherwise under his or her control or custody. If the sex offender is a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, the sex offender shall report to the registering agency whether he or she is living in a household with a child under 18 years of age who is not his or her own child, provided that his or her own child is not the victim of the sex offense. The sex offender or sexual predator shall register:

(1) with the chief of police in the municipality in which he or she resides or is temporarily domiciled for a period of time of 3 or more days, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in the county in which he or she resides or is temporarily domiciled for a period of time of 3 or more days in an unincorporated area or, if incorporated, no police chief exists.

If the sex offender or sexual predator is employed at or attends an institution of higher education, he or she shall also register:

(i) with:

(A) the chief of police in the municipality in which he or she is employed at or attends an institution of higher education, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(B) the sheriff in the county in which he or she is employed or attends an institution of higher education located in an unincorporated area, or if incorporated, no police chief exists; and

(ii) with the public safety or security director of the institution of higher education which he or she is employed at or attends.

The registration fees shall only apply to the municipality or county of primary registration, and not to campus registration.

For purposes of this Article, the place of residence or temporary domicile is defined as any and all places where the sex offender resides for an aggregate period of time of 3 or more days during any calendar year. Any person required to register under this Article who lacks a fixed address or temporary domicile must notify, in person, the agency of jurisdiction of his or her last known address within 3 days after ceasing to have a fixed residence.

A sex offender or sexual predator who is temporarily absent from his or her current address of registration for 3 or more days shall notify the law enforcement agency having jurisdiction of his or her current registration, including the itinerary for travel, in the manner provided in Section 6 of this Act for notification to the law enforcement agency having jurisdiction of change of address.

Any person who lacks a fixed residence must report weekly, in person, with the sheriff's office of the county in which he or she is located in an unincorporated area, or with the chief of police in the municipality in which he or she is located. The agency of jurisdiction will document each weekly registration to include all the locations where the person has stayed during the past 7 days.

The sex offender or sexual predator shall provide accurate information as required by the Department of State Police. That information shall include the sex offender's or sexual predator's current place of employment.

(a-5) An out-of-state student or out-of-state employee shall, within 3 days after beginning school or employment in this State, register in person and provide accurate information as required by the Department of State Police. Such information will include current place of employment, school attended, and address in state of residence. A sex offender convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012 shall provide all Internet protocol (IP) addresses in his or her residence, registered in his or her name, accessible at his or her place of employment, or otherwise under his or her control or custody. The out-of-state student or out-of-state employee shall register:

(1) with:

(A) the chief of police in the municipality in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(B) the sheriff in the county in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year in an unincorporated area or, if incorporated, no police chief exists; and

(2) with the public safety or security director of the institution of higher education he or she is employed at or attends for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during a calendar year.

The registration fees shall only apply to the municipality or county of primary registration, and not to campus registration.

The out-of-state student or out-of-state employee shall provide accurate information as required by the Department of State Police. That information shall include the out-of-state student's current place of school attendance or the out-of-state employee's current place of employment.

(a-10) Any law enforcement agency registering sex offenders or sexual predators in accordance with subsections (a) or (a-5) of this Section shall forward to the Attorney General a copy of sex offender registration forms from persons convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, including periodic and annual registrations under Section 6 of this Act.

(b) Any sex offender, as defined in Section 2 of this Act, or sexual predator, regardless of any initial, prior, or other registration, shall, within 3 days of beginning school, or establishing a residence, place of employment, or temporary domicile in any county, register in person as set forth in subsection (a) or (a-5).

(c) The registration for any person required to register under this Article shall be as follows:

(1) Any person registered under the Habitual Child Sex Offender Registration Act or the Child Sex Offender Registration Act prior to January 1, 1996, shall be deemed initially registered as of January 1, 1996; however, this shall not be construed to extend the duration of registration set forth in Section 7.

(2) Except as provided in subsection (c)(2.1) or (c)(4), any person convicted or adjudicated prior to January 1, 1996, whose liability for registration under Section 7 has not expired, shall register in person prior to January 31, 1996.

(2.1) A sex offender or sexual predator, who has never previously been required to register under this Act, has a duty to register if the person has been convicted of any felony offense after July 1, 2011. A person who previously was required to register under this Act for a period of 10 years and successfully completed that registration period has a duty to register if: (i) the person has been convicted of any felony offense after July 1, 2011, and (ii) the offense for which the 10 year registration was served currently requires a registration period of more than 10 years. Notification of an offender's duty to register under this subsection shall be pursuant to Section 5-7 of this Act.

(2.5) Except as provided in subsection (c)(4), any person who has not been notified of his or her responsibility to register shall be notified by a criminal justice entity of his or her responsibility to register. Upon notification the person must then register within 3 days of notification of his or her requirement to register. Except as provided in subsection (c)(2.1), if notification is not made within the offender's 10 year registration requirement, and the Department of State Police determines no evidence exists or indicates the offender attempted to avoid registration, the offender will no longer be required to register under this Act.

(3) Except as provided in subsection (c)(4), any person convicted on or after January 1, 1996, shall register in person within 3 days after the entry of the sentencing order based upon his or her conviction.

(4) Any person unable to comply with the registration requirements of this Article because he or she is confined, institutionalized, or imprisoned in Illinois on or after January 1, 1996, shall register in person within 3 days of discharge, parole or release.

(5) The person shall provide positive identification and documentation that substantiates proof of residence at the registering address.

(6) The person shall pay a \$100 initial registration fee and a \$100 annual renewal fee to the registering law enforcement agency having jurisdiction. ~~The fees shall be used by the registering agency for official purposes. The agency shall establish procedures to document receipt and use of the funds. The registering agency law enforcement agency having jurisdiction may waive the registration fee if it determines that the person is indigent and~~

unable to pay the registration fee. Thirty-five dollars for the initial registration fee and \$35 of the annual renewal fee shall be retained and used by the registering agency for official purposes. Having retained \$35 of the initial registration fee and \$35 of the annual renewal fee, the registering agency shall remit the remainder of the fee to State agencies within 30 days of receipt for deposit into the State funds as follows:

(A) Five dollars of the initial registration fee and \$5 of the annual fee shall be remitted to the State Treasurer who shall deposit the moneys deposited

into the Sex Offender Management Board Fund under Section 19 of the Sex Offender Management Board Act. Money deposited into the Sex Offender Management Board Fund shall be administered by the Sex Offender Management Board and shall be used by the Board to comply with the provisions of the Sex Offender Management Board Act.

(B) Thirty dollars of the initial registration fee and \$30 of the annual renewal fee shall be remitted to the Department of State Police which shall deposit the moneys deposited into the Sex Offender Registration Fund and shall be used by the Department of State Police to maintain and update the Illinois State Police Sex Offender Registry.

(C) Thirty dollars of the initial registration fee and \$30 of the annual renewal fee shall be remitted to the Attorney General who shall deposit the moneys deposited into the Attorney General Sex Offender Awareness, Training, and Education Fund. Moneys deposited into the Fund shall be used by the Attorney General to administer the I-SORT program and to alert and educate the public, victims, and witnesses of their rights under various victim notification laws and for training law enforcement agencies, State's Attorneys, and medical providers of their legal duties concerning the prosecution and investigation of sex offenses.

The registering agency shall establish procedures to document the receipt and remittance of the \$100 initial registration fee and \$100 annual renewal fee.

(d) Within 3 days after obtaining or changing employment and, if employed on January 1, 2000, within 5 days after that date, a person required to register under this Section must report, in person to the law enforcement agency having jurisdiction, the business name and address where he or she is employed. If the person has multiple businesses or work locations, every business and work location must be reported to the law enforcement agency having jurisdiction.

(Source: P.A. 97-155, eff. 1-1-12; 97-333, eff. 8-12-11; 97-578, eff. 1-1-12; 97-1098, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-558, eff. 1-1-14.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

Under the rules, the foregoing **Senate Bill No. 1600**, with House Amendment No. 1, was referred to the Secretary's Desk.

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. 31

WHEREAS, The State Board of Education has filed its Report on Waiver of School Code Mandates, dated October 1, 2013, with the Senate, the House of Representatives, and the Secretary of State of Illinois as required by Section 2-3.25g of the School Code; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the request made by O'Fallon CCSD 90 - St. Clair with respect to physical education, identified in the report filed by the State Board of Education as request WM100-5823, is disapproved; and be it further

RESOLVED, That the request made by Abingdon-Avon CUSD 276 - Knox with respect to nonresident tuition, identified in the report filed by the State Board of Education as request WM100-5808, is approved retroactively beginning on August 1, 2013; and be it further

RESOLVED, That the remaining requests in the Report on Waiver of School Code Mandates are approved.

Adopted by the House, October 23, 2013.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 31 was referred to the Committee on Assignments.

At the hour of 2:49 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 2:55 o'clock p.m., the Senate resumed consideration of business.
Senator Sullivan, presiding.

INTRODUCTION OF BILL

SENATE BILL NO. 2611. Introduced by Senator Hastings, 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.

[October 23, 2013]

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 23, 2013 meeting, reported that the following Legislative Measure has been approved for consideration:

Motion to Concur in House Amendments 1 and 2 to Senate Bill No. 1689

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

Senator Clayborne, Chairperson of the Committee on Assignments, during its October 23, 2013 meeting, reported that the following Legislative Measure has been approved for consideration:

House Joint Resolution 31

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Radogno, **House Bill No. 1584** having been printed, was taken up and read by title a second time.

Senator Radogno offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 1584

AMENDMENT NO. 1. Amend House Bill 1584 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Health Facilities Planning Act is amended by changing Section 3 as follows:
(20 ILCS 3960/3) (from Ch. 111 1/2, par. 1153)

(Section scheduled to be repealed on December 31, 2019)

Sec. 3. Definitions. As used in this Act:

"Health care facilities" means and includes the following facilities, organizations, and related persons:

1. An ambulatory surgical treatment center required to be licensed pursuant to the Ambulatory Surgical Treatment Center Act;
2. An institution, place, building, or agency required to be licensed pursuant to the Hospital Licensing Act;
3. Skilled and intermediate long term care facilities licensed under the Nursing Home Care Act;
- 3.5. Skilled and intermediate care facilities licensed under the ID/DD Community Care Act;
- 3.7. Facilities licensed under the Specialized Mental Health Rehabilitation Act;
4. Hospitals, nursing homes, ambulatory surgical treatment centers, or kidney disease treatment centers maintained by the State or any department or agency thereof;
5. Kidney disease treatment centers, including a free-standing hemodialysis unit required to be licensed under the End Stage Renal Disease Facility Act;
6. An institution, place, building, or room used for the performance of outpatient surgical procedures that is leased, owned, or operated by or on behalf of an out-of-state facility;
7. An institution, place, building, or room used for provision of a health care category of service, including, but not limited to, cardiac catheterization and open heart surgery; and
8. An institution, place, building, or room used for provision of major medical equipment used in the direct clinical diagnosis or treatment of patients, and whose project cost is in excess of the capital expenditure minimum.

This Act shall not apply to the construction of any new facility or the renovation of any existing facility located on any campus facility as defined in Section 5-5.8b of the Illinois Public Aid Code, provided that the campus facility encompasses 30 or more contiguous acres and that the new or renovated facility is intended for use by a licensed residential facility.

No federally owned facility shall be subject to the provisions of this Act, nor facilities used solely for healing by prayer or spiritual means.

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No facility licensed under the Supportive Residences Licensing Act or the Assisted Living and Shared Housing Act shall be subject to the provisions of this Act.

No facility established and operating under the Alternative Health Care Delivery Act as a children's community-based health care center ~~children's respite care center~~ alternative health care model demonstration program or as an Alzheimer's Disease Management Center alternative health care model demonstration program shall be subject to the provisions of this Act.

A facility designated as a supportive living facility that is in good standing with the program established under Section 5-5.01a of the Illinois Public Aid Code shall not be subject to the provisions of this Act.

This Act does not apply to facilities granted waivers under Section 3-102.2 of the Nursing Home Care Act. However, if a demonstration project under that Act applies for a certificate of need to convert to a nursing facility, it shall meet the licensure and certificate of need requirements in effect as of the date of application.

This Act does not apply to a dialysis facility that provides only dialysis training, support, and related services to individuals with end stage renal disease who have elected to receive home dialysis. This Act does not apply to a dialysis unit located in a licensed nursing home that offers or provides dialysis-related services to residents with end stage renal disease who have elected to receive home dialysis within the nursing home. The Board, however, may require these dialysis facilities and licensed nursing homes to report statistical information on a quarterly basis to the Board to be used by the Board to conduct analyses on the need for proposed kidney disease treatment centers.

This Act shall not apply to the closure of an entity or a portion of an entity licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes, that elects to convert, in whole or in part, to an assisted living or shared housing establishment licensed under the Assisted Living and Shared Housing Act.

This Act does not apply to any change of ownership of a healthcare facility that is licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, or the ID/DD Community Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes. Changes of ownership of facilities licensed under the Nursing Home Care Act must meet the requirements set forth in Sections 3-101 through 3-119 of the Nursing Home Care Act.

With the exception of those health care facilities specifically included in this Section, nothing in this Act shall be intended to include facilities operated as a part of the practice of a physician or other licensed health care professional, whether practicing in his individual capacity or within the legal structure of any partnership, medical or professional corporation, or unincorporated medical or professional group. Further, this Act shall not apply to physicians or other licensed health care professional's practices where such practices are carried out in a portion of a health care facility under contract with such health care facility by a physician or by other licensed health care professionals, whether practicing in his individual capacity or within the legal structure of any partnership, medical or professional corporation, or unincorporated medical or professional groups, unless the entity constructs, modifies, or establishes a health care facility as specifically defined in this Section. This Act shall apply to construction or modification and to establishment by such health care facility of such contracted portion which is subject to facility licensing requirements, irrespective of the party responsible for such action or attendant financial obligation.

No permit or exemption is required for a facility licensed under the ID/DD Community Care Act prior to the reduction of the number of beds at a facility. If there is a total reduction of beds at a facility licensed under the ID/DD Community Care Act, this is a discontinuation or closure of the facility. However, if a facility licensed under the ID/DD Community Care Act reduces the number of beds or discontinues the facility, that facility must notify the Board as provided in Section 14.1 of this Act.

"Person" means any one or more natural persons, legal entities, governmental bodies other than federal, or any combination thereof.

"Consumer" means any person other than a person (a) whose major occupation currently involves or whose official capacity within the last 12 months has involved the providing, administering or financing of any type of health care facility, (b) who is engaged in health research or the teaching of health, (c) who has a material financial interest in any activity which involves the providing, administering or financing of any type of health care facility, or (d) who is or ever has been a member of the immediate family of the person defined by (a), (b), or (c).

"State Board" or "Board" means the Health Facilities and Services Review Board.

"Construction or modification" means the establishment, erection, building, alteration, reconstruction, modernization, improvement, extension, discontinuation, change of ownership, of or by a health care facility, or the purchase or acquisition by or through a health care facility of equipment or service for diagnostic or therapeutic purposes or for facility administration or operation, or any capital expenditure

made by or on behalf of a health care facility which exceeds the capital expenditure minimum; however, any capital expenditure made by or on behalf of a health care facility for (i) the construction or modification of a facility licensed under the Assisted Living and Shared Housing Act or (ii) a conversion project undertaken in accordance with Section 30 of the Older Adult Services Act shall be excluded from any obligations under this Act.

"Establish" means the construction of a health care facility or the replacement of an existing facility on another site or the initiation of a category of service.

"Major medical equipment" means medical equipment which is used for the provision of medical and other health services and which costs in excess of the capital expenditure minimum, except that such term does not include medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the clinical laboratory is independent of a physician's office and a hospital and it has been determined under Title XVIII of the Social Security Act to meet the requirements of paragraphs (10) and (11) of Section 1861(s) of such Act. In determining whether medical equipment has a value in excess of the capital expenditure minimum, the value of studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition of such equipment shall be included.

"Capital Expenditure" means an expenditure: (A) made by or on behalf of a health care facility (as such a facility is defined in this Act); and (B) which under generally accepted accounting principles is not properly chargeable as an expense of operation and maintenance, or is made to obtain by lease or comparable arrangement any facility or part thereof or any equipment for a facility or part; and which exceeds the capital expenditure minimum.

For the purpose of this paragraph, the cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which an expenditure is made shall be included in determining if such expenditure exceeds the capital expenditures minimum. Unless otherwise interdependent, or submitted as one project by the applicant, components of construction or modification undertaken by means of a single construction contract or financed through the issuance of a single debt instrument shall not be grouped together as one project. Donations of equipment or facilities to a health care facility which if acquired directly by such facility would be subject to review under this Act shall be considered capital expenditures, and a transfer of equipment or facilities for less than fair market value shall be considered a capital expenditure for purposes of this Act if a transfer of the equipment or facilities at fair market value would be subject to review.

"Capital expenditure minimum" means \$11,500,000 for projects by hospital applicants, \$6,500,000 for applicants for projects related to skilled and intermediate care long-term care facilities licensed under the Nursing Home Care Act, and \$3,000,000 for projects by all other applicants, which shall be annually adjusted to reflect the increase in construction costs due to inflation, for major medical equipment and for all other capital expenditures.

"Non-clinical service area" means an area (i) for the benefit of the patients, visitors, staff, or employees of a health care facility and (ii) not directly related to the diagnosis, treatment, or rehabilitation of persons receiving services from the health care facility. "Non-clinical service areas" include, but are not limited to, chapels; gift shops; news stands; computer systems; tunnels, walkways, and elevators; telephone systems; projects to comply with life safety codes; educational facilities; student housing; patient, employee, staff, and visitor dining areas; administration and volunteer offices; modernization of structural components (such as roof replacement and masonry work); boiler repair or replacement; vehicle maintenance and storage facilities; parking facilities; mechanical systems for heating, ventilation, and air conditioning; loading docks; and repair or replacement of carpeting, tile, wall coverings, window coverings or treatments, or furniture. Solely for the purpose of this definition, "non-clinical service area" does not include health and fitness centers.

"Areawide" means a major area of the State delineated on a geographic, demographic, and functional basis for health planning and for health service and having within it one or more local areas for health planning and health service. The term "region", as contrasted with the term "subregion", and the word "area" may be used synonymously with the term "areawide".

"Local" means a subarea of a delineated major area that on a geographic, demographic, and functional basis may be considered to be part of such major area. The term "subregion" may be used synonymously with the term "local".

"Physician" means a person licensed to practice in accordance with the Medical Practice Act of 1987, as amended.

"Licensed health care professional" means a person licensed to practice a health profession under pertinent licensing statutes of the State of Illinois.

"Director" means the Director of the Illinois Department of Public Health.

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"Agency" means the Illinois Department of Public Health.

"Alternative health care model" means a facility or program authorized under the Alternative Health Care Delivery Act.

"Out-of-state facility" means a person that is both (i) licensed as a hospital or as an ambulatory surgery center under the laws of another state or that qualifies as a hospital or an ambulatory surgery center under regulations adopted pursuant to the Social Security Act and (ii) not licensed under the Ambulatory Surgical Treatment Center Act, the Hospital Licensing Act, or the Nursing Home Care Act. Affiliates of out-of-state facilities shall be considered out-of-state facilities. Affiliates of Illinois licensed health care facilities 100% owned by an Illinois licensed health care facility, its parent, or Illinois physicians licensed to practice medicine in all its branches shall not be considered out-of-state facilities. Nothing in this definition shall be construed to include an office or any part of an office of a physician licensed to practice medicine in all its branches in Illinois that is not required to be licensed under the Ambulatory Surgical Treatment Center Act.

"Change of ownership of a health care facility" means a change in the person who has ownership or control of a health care facility's physical plant and capital assets. A change in ownership is indicated by the following transactions: sale, transfer, acquisition, lease, change of sponsorship, or other means of transferring control.

"Related person" means any person that: (i) is at least 50% owned, directly or indirectly, by either the health care facility or a person owning, directly or indirectly, at least 50% of the health care facility; or (ii) owns, directly or indirectly, at least 50% of the health care facility.

"Charity care" means care provided by a health care facility for which the provider does not expect to receive payment from the patient or a third-party payer.

"Freestanding emergency center" means a facility subject to licensure under Section 32.5 of the Emergency Medical Services (EMS) Systems Act.

"Category of service" means a grouping by generic class of various types or levels of support functions, equipment, care, or treatment provided to patients or residents, including, but not limited to, classes such as medical-surgical, pediatrics, or cardiac catheterization. A category of service may include subcategories or levels of care that identify a particular degree or type of care within the category of service. Nothing in this definition shall be construed to include the practice of a physician or other licensed health care professional while functioning in an office providing for the care, diagnosis, or treatment of patients. A category of service that is subject to the Board's jurisdiction must be designated in rules adopted by the Board.

(Source: P.A. 97-38, eff. 6-28-11; 97-277, eff. 1-1-12; 97-813, eff. 7-13-12; 97-980, eff. 8-17-12; 98-414, eff. 1-1-14.)

Section 10. The Alternative Health Care Delivery Act is amended by changing Sections 15, 30, and 35 as follows:

(210 ILCS 3/15)

Sec. 15. License required. No health care facility or program that meets the definition and scope of an alternative health care model shall operate as such unless it is a participant in a demonstration program under this Act and licensed by the Department as an alternative health care model. The provisions of this Act concerning children's community-based health care centers ~~children's respite care centers~~ shall not apply to any facility licensed under the Hospital Licensing Act, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act, the ID/DD Community Care Act, or the University of Illinois Hospital Act that provides respite care services to children.

(Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11; 97-135, eff. 7-14-11; 97-227, eff. 1-1-12; 97-813, eff. 7-13-12.)

(210 ILCS 3/30)

Sec. 30. Demonstration program requirements. The requirements set forth in this Section shall apply to demonstration programs.

(a) (Blank).

(a-5) There shall be no more than the total number of postsurgical recovery care centers with a certificate of need for beds as of January 1, 2008.

(a-10) There shall be no more than a total of 9 children's community-based health care center ~~children's respite care center~~ alternative health care models in the demonstration program, which shall be located as follows:

(1) Two in the City of Chicago.

(2) One in Cook County outside the City of Chicago.

(3) A total of 2 in the area comprised of DuPage, Kane, Lake, McHenry, and Will

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counties.

(4) A total of 2 in municipalities with a population of 50,000 or more and not located in the areas described in paragraphs (1), (2), or (3).

(5) A total of 2 in rural areas, as defined by the Health Facilities and Services Review Board.

No more than one children's community-based health care center ~~children's respite care model~~ owned and operated by a licensed skilled pediatric facility shall be located in each of the areas designated in this subsection (a-10).

(a-15) There shall be 5 authorized community-based residential rehabilitation center alternative health care models in the demonstration program.

(a-20) There shall be an authorized Alzheimer's disease management center alternative health care model in the demonstration program. The Alzheimer's disease management center shall be located in Will County, owned by a not-for-profit entity, and endorsed by a resolution approved by the county board before the effective date of this amendatory Act of the 91st General Assembly.

(a-25) There shall be no more than 10 birth center alternative health care models in the demonstration program, located as follows:

(1) Four in the area comprising Cook, DuPage, Kane, Lake, McHenry, and Will counties, one of which shall be owned or operated by a hospital and one of which shall be owned or operated by a federally qualified health center.

(2) Three in municipalities with a population of 50,000 or more not located in the area described in paragraph (1) of this subsection, one of which shall be owned or operated by a hospital and one of which shall be owned or operated by a federally qualified health center.

(3) Three in rural areas, one of which shall be owned or operated by a hospital and one of which shall be owned or operated by a federally qualified health center.

The first 3 birth centers authorized to operate by the Department shall be located in or predominantly serve the residents of a health professional shortage area as determined by the United States Department of Health and Human Services. There shall be no more than 2 birth centers authorized to operate in any single health planning area for obstetric services as determined under the Illinois Health Facilities Planning Act. If a birth center is located outside of a health professional shortage area, (i) the birth center shall be located in a health planning area with a demonstrated need for obstetrical service beds, as determined by the Health Facilities and Services Review Board or (ii) there must be a reduction in the existing number of obstetrical service beds in the planning area so that the establishment of the birth center does not result in an increase in the total number of obstetrical service beds in the health planning area.

(b) Alternative health care models, other than a model authorized under subsection (a-10) or (a-20), shall obtain a certificate of need from the Health Facilities and Services Review Board under the Illinois Health Facilities Planning Act before receiving a license by the Department. If, after obtaining its initial certificate of need, an alternative health care delivery model that is a community based residential rehabilitation center seeks to increase the bed capacity of that center, it must obtain a certificate of need from the Health Facilities and Services Review Board before increasing the bed capacity. Alternative health care models in medically underserved areas shall receive priority in obtaining a certificate of need.

(c) An alternative health care model license shall be issued for a period of one year and shall be annually renewed if the facility or program is in substantial compliance with the Department's rules adopted under this Act. A licensed alternative health care model that continues to be in substantial compliance after the conclusion of the demonstration program shall be eligible for annual renewals unless and until a different licensure program for that type of health care model is established by legislation, except that a postsurgical recovery care center meeting the following requirements may apply within 3 years after August 25, 2009 (the effective date of Public Act 96-669) for a Certificate of Need permit to operate as a hospital:

(1) The postsurgical recovery care center shall apply to the Health Facilities and Services Review Board for a Certificate of Need permit to discontinue the postsurgical recovery care center and to establish a hospital.

(2) If the postsurgical recovery care center obtains a Certificate of Need permit to operate as a hospital, it shall apply for licensure as a hospital under the Hospital Licensing Act and shall meet all statutory and regulatory requirements of a hospital.

(3) After obtaining licensure as a hospital, any license as an ambulatory surgical treatment center and any license as a post-surgical recovery care center shall be null and void.

(4) The former postsurgical recovery care center that receives a hospital license must seek and use its best efforts to maintain certification under Titles XVIII and XIX of the federal Social Security Act.

The Department may issue a provisional license to any alternative health care model that does not substantially comply with the provisions of this Act and the rules adopted under this Act if (i) the Department finds that the alternative health care model has undertaken changes and corrections which upon completion will render the alternative health care model in substantial compliance with this Act and rules and (ii) the health and safety of the patients of the alternative health care model will be protected during the period for which the provisional license is issued. The Department shall advise the licensee of the conditions under which the provisional license is issued, including the manner in which the alternative health care model fails to comply with the provisions of this Act and rules, and the time within which the changes and corrections necessary for the alternative health care model to substantially comply with this Act and rules shall be completed.

(d) Alternative health care models shall seek certification under Titles XVIII and XIX of the federal Social Security Act. In addition, alternative health care models shall provide charitable care consistent with that provided by comparable health care providers in the geographic area.

(d-5) (Blank).

(e) Alternative health care models shall, to the extent possible, link and integrate their services with nearby health care facilities.

(f) Each alternative health care model shall implement a quality assurance program with measurable benefits and at reasonable cost.

(Source: P.A. 96-31, eff. 6-30-09; 96-129, eff. 8-4-09; 96-669, eff. 8-25-09; 96-812, eff. 1-1-10; 96-1000, eff. 7-2-10; 96-1071, eff. 7-16-10; 96-1123, eff. 1-1-11; 97-135, eff. 7-14-11; 97-333, eff. 8-12-11; 97-813, eff. 7-13-12)."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

SENATE BILL RECALLED

On motion of Senator Mulroe, **Senate Bill No. 116** was recalled from the order of third reading to the order of second reading.

Senator Mulroe offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 116

AMENDMENT NO. 1. Amend Senate Bill 116 by replacing everything after the enacting clause with the following:

"Section 5. "An Act in relation to certain land", approved June 13, 2000, Public Act 91-824, as amended by "An Act concerning local government", approved September 11, 2007, Public Act 95-604, is amended by changing Section 20-10 as follows:

(P.A. 91-824, Sec. 20-10; P.A. 95-604, Sec. 10)

Sec. 20-10. The Director of Central Management Services is authorized to:

(a) convey by quit claim deed for \$1 buildings A & B of the former Henry Horner School property located on Oak Park Ave, Chicago, Illinois to Maryville Academy, provided however that should the property fail to be used by Maryville Academy for charitable or educational purposes, the title shall revert to the State of Illinois;

(b) convey by quit claim deed for \$1 upon identification and survey of a site mutually agreeable to the parties to New Horizon Center for the Developmentally Disabled, provided that should the property fail to be used by New Horizon Center for the Developmentally Disabled for charitable or educational purposes, title shall revert to the State of Illinois;

(c) convey by Quit Claim Deed for \$1 to the City of Chicago the following described real property:

A PARCEL OF LAND, APPROXIMATELY 16,000 SQUARE FEET ON AND ALONG THE NORTH SIDE OF WEST

IRVING PARK ROAD, HAVING APPROXIMATELY 135 FEET OF FRONTAGE ON SAID WEST IRVING PARK ROAD AND A DEPTH OF APPROXIMATELY 125 FEET, HAVING ITS EASTERLY BOUNDARY PARALLEL TO AND APPROXIMATELY 1,111 FEET WEST OF THE WEST PROPERTY LINE OF NORTH NARRAGANSETT AVENUE, AND ITS WESTERLY

BOUNDARY BEING PARALLEL TO AND 135 FEET WEST OF THE EASTERLY BOUNDARY LINE, ALL IN THE COUNTY OF COOK AND STATE OF ILLINOIS.

Provided however, ~~if should~~ the property is no longer fail to be used by the Grantee for charitable, educational, or public purposes, title shall revert without further action to the State of Illinois;

(d) take steps to preserve, landscape, memorialize and protect unmarked historic cemetery grounds located by archeological survey on the grounds of Chicago Read Mental Health Center. This subsection shall also allow the relocation of the remains pursuant to regulations and procedures established by the Historic Preservation Agency when deemed necessary by the Director of Central Management Services. For the purpose of the relocation of such remains, the Secretary of Human Services is designated next of kin when it is not possible to definitively establish the identity of any such remains;

(e) (the General Assembly finds and declares that the authorization under this subsection (e) as originally enacted by Public Act 91-824 was never acted upon; and, therefore, the provisions of that originally enacted subsection (e) are rescinded by this amendatory Act of the 95th General Assembly); and

(f) allow replacement State facilities constructed in order to relocate State operations located in facilities to be replaced or otherwise transferred to coordinate with necessary redevelopment.

(Source: P.A. 95-604, eff. 9-11-07.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Mulroe, **Senate Bill No. 116** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Radogno
Bertino-Tarrant	Haine	Luechtefeld	Raoul
Biss	Harmon	Manar	Rezin
Bivins	Harris	Martinez	Righter
Brady	Hastings	McCann	Rose
Bush	Holmes	McCarter	Sandoval
Clayborne	Hunter	McConaughay	Stadelman
Collins	Hutchinson	McGuire	Steans
Connelly	Jones, E.	Morrison	Sullivan
Cullerton, T.	Koehler	Mulroe	Syverson
Cunningham	Kotowski	Muñoz	Trotter
Delgado	LaHood	Murphy	Mr. President
Duffy	Landek	Noland	
Forby	Lightford	Oberweis	

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

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

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SENATE BILL RECALLED

On motion of Senator Haine, **Senate Bill No. 496** was recalled from the order of third reading to the order of second reading.

Senator Haine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 496

AMENDMENT NO. 1. Amend Senate Bill 496 by replacing everything after the enacting clause with the following:

"Section 5. The Township Code is amended by adding Section 170-65 as follows:
(60 ILCS 1/170-65 new)

Sec. 170-65. Dissolution of the Wood River Township Hospital.

(a) Dissolution.

(1) The Wood River Township Hospital is dissolved 180 days after the effective date of this amendatory Act of the 98th General Assembly.

(2) In the 180-day period prior to dissolution, the hospital board shall be vested with the powers to wrap up the affairs of the closed hospital under subsection (b) of this Section, and to transfer any remaining hospital funds under subsection (c) of this Section.

(b) Wrapping up the affairs of the Wood River Township Hospital.

(1) Within the first 10 business days of the 180-day period provided in paragraph (2) of subsection (a) of this Section, the chairman of the hospital board shall cause an audit of all claims against the Wood River Township Hospital, all receipts of the Wood River Township Hospital, the inventory of all real and personal property owned by the Wood River Township Hospital or under its control or management, and any debts owed by the Wood River Township Hospital. The chairman may, at his or her discretion, undertake any other audit of the Wood River Township Hospital. The person or entity conducting such audit shall report the findings of the audit to the hospital board within 30 days.

(2) Following the return of the audit provided in paragraph (1) of this subsection, the hospital board shall:

(i) Pay the debts, obligations, and liabilities of the Wood River Township Hospital that are outstanding upon completion of the audit in paragraph (1) of this subsection and all necessary expenses of closing up the affairs of the Wood River Township Hospital.

(ii) Enter into an agreement with a hospital within Madison County to ensure all patient records are properly transferred. If no hospital in Madison County is able or willing to accept the records, the records may be transferred to a hospital within a neighboring county contiguous to Madison County. The Wood River Township Hospital will be responsible for paying a reasonable service fee to the hospital that accepts and retains records pursuant to this subsection. Following successful transfer of the patient records, the receiving hospital shall retain and destroy the transferred patient records in accordance with the receiving hospital's record retention schedule and policies.

(iii) Sell the property of the Wood River Township Hospital if any excess remains after all the liabilities of the Wood River Township Hospital are paid.

(c) Transfer of surplus funds. If any funds are available, the hospital board shall transfer, no later than 10 business days prior to the conclusion of the 180-day period provided in subsection (a) of this Section, all surplus funds, if any, to the Madison County Treasurer to be maintained in the Wood River Township Hospital Fund and be disposed of pursuant to subsection (d) of this Section.

If any liabilities remain, the funds available shall be set apart by the Madison County Treasurer and held for the purpose of retiring such liabilities.

(d) Payment of remaining liabilities and disposal of surplus funds. The Madison County Clerk shall pay any remaining liabilities of the Wood River Township Hospital from the Wood River Township Hospital Fund. After all the liabilities of the Wood River Township Hospital are paid, the Madison County Clerk shall distribute any funds remaining in the Wood River Township Hospital Fund to the property owners in Wood River Township as of the date of dissolution of Wood River Township Hospital. The distribution shall be proportional to the assessed value of the property in the 2005 levy year.

(e) Outstanding indebtedness.

(1) In the event that the Wood River Township Hospital has notes outstanding which are a lien on funds available in the Wood River Township Hospital Fund at the time of dissolution, such lien shall be unimpaired by such dissolution and the lien shall continue in favor of the note holders.

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(2) In the event that the Wood River Township Hospital has unsecured debts outstanding at the time of dissolution, any funds in the Wood River Township Hospital Fund or otherwise available and not committed shall, to the extent necessary, be applied to the payment of such debts.

(3) Madison County may levy a tax, on behalf of the Wood River Township Hospital, upon all taxable real property located in Wood River Township for the purpose of paying the outstanding debts and obligations of the Wood River Township Hospital.

(f) Tax collection and enforcement. The dissolution of the Wood River Township Hospital shall not adversely affect proceedings for the collection or enforcement of any tax. Those proceedings shall continue to finality as though no dissolution had taken place. The proceeds thereof shall be paid over to the Madison County Treasurer to be transferred pursuant to subsection (c) of this Section. Proceedings to collect and enforce such taxes may be instituted and carried on in the name of the Wood River Township Hospital.

(g) Litigation. All suits pending in any court on behalf of or against the Wood River Township Hospital may be prosecuted or defended in the name of Madison County by the State's attorney. All judgments obtained for the Wood River Township Hospital shall be collected and enforced by Madison County and transferred and disposed of pursuant to subsections (c) and (d) of this Section respectively.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Haine, **Senate Bill No. 496** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS 5.

The following voted in the affirmative:

Althoff	Dillard	Landek	Radogno
Barickman	Forby	Lightford	Raoul
Bertino-Tarrant	Frerichs	Link	Rezin
Biss	Haine	Manar	Righter
Bivins	Harmon	Martinez	Sandoval
Brady	Harris	McCann	Stadelman
Bush	Hastings	McConnaughay	Steans
Clayborne	Holmes	McGuire	Sullivan
Collins	Hunter	Morrison	Syverson
Connelly	Hutchinson	Mulroe	Trotter
Cullerton, T.	Jones, E.	Muñoz	Van Pelt
Cunningham	Koehler	Murphy	Mr. President
Delgado	Kotowski	Noland	

The following voted in the negative:

Duffy	McCarter	Rose
LaHood	Oberweis	

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

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

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SENATE BILL RECALLED

On motion of Senator Kotowski, **Senate Bill No. 633** was recalled from the order of third reading to the order of second reading.

Senator Kotowski offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 633

AMENDMENT NO. 1. Amend Senate Bill 633 by replacing everything after the enacting clause with the following:

"Section 5. The Animal Welfare Act is amended by changing Section 3.15 as follows:
(225 ILCS 605/3.15)

Sec. 3.15. Disclosures for dogs and cats being sold by pet shops.

(a) Prior to the time of sale, every pet shop operator must, to the best of his or her knowledge, provide to the consumer the following information on any dog or cat being offered for sale:

(1) The retail price of the dog or cat, including any additional fees or charges.

(2) The breed, age, date of birth, sex, and color of the dog or cat.

(3) The date and description of any inoculation or medical treatment that the dog or cat received while under the possession of the pet shop operator.

(4) The name and business address of both the dog or cat breeder and the facility where the dog or cat was born. If the dog or cat breeder is located in the State, then the breeder's license number. If the dog or cat breeder also holds a license issued by the United States Department of Agriculture, the breeder's federal license number.

(5) (Blank).

(6) If eligible for registration with a pedigree registry, then the name and registration numbers of the sire and dam and the address of the pedigree registry where the sire and dam are registered.

(7) If the dog or cat was returned by a customer, then the date and reason for the return.

(8) A copy of the pet shop's policy regarding warranties, refunds, or returns and an explanation of the remedy under subsections (f) through (m) of this Section in addition to any other remedies available at law.

(9) The pet shop operator's license number issued by the Illinois Department of Agriculture.

(b) The information required in subsection (a) shall be provided to the customer in written form by the pet shop operator and shall have an acknowledgement of disclosures form, which must be signed by the customer and the pet shop operator at the time of sale. The acknowledgement of disclosures form shall include the following:

(1) A blank space for the dated signature and printed name of the pet shop operator, which shall be immediately beneath the following statement: "I hereby attest that all of the above information is true and correct to the best of my knowledge."

(2) A blank space for the customer to sign and print his or her name and the date, which shall be immediately beneath the following statement: "I hereby attest that this disclosure was posted on or near the cage of the dog or cat for sale and that I have read all of the disclosures. I further understand that I am entitled to keep a signed copy of this disclosure."

(c) A copy of the disclosures and the signed acknowledgement of disclosures form shall be provided to the customer at the time of sale and the original copy shall be maintained by the pet shop operator for a period of 2 years from the date of sale. A copy of the pet store operator's policy regarding warranties, refunds, or returns shall be provided to the customer.

(d) A pet shop operator shall post in a conspicuous place in writing on or near the cage of any dog or cat available for sale the information required by subsection (a) of this Section 3.15.

(e) If there is an outbreak of distemper, parvovirus, or any other contagious and potentially life-threatening disease, the pet shop operator shall notify the Department immediately upon becoming aware of the disease. If the Department issues a quarantine, the pet shop operator shall notify, in writing and within 2 business days of the quarantine, each customer who purchased a dog or cat during the 2-week period prior to the outbreak and quarantine.

(f) A customer who purchased a dog or cat from a pet shop is entitled to a remedy under this Section if:

(1) within 21 days after the date of sale, a licensed veterinarian states in writing

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that at the time of sale (A) the dog or cat was unfit for purchase due to illness or disease, the presence of symptoms of a contagious or infectious disease, or obvious signs of severe parasitism that are extreme enough to influence the general health of the animal, excluding fleas or ticks, or (B) the dog or cat has died from a disease that existed in the dog or cat on or before the date of delivery to the customer; or

(2) within one year after the date of sale, a licensed veterinarian states in writing that the dog or cat possesses a congenital or hereditary condition that adversely affects the health of the dog or cat or requires either hospitalization or a non-elective surgical procedure or has died of a congenital or hereditary condition. Internal or external parasites may not be considered to adversely affect the health of the dog unless the presence of the parasites makes the dog or cat clinically ill. The veterinarian's statement shall include:

(A) the customer's name and address;

(B) a statement that the veterinarian examined the dog or cat;

(C) the date or dates that the dog or cat was examined;

(D) the breed and age of the dog or cat, if known;

(E) a statement that the dog or cat has or had a disease, illness, or congenital or hereditary condition that is subject to remedy; and

(F) the findings of the examination or necropsy, including any lab results or copies of the results.

(g) A customer entitled to a remedy under subsection (f) of this Section may:

(1) return the dog or cat to the pet shop for a full refund of the purchase price;

(2) exchange the dog or cat for another dog or cat of comparable value chosen by the customer;

(3) retain the dog or cat and be reimbursed for reasonable veterinary fees for diagnosis and treatment of the dog or cat, not to exceed the purchase price of the dog or cat; or

(4) if the dog or cat is deceased, be reimbursed for the full purchase price of the dog or cat plus reasonable veterinary fees associated with the diagnosis and treatment of the dog or cat, not to exceed one 2 times the purchase price of the dog or cat.

For the purposes of this subsection (g), veterinary fees shall be considered reasonable if (i) the services provided are appropriate for the diagnosis and treatment of the disease, illness, or congenital or hereditary condition and (ii) the cost of the services is comparable to that charged for similar services by other licensed veterinarians located in close proximity to the treating veterinarian.

(h) Unless the pet shop contests a reimbursement required under subsection (g) of this Section, the reimbursement shall be made to the customer no later than 10 business days after the pet shop operator receives the veterinarian's statement under subsection (f) of this Section.

(i) To obtain a remedy under this Section, a customer shall:

(1) notify the pet shop as soon as reasonably possible and not to exceed 3 business days after a diagnosis by a licensed veterinarian of a disease, illness, or congenital or hereditary condition of the dog or cat for which the customer is seeking a remedy;

(2) provide to the pet shop a written statement provided for under subsection (f) of this Section by a licensed veterinarian within 5 business days after a diagnosis by the veterinarian;

(3) upon request of the pet shop, take the dog or cat for an examination by a second licensed veterinarian; the customer may either choose the second licensed veterinarian or allow the pet shop to choose the second veterinarian, if the pet shop agrees to do so. The party choosing the second veterinarian shall assume the cost of the resulting examination; and

(4) if the customer requests a reimbursement of veterinary fees, provide to the pet shop an itemized bill for the disease, illness, or congenital or hereditary condition of the dog or cat for which the customer is seeking a remedy.

(j) A customer is not entitled to a remedy under this Section if:

(1) the illness or death resulted from: (A) maltreatment or neglect by the customer; (B) an injury sustained after the delivery of the dog or cat to the customer; or (C) an illness or disease contracted after the delivery of the dog or cat to the customer;

(2) the customer does not carry out the recommended treatment prescribed by the veterinarian who made the diagnosis; or

(3) the customer does not return to the pet shop all documents provided to register the dog or cat, unless the documents have already been sent to the registry organization.

(k) A pet shop may contest a remedy under this Section by having the dog or cat examined by a second licensed veterinarian pursuant to paragraph (3) of subsection (i) of this Section if the dog or cat is still living. If the dog or cat is deceased, the pet shop may choose to have the second veterinarian review any

records provided by the veterinarian who examined or treated the dog or cat for the customer before its death.

If the customer and the pet shop have not reached an agreement within 10 business days after the examination of the medical records and the dog or cat, if alive, or the dog's or cat's medical records, if deceased, by the second veterinarian, then:

(1) the customer may bring suit in a court of competent jurisdiction to resolve the dispute; or

(2) if the customer and the pet shop agree in writing, the parties may submit the dispute to binding arbitration.

If the court or arbiter finds that either party acted in bad faith in seeking or denying the requested remedy, then the offending party may be required to pay reasonable attorney's fees and court costs of the adverse party.

(l) This Section shall not apply to any adoption of dogs or cats, including those in which a pet shop or other organization rents or donates space to facilitate the adoption.

(m) If a pet shop offers its own warranty on a pet, a customer may choose to waive the remedies provided under subsection (f) of this Section in favor of choosing the warranty provided by the pet shop. If a customer waives the rights provided by subsection (f), the only remedies available to the customer are those provided by the pet shop's warranty. For the statement to be an effective waiver of the customer's right to refund or exchange the animal under subsection (f), the pet shop must provide, in writing, a statement of the remedy under subsection (f) that the customer is waiving as well as a written copy of the pet shop's warranty. For the statement to be an effective waiver of the customer's right to refund or exchange the animal under subsection (f), it shall be substantially similar to the following language:

"I have agreed to accept the warranty provided by the pet shop in lieu of the remedies under subsection (f) of Section 3.15 of the Animal Welfare Act. I have received a copy of the pet shop's warranty and a statement of the remedies provided under subsection (f) of Section 3.15 of the Animal Welfare Act. This is a waiver pursuant to subsection (m) of Section 3.15 of the Animal Welfare Act whereby I, the customer, relinquish any and all right to return the animal for congenital and hereditary disorders provided by subsection (f) of Section 3.15 of the Animal Welfare Act. I agree that my exclusive remedy is the warranty provided by the pet shop at the time of sale."

(Source: P.A. 98-509, eff. 1-1-14.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Kotowski, **Senate Bill No. 633** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Raoul
Barickman	Haine	Luechtefeld	Rezin
Bertino-Tarrant	Harmon	Manar	Righter
Biss	Harris	Martinez	Rose
Brady	Hastings	McCann	Sandoval
Bush	Holmes	McConnaughay	Stadelman
Clayborne	Hunter	McGuire	Steans
Collins	Hutchinson	Morrison	Sullivan
Connelly	Jones, E.	Mulroe	Syverson

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Cullerton, T.	Koehler	Muñoz	Trotter
Cunningham	Kotowski	Murphy	Van Pelt
Delgado	LaHood	Noland	Mr. President
Dillard	Landek	Oberweis	
Forby	Lightford	Radogno	

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

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

SENATE BILL RECALLED

On motion of Senator Koehler, **Senate Bill No. 635** was recalled from the order of third reading to the order of second reading.

Senator Koehler offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 635

AMENDMENT NO. 1. Amend Senate Bill 635 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by changing Section 8-104 as follows:
(220 ILCS 5/8-104)

Sec. 8-104. Natural gas energy efficiency programs.

(a) It is the policy of the State that natural gas utilities and the Department of Commerce and Economic Opportunity are required to use cost-effective energy efficiency to reduce direct and indirect costs to consumers. It serves the public interest to allow natural gas utilities to recover costs for reasonably and prudently incurred expenses for cost-effective energy efficiency measures.

(b) For purposes of this Section, "energy efficiency" means measures that reduce the amount of energy required to achieve a given end use. "Energy efficiency" also includes measures that reduce the total Btus of electricity and natural gas needed to meet the end use or uses. "Cost-effective" means that the measures satisfy the total resource cost test which, for purposes of this Section, means a standard that is met if, for an investment in energy efficiency, the benefit-cost ratio is greater than one. The benefit-cost ratio is the ratio of the net present value of the total benefits of the measures to the net present value of the total costs as calculated over the lifetime of the measures. The total resource cost test compares the sum of avoided natural gas utility costs, representing the benefits that accrue to the system and the participant in the delivery of those efficiency measures, as well as other quantifiable societal benefits, including avoided electric utility costs, to the sum of all incremental costs of end use measures (including both utility and participant contributions), plus costs to administer, deliver, and evaluate each demand-side measure, to quantify the net savings obtained by substituting demand-side measures for supply resources. In calculating avoided costs, reasonable estimates shall be included for financial costs likely to be imposed by future regulation of emissions of greenhouse gases. The low-income programs described in item (4) of subsection (f) of this Section shall not be required to meet the total resource cost test.

(c) Natural gas utilities shall implement cost-effective energy efficiency measures to meet at least the following natural gas savings requirements, which shall be based upon the total amount of gas delivered to retail customers, other than the customers described in subsection (m) of this Section, during calendar year 2009 multiplied by the applicable percentage. Natural gas utilities may comply with this Section by meeting the annual incremental savings goal in the applicable year or by showing that total cumulative annual savings within a 3-year planning period associated with measures implemented after May 31, 2011 were equal to the sum of each annual incremental savings requirement from May 31, 2011 through the end of the applicable year:

- (1) 0.2% by May 31, 2012;
- (2) an additional 0.4% by May 31, 2013, increasing total savings to .6%;
- (3) an additional 0.6% by May 31, 2014, increasing total savings to 1.2%;
- (4) an additional 0.8% by May 31, 2015, increasing total savings to 2.0%;
- (5) an additional 1% by May 31, 2016, increasing total savings to 3.0%;
- (6) an additional 1.2% by May 31, 2017, increasing total savings to 4.2%;
- (7) an additional 1.4% by May 31, 2018, increasing total savings to 5.6%;

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(8) an additional 1.5% by May 31, 2019, increasing total savings to 7.1%; and

(9) an additional 1.5% in each 12-month period thereafter.

(d) Notwithstanding the requirements of subsection (c) of this Section, a natural gas utility shall limit the amount of energy efficiency implemented in any 3-year reporting period established by subsection (f) of Section 8-104 of this Act, by an amount necessary to limit the estimated average increase in the amounts paid by retail customers in connection with natural gas service to no more than 2% in the applicable 3-year reporting period. The energy savings requirements in subsection (c) of this Section may be reduced by the Commission for the subject plan, if the utility demonstrates by substantial evidence that it is highly unlikely that the requirements could be achieved without exceeding the applicable spending limits in any 3-year reporting period. No later than September 1, 2013, the Commission shall review the limitation on the amount of energy efficiency measures implemented pursuant to this Section and report to the General Assembly, in the report required by subsection (k) of this Section, its findings as to whether that limitation unduly constrains the procurement of energy efficiency measures.

(e) Natural gas utilities shall be responsible for overseeing the design, development, and filing of their efficiency plans with the Commission. The utility shall utilize 75% of the available funding associated with energy efficiency programs approved by the Commission, and may outsource various aspects of program development and implementation. The remaining 25% of available funding shall be used by the Department of Commerce and Economic Opportunity to implement energy efficiency measures that achieve no less than 20% of the requirements of subsection (c) of this Section. Such measures shall be designed in conjunction with the utility and approved by the Commission. The Department may outsource development and implementation of energy efficiency measures. A minimum of 10% of the entire portfolio of cost-effective energy efficiency measures shall be procured from local government, municipal corporations, school districts, and community college districts. Five percent of the entire portfolio of cost-effective energy efficiency measures may be granted to local government and municipal corporations for market transformation initiatives. The Department shall coordinate the implementation of these measures and shall integrate delivery of natural gas efficiency programs with electric efficiency programs delivered pursuant to Section 8-103 of this Act, unless the Department can show that integration is not feasible.

The apportionment of the dollars to cover the costs to implement the Department's share of the portfolio of energy efficiency measures shall be made to the Department once the Department has executed rebate agreements, grants, or contracts for energy efficiency measures and provided supporting documentation for those rebate agreements, grants, and contracts to the utility. The Department is authorized to adopt any rules necessary and prescribe procedures in order to ensure compliance by applicants in carrying out the purposes of rebate agreements for energy efficiency measures implemented by the Department made under this Section.

The details of the measures implemented by the Department shall be submitted by the Department to the Commission in connection with the utility's filing regarding the energy efficiency measures that the utility implements.

A utility providing approved energy efficiency measures in this State shall be permitted to recover costs of those measures through an automatic adjustment clause tariff filed with and approved by the Commission. The tariff shall be established outside the context of a general rate case and shall be applicable to the utility's customers other than the customers described in subsection (m) of this Section. Each year the Commission shall initiate a review to reconcile any amounts collected with the actual costs and to determine the required adjustment to the annual tariff factor to match annual expenditures.

Each utility shall include, in its recovery of costs, the costs estimated for both the utility's and the Department's implementation of energy efficiency measures. Costs collected by the utility for measures implemented by the Department shall be submitted to the Department pursuant to Section 605-323 of the Civil Administrative Code of Illinois, shall be deposited into the Energy Efficiency Portfolio Standards Fund, and shall be used by the Department solely for the purpose of implementing these measures. A utility shall not be required to advance any moneys to the Department but only to forward such funds as it has collected. The Department shall report to the Commission on an annual basis regarding the costs actually incurred by the Department in the implementation of the measures. Any changes to the costs of energy efficiency measures as a result of plan modifications shall be appropriately reflected in amounts recovered by the utility and turned over to the Department.

The portfolio of measures, administered by both the utilities and the Department, shall, in combination, be designed to achieve the annual energy savings requirements set forth in subsection (c) of this Section, as modified by subsection (d) of this Section.

The utility and the Department shall agree upon a reasonable portfolio of measures and determine the measurable corresponding percentage of the savings goals associated with measures implemented by the Department.

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No utility shall be assessed a penalty under subsection (f) of this Section for failure to make a timely filing if that failure is the result of a lack of agreement with the Department with respect to the allocation of responsibilities or related costs or target assignments. In that case, the Department and the utility shall file their respective plans with the Commission and the Commission shall determine an appropriate division of measures and programs that meets the requirements of this Section.

If the Department is unable to meet performance requirements for the portion of the portfolio implemented by the Department, then the utility and the Department shall jointly submit a modified filing to the Commission explaining the performance shortfall and recommending an appropriate course going forward, including any program modifications that may be appropriate in light of the evaluations conducted under item (8) of subsection (f) of this Section. In this case, the utility obligation to collect the Department's costs and turn over those funds to the Department under this subsection (e) shall continue only if the Commission approves the modifications to the plan proposed by the Department.

(f) No later than October 1, 2010, each gas utility shall file an energy efficiency plan with the Commission to meet the energy efficiency standards through May 31, 2014. Every 3 years thereafter, each utility shall file, no later than October 1, an energy efficiency plan with the Commission. If a utility does not file such a plan by October 1 of the applicable year, then it shall face a penalty of \$100,000 per day until the plan is filed. Each utility's plan shall set forth the utility's proposals to meet the utility's portion of the energy efficiency standards identified in subsection (c) of this Section, as modified by subsection (d) of this Section, taking into account the unique circumstances of the utility's service territory. The Commission shall seek public comment on the utility's plan and shall issue an order approving or disapproving each plan. If the Commission disapproves a plan, the Commission shall, within 30 days, describe in detail the reasons for the disapproval and describe a path by which the utility may file a revised draft of the plan to address the Commission's concerns satisfactorily. If the utility does not refile with the Commission within 60 days after the disapproval, the utility shall be subject to penalties at a rate of \$100,000 per day until the plan is filed. This process shall continue, and penalties shall accrue, until the utility has successfully filed a portfolio of energy efficiency measures. Penalties shall be deposited into the Energy Efficiency Trust Fund and the cost of any such penalties may not be recovered from ratepayers. In submitting proposed energy efficiency plans and funding levels to meet the savings goals adopted by this Act the utility shall:

(1) Demonstrate that its proposed energy efficiency measures will achieve the requirements that are identified in subsection (c) of this Section, as modified by subsection (d) of this Section.

(2) Present specific proposals to implement new building and appliance standards that have been placed into effect.

(3) Present estimates of the total amount paid for gas service expressed on a per therm basis associated with the proposed portfolio of measures designed to meet the requirements that are identified in subsection (c) of this Section, as modified by subsection (d) of this Section.

(4) Coordinate with the Department to present a portfolio of energy efficiency measures proportionate to the share of total annual utility revenues in Illinois from households at or below 150% of the poverty level. Such programs shall be targeted to households with incomes at or below 80% of area median income.

(5) Demonstrate that its overall portfolio of energy efficiency measures, not including programs covered by item (4) of this subsection (f), are cost-effective using the total resource cost test and represent a diverse cross section of opportunities for customers of all rate classes to participate in the programs.

(6) Demonstrate that a gas utility affiliated with an electric utility that is required to comply with Section 8-103 of this Act has integrated gas and electric efficiency measures into a single program that reduces program or participant costs and appropriately allocates costs to gas and electric ratepayers. The Department shall integrate all gas and electric programs it delivers in any such utilities' service territories, unless the Department can show that integration is not feasible or appropriate.

(7) Include a proposed cost recovery tariff mechanism to fund the proposed energy efficiency measures and to ensure the recovery of the prudently and reasonably incurred costs of Commission-approved programs.

(8) Provide for quarterly status reports tracking implementation of and expenditures for the utility's portfolio of measures and the Department's portfolio of measures, an annual independent review, and a full independent evaluation of the 3-year results of the performance and the cost-effectiveness of the utility's and Department's portfolios of measures and broader net program impacts and, to the extent practical, for adjustment of the measures on a going forward basis as a result of the

evaluations. The resources dedicated to evaluation shall not exceed 3% of portfolio resources in any given 3-year period.

(g) No more than 3% of expenditures on energy efficiency measures may be allocated for demonstration of breakthrough equipment and devices.

(h) Illinois natural gas utilities that are affiliated by virtue of a common parent company may, at the utilities' request, be considered a single natural gas utility for purposes of complying with this Section.

(i) If, after 3 years, a gas utility fails to meet the efficiency standard specified in subsection (c) of this Section as modified by subsection (d), then it shall make a contribution to the Low-Income Home Energy Assistance Program. The total liability for failure to meet the goal shall be assessed as follows:

- (1) a large gas utility shall pay \$600,000;
- (2) a medium gas utility shall pay \$400,000; and
- (3) a small gas utility shall pay \$200,000.

For purposes of this Section, (i) a "large gas utility" is a gas utility that on December 31, 2008, served more than 1,500,000 gas customers in Illinois; (ii) a "medium gas utility" is a gas utility that on December 31, 2008, served fewer than 1,500,000, but more than 500,000 gas customers in Illinois; and (iii) a "small gas utility" is a gas utility that on December 31, 2008, served fewer than 500,000 and more than 100,000 gas customers in Illinois. The costs of this contribution may not be recovered from ratepayers.

If a gas utility fails to meet the efficiency standard specified in subsection (c) of this Section, as modified by subsection (d) of this Section, in any 2 consecutive 3-year planning periods, then the responsibility for implementing the utility's energy efficiency measures shall be transferred to an independent program administrator selected by the Commission. Reasonable and prudent costs incurred by the independent program administrator to meet the efficiency standard specified in subsection (c) of this Section, as modified by subsection (d) of this Section, may be recovered from the customers of the affected gas utilities, other than customers described in subsection (m) of this Section. The utility shall provide the independent program administrator with all information and assistance necessary to perform the program administrator's duties including but not limited to customer, account, and energy usage data, and shall allow the program administrator to include inserts in customer bills. The utility may recover reasonable costs associated with any such assistance.

(j) No utility shall be deemed to have failed to meet the energy efficiency standards to the extent any such failure is due to a failure of the Department.

(k) Not later than January 1, 2012, the Commission shall develop and solicit public comment on a plan to foster statewide coordination and consistency between statutorily mandated natural gas and electric energy efficiency programs to reduce program or participant costs or to improve program performance. Not later than September 1, 2013, the Commission shall issue a report to the General Assembly containing its findings and recommendations.

(l) This Section does not apply to a gas utility that on January 1, 2009, provided gas service to fewer than 100,000 customers in Illinois.

(m) Subsections (a) through (k) of this Section do not apply to customers of a natural gas utility that have a North American Industry Classification System code number that is 22111 or any such code number beginning with the digits 31, 32, or 33 and (i) annual usage in the aggregate of 4 million therms or more within the service territory of the affected gas utility or with aggregate usage of 8 million therms or more in this State and complying with the provisions of item (l) of this subsection (m); or (ii) using natural gas as feedstock and meeting the usage requirements described in item (i) of this subsection (m), to the extent such annual feedstock usage is greater than 60% of the customer's total annual usage of natural gas.

(1) Customers described in this subsection (m) of this Section shall apply, on a form approved on or before October 1, 2009 by the Department, to the Department to be designated as a self-directing customer ("SDC") or as an exempt customer using natural gas as a feedstock from which other products are made, including, but not limited to, feedstock for a hydrogen plant, on or before the 1st day of February, 2010. Thereafter, application may be made not less than 6 months before the filing date of the gas utility energy efficiency plan described in subsection (f) of this Section; however, a new customer that commences taking service from a natural gas utility after February 1, 2010 may apply to become a SDC or exempt customer up to 30 days after beginning service. ~~Customers described in this subsection (m) that have not already been approved by the Department may apply to be designated a self-directing customer or exempt customer, on a form approved by the Department, between September 1, 2013 and September 30, 2013. Customer applications that are approved by the Department under this amendatory Act of the 98th General Assembly shall be considered to be a self-directing customer or exempt customer, as applicable, for the current 3-year planning period effective December 1, 2013.~~ Such application shall contain the following:

- (A) the customer's certification that, at the time of its application, it qualifies

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to be a SDC or exempt customer described in this subsection (m) of this Section;

(B) in the case of a SDC, the customer's certification that it has established or will establish by the beginning of the utility's 3-year planning period commencing subsequent to the application, and will maintain for accounting purposes, an energy efficiency reserve account and that the customer will accrue funds in said account to be held for the purpose of funding, in whole or in part, energy efficiency measures of the customer's choosing, which may include, but are not limited to, projects involving combined heat and power systems that use the same energy source both for the generation of electrical or mechanical power and the production of steam or another form of useful thermal energy or the use of combustible gas produced from biomass, or both;

(C) in the case of a SDC, the customer's certification that annual funding levels for the energy efficiency reserve account will be equal to 2% of the customer's cost of natural gas, composed of the customer's commodity cost and the delivery service charges paid to the gas utility, or \$150,000, whichever is less;

(D) in the case of a SDC, the customer's certification that the required reserve account balance will be capped at 3 years' worth of accruals and that the customer may, at its option, make further deposits to the account to the extent such deposit would increase the reserve account balance above the designated cap level;

(E) in the case of a SDC, the customer's certification that by October 1 of each year, beginning no sooner than October 1, 2012, the customer will report to the Department information, for the 12-month period ending May 31 of the same year, on all deposits and reductions, if any, to the reserve account during the reporting year, and to the extent deposits to the reserve account in any year are in an amount less than \$150,000, the basis for such reduced deposits; reserve account balances by month; a description of energy efficiency measures undertaken by the customer and paid for in whole or in part with funds from the reserve account; an estimate of the energy saved, or to be saved, by the measure; and that the report shall include a verification by an officer or plant manager of the customer or by a registered professional engineer or certified energy efficiency trade professional that the funds withdrawn from the reserve account were used for the energy efficiency measures;

(F) in the case of an exempt customer, the customer's certification of the level of gas usage as feedstock in the customer's operation in a typical year and that it will provide information establishing this level, upon request of the Department;

(G) in the case of either an exempt customer or a SDC, the customer's certification that it has provided the gas utility or utilities serving the customer with a copy of the application as filed with the Department;

(H) in the case of either an exempt customer or a SDC, certification of the natural gas utility or utilities serving the customer in Illinois including the natural gas utility accounts that are the subject of the application; and

(I) in the case of either an exempt customer or a SDC, a verification signed by a plant manager or an authorized corporate officer attesting to the truthfulness and accuracy of the information contained in the application.

(2) The Department shall review the application to determine that it contains the information described in provisions (A) through (I) of item (1) of this subsection (m), as applicable. The review shall be completed within 30 days after the date the application is filed with the Department. Absent a determination by the Department within the 30-day period, the applicant shall be considered to be a SDC or exempt customer, as applicable, for all subsequent 3-year planning periods, as of the date of filing the application described in this subsection (m). If the Department determines that the application does not contain the applicable information described in provisions (A) through (I) of item (1) of this subsection (m), it shall notify the customer, in writing, of its determination that the application does not contain the required information and identify the information that is missing, and the customer shall provide the missing information within 15 working days after the date of receipt of the Department's notification.

(3) The Department shall have the right to audit the information provided in the customer's application and annual reports to ensure continued compliance with the requirements of this subsection. Based on the audit, if the Department determines the customer is no longer in compliance with the requirements of items (A) through (I) of item (1) of this subsection (m), as applicable, the Department shall notify the customer in writing of the noncompliance. The customer shall have 30 days to establish its compliance, and failing to do so, may have its status as a SDC or exempt customer revoked by the Department. The Department shall treat all information provided by any customer seeking SDC status or exemption from the provisions of this Section as strictly confidential.

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(4) Upon request, or on its own motion, the Commission may open an investigation, no more than once every 3 years and not before October 1, 2014, to evaluate the effectiveness of the self-directing program described in this subsection (m).

Customers described in this subsection (m) that were approved by the Department in February 2013 shall be considered to be a self-directing customer or exempt customer, as applicable, for the current 3-year planning period effective December 1, 2013.

(n) The applicability of this Section to customers described in subsection (m) of this Section is conditioned on the existence of the SDC program. In no event will any provision of this Section apply to such customers after January 1, 2020.

(Source: P.A. 97-813, eff. 7-13-12; 97-841, eff. 7-20-12; 98-90, eff. 7-15-13; 98-225, eff. 8-9-13; revised 9-9-13.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Koehler, **Senate Bill No. 635** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Link	Raoul
Barickman	Frerichs	Luechtefeld	Rezin
Bertino-Tarrant	Haine	Manar	Righter
Biss	Harmon	Martinez	Rose
Bivins	Harris	McCann	Sandoval
Brady	Hastings	McCarter	Stadelman
Bush	Holmes	McConnaughay	Steans
Clayborne	Hunter	McGuire	Sullivan
Collins	Hutchinson	Morrison	Syverson
Connelly	Jones, E.	Mulroe	Trotter
Cullerton, T.	Koehler	Muñoz	Van Pelt
Cunningham	Kotowski	Murphy	Mr. President
Delgado	LaHood	Noland	
Dillard	Landek	Oberweis	
Duffy	Lightford	Radogno	

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

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

SENATE BILL RECALLED

On motion of Senator Muñoz, **Senate Bill No. 636** was recalled from the order of third reading to the order of second reading.

Senator Muñoz offered the following amendment and moved its adoption:

[October 23, 2013]

AMENDMENT NO. 1 TO SENATE BILL 636

AMENDMENT NO. 1. Amend Senate Bill 636 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-4.2 as follows:
(305 ILCS 5/5-4.2) (from Ch. 23, par. 5-4.2)

Sec. 5-4.2. Ambulance services payments.

(a) For ambulance services provided to a recipient of aid under this Article on or after January 1, 1993, the Illinois Department shall reimburse ambulance service providers at rates calculated in accordance with this Section. It is the intent of the General Assembly to provide adequate reimbursement for ambulance services so as to ensure adequate access to services for recipients of aid under this Article and to provide appropriate incentives to ambulance service providers to provide services in an efficient and cost-effective manner. It is also the intent of the General Assembly to ensure that ambulance service providers are appropriately reimbursed for medically necessary ambulance services by requiring the Illinois Department to adopt, by rule, criteria establishing medical necessity and appropriate procedures for the processing of claims for reimbursement. Thus, it is the intent of the General Assembly that the Illinois Department implement a reimbursement system for ambulance services that, to the extent practicable and subject to the availability of funds appropriated by the General Assembly for this purpose, is consistent with the payment principles of Medicare. To ensure uniformity between the payment principles of Medicare and Medicaid, the Illinois Department shall follow, to the extent necessary and practicable and subject to the availability of funds appropriated by the General Assembly for this purpose, the statutes, laws, regulations, policies, procedures, principles, definitions, guidelines, and manuals used to determine the amounts paid to ambulance service providers under Title XVIII of the Social Security Act (Medicare).

(b) For ambulance services provided to a recipient of aid under this Article on or after January 1, 1996, the Illinois Department shall reimburse ambulance service providers based upon the actual distance traveled if a natural disaster, weather conditions, road repairs, or traffic congestion necessitates the use of a route other than the most direct route.

(c) For purposes of this Section, "ambulance services" includes medical transportation services provided by means of an ambulance, medi-car, service car, or taxi.

(c-1) For purposes of this Section, "ground ambulance service" means medical transportation services that are described as ground ambulance services by the Centers for Medicare and Medicaid Services and provided in a vehicle that is licensed as an ambulance by the Illinois Department of Public Health pursuant to the Emergency Medical Services (EMS) Systems Act.

(c-2) For purposes of this Section, "ground ambulance service provider" means a vehicle service provider as described in the Emergency Medical Services (EMS) Systems Act that operates licensed ambulances for the purpose of providing emergency ambulance services, or non-emergency ambulance services, or both. For purposes of this Section, this includes both ambulance providers and ambulance suppliers as described by the Centers for Medicare and Medicaid Services.

(d) This Section does not prohibit separate billing by ambulance service providers for oxygen furnished while providing advanced life support services.

(e) Beginning with services rendered on or after July 1, 2008, all providers of non-emergency medi-car and service car transportation must certify that the driver and employee attendant, as applicable, have completed a safety program approved by the Department to protect both the patient and the driver, prior to transporting a patient. The provider must maintain this certification in its records. The provider shall produce such documentation upon demand by the Department or its representative. Failure to produce documentation of such training shall result in recovery of any payments made by the Department for services rendered by a non-certified driver or employee attendant. Medi-car and service car providers must maintain legible documentation in their records of the driver and, as applicable, employee attendant that actually transported the patient. Providers must recertify all drivers and employee attendants every 3 years.

Notwithstanding the requirements above, any public transportation provider of medi-car and service car transportation that receives federal funding under 49 U.S.C. 5307 and 5311 need not certify its drivers and employee attendants under this Section, since safety training is already federally mandated.

(f) With respect to any policy or program administered by the Department or its agent regarding approval of non-emergency medical transportation by ground ambulance service providers, including, but not limited to, the Non-Emergency Transportation Services Prior Approval Program (NETSPAP), the Department shall establish by rule a process by which ground ambulance service providers of non-emergency medical transportation may appeal any decision by the Department or its agent in for which a claim is not approved for payment, but the patient meets the criteria for medical necessity and the appropriate level of ambulance service was provided. The Department shall consider appeals filed for

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reimbursement denials based upon the lack of availability of a physician discharge order occurring on or after July 1, 2013 if such appeal is filed within 90 days of the effective date of this amendatory Act of the 98th General Assembly. The Department shall apply the medical criteria established by rule in determining all appeals and shall take into account all relevant documentation substantiating the patient's condition as it relates to the criteria for medical necessity and may accept a provider's run report or equivalent. no denial was received prior to the time of transport that either (i) denies a request for approval for payment of non-emergency transportation by means of ground ambulance service or (ii) grants a request for approval of non-emergency transportation by means of ground ambulance service at a level of service that entitles the ground ambulance service provider to a lower level of compensation from the Department than the ground ambulance service provider would have received as compensation for the level of service requested. The rule shall be filed by December 15, 2012 and shall provide that, for any decision rendered by the Department or its agent on or after the date the rule takes effect, the ground ambulance service provider shall have 60 days from the date the decision is received to file an appeal. The rule established by the Department shall be, insofar as is practical, consistent with the Illinois Administrative Procedure Act. The Director's decision on an appeal under this Section shall be a final administrative decision subject to review under the Administrative Review Law.

(f-5) Beginning 90 days after July 20, 2012 (the effective date of Public Act 97-842), (i) no denial of a request for approval for payment of non-emergency transportation by means of ground ambulance service, and (ii) no approval of non-emergency transportation by means of ground ambulance service at a level of service that entitles the ground ambulance service provider to a lower level of compensation from the Department than would have been received at the level of service submitted by the ground ambulance service provider, may be issued by the Department or its agent unless the Department has submitted the criteria for determining the appropriateness of the transport for first notice publication in the Illinois Register pursuant to Section 5-40 of the Illinois Administrative Procedure Act.

(g) Whenever a patient covered by a medical assistance program under this Code or by another medical program administered by the Department is being discharged from a facility, a physician discharge order as described in this Section shall be required for each patient whose discharge requires medically supervised ground ambulance services. Facilities shall develop procedures for a physician with medical staff privileges to provide a written and signed physician discharge order. The physician discharge order shall specify the level of ground ambulance services needed and complete a medical certification establishing the criteria for approval of non-emergency ambulance transportation, as published by the Department of Healthcare and Family Services, that is met by the patient. This order and the medical certification shall be completed prior to ordering an ambulance service and prior to patient discharge.

Pursuant to subsection (E) of Section 12-4.25 of this Code, the Department is entitled to recover overpayments paid to a provider or vendor, including, but not limited to, from the discharging physician, the discharging facility, and the ground ambulance service provider, in instances where a non-emergency ground ambulance service is rendered as the result of improper or false certification.

(h) On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

(Source: P.A. 97-584, eff. 8-26-11; 97-689, eff. 6-14-12; 97-842, eff. 7-20-12; 98-463, eff. 8-16-13.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Muñoz, **Senate Bill No. 636** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

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The following voted in the affirmative:

Althoff	Forby	Luechtefeld	Rezin
Barickman	Frerichs	Manar	Righter
Bertino-Tarrant	Haine	Martinez	Rose
Biss	Harris	McCann	Sandoval
Bivins	Hastings	McCarter	Stadelman
Brady	Holmes	McConaughay	Stears
Bush	Hunter	McGuire	Sullivan
Clayborne	Hutchinson	Morrison	Syverson
Collins	Jones, E.	Mulroe	Trotter
Connelly	Koehler	Muñoz	Van Pelt
Cullerton, T.	Kotowski	Murphy	Mr. President
Cunningham	LaHood	Noland	
Delgado	Landek	Oberweis	
Dillard	Lightford	Radogno	
Duffy	Link	Raoul	

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

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

SENATE BILL RECALLED

On motion of Senator Mulroe, **Senate Bill No. 1007** was recalled from the order of third reading to the order of second reading.

Senator Mulroe offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1007

AMENDMENT NO. 1. Amend Senate Bill 1007 by replacing everything after the enacting clause with the following:

"Section 5. The Mental Health Court Treatment Act is amended by changing Section 20 as follows:
(730 ILCS 168/20)

Sec. 20. Eligibility.

(a) A defendant, who is eligible for probation based on the nature of the crime convicted of and in consideration of his or her criminal background, if any, may be admitted into a mental health court program only upon the agreement of the prosecutor and the defendant and with the approval of the court.

(b) A defendant shall be excluded from a mental health court program if any one of the following applies:

(1) The crime is a crime of violence as set forth in clause (3) of this subsection (b).

(2) The defendant does not demonstrate a willingness to participate in a treatment program.

(3) The defendant has been convicted of a crime of violence within the past 10 years excluding incarceration time, specifically first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, armed robbery, aggravated arson, arson, aggravated kidnapping, kidnapping, stalking, aggravated stalking, or any offense involving the discharge of a firearm.

(4) (Blank).

(5) The crime for which the defendant has been convicted is non-probationable.

(6) The sentence imposed on the defendant, whether the result of a plea or a finding of guilt, renders the defendant ineligible for probation.

(c) A defendant charged with prostitution under Section 11-14 of the Criminal Code of 2012 may be admitted into a mental health court program, ~~which may include specialized service programs specifically designed to address the trauma associated with prostitution and human trafficking;~~ if available in the jurisdiction and provided that the requirements in subsections (a) and (b) are satisfied. Mental health court programs may include specialized service programs specifically designed to address the trauma associated

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with prostitution and human trafficking, and may offer those specialized services to defendants admitted to the mental health court program. Judicial circuits establishing these specialized programs shall partner with prostitution and human trafficking advocates, survivors, and service providers in the development of the programs.

(Source: P.A. 97-946, eff. 8-13-12; 98-152, eff. 1-1-14; 98-538, eff. 8-23-13; revised 8-28-13.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Mulroe, **Senate Bill No. 1007** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAY 1.

The following voted in the affirmative:

Althoff	Forby	Link	Raoul
Barickman	Frerichs	Luechtefeld	Rezin
Bertino-Tarrant	Haine	Manar	Righter
Biss	Harmon	Martinez	Sandoval
Bivins	Harris	McCann	Stadelman
Brady	Hastings	McCarter	Steans
Bush	Holmes	McConnaughay	Sullivan
Clayborne	Hunter	McGuire	Syverson
Collins	Hutchinson	Morrison	Trotter
Connelly	Jones, E.	Mulroe	Van Pelt
Cullerton, T.	Koehler	Muñoz	Mr. President
Cunningham	Kotowski	Murphy	
Delgado	LaHood	Noland	
Dillard	Landek	Oberweis	
Duffy	Lightford	Radogno	

The following voted in the negative:

Rose

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

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

SENATE BILL RECALLED

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On motion of Senator Manar, **Senate Bill No. 853** was recalled from the order of third reading to the order of second reading.

Senator Manar offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 853

AMENDMENT NO. 1. Amend Senate Bill 853 by replacing everything after the enacting clause with the following:

"Section 5. The Wildlife Code is amended by adding Section 3.1-9 as follows:
(520 ILCS 5/3.1-9 new)

Sec. 3.1-9. Youth Hunting License.

Any resident youth age 16 and under may apply to the Department for a Youth Hunting License, which extends limited hunting privileges. The Youth Hunting License shall be a renewable license that shall expire on the March 31 following the date of issuance.

For youth age 16 and under, the Youth Hunting License shall entitle the licensee to hunt while supervised by a parent, grandparent, or guardian who is 21 years of age or older and has a valid Illinois hunting license. Possession of a Youth Hunting License shall serve in lieu of a valid hunting license, but does not exempt the licensee from compliance with the requirements of this Code and any rules adopted under this Code.

A youth licensed under this Section shall not hunt or carry a hunting device, including, but not limited to, a firearm, bow and arrow, or crossbow unless the youth is accompanied by and under the close personal supervision of a parent, grandparent, or guardian who is 21 years of age or older and has a valid Illinois hunting license.

At age 17 years or when the youth chooses to hunt by themselves, they are required to successfully complete a hunter safety course approved by the Department prior to being able to obtain a full hunting license and subsequently hunt by themselves.

In order to be approved for the Youth Hunting License, the applicant must request a Youth Hunting License from the Department and submit a \$7 fee, which shall be separate from and additional to any other stamp, permit, tag, or license fee that may be required for hunting under this Code. The Department shall adopt rules for the administration of the program, but shall not require any certificate of competency or other hunting education as a condition of the Youth Hunting License.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Manar, **Senate Bill No. 853** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Link	Raoul
Barickman	Frerichs	Luechtefeld	Rezin
Bertino-Tarrant	Haine	Manar	Righter
Biss	Harmon	Martinez	Rose
Bivins	Harris	McCann	Sandoval
Brady	Hastings	McCarter	Stadelman
Bush	Holmes	McConnaughay	Steans
Clayborne	Hunter	McGuire	Sullivan

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Collins	Hutchinson	Morrison	Syverson
Connelly	Jones, E.	Mulroe	Trotter
Cullerton, T.	Koehler	Muñoz	Van Pelt
Cunningham	Kotowski	Murphy	Mr. President
Delgado	LaHood	Noland	
Dillard	Landek	Oberweis	
Duffy	Lightford	Radogno	

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

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

SENATE BILL RECALLED

On motion of Senator Collins, **Senate Bill No. 1045** was recalled from the order of third reading to the order of second reading.

Senator Collins offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1045

AMENDMENT NO. 1. Amend Senate Bill 1045 by replacing everything after the enacting clause with the following:

"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-3) Hearing to confirm sale of abandoned residential property. Upon motion and notice by first-class mail to the last known address of the mortgagor, which motion shall be made prior to the sale and heard by the court at the earliest practicable time after conclusion of the sale, and upon the posting at the property address of the notice required by paragraph (2) of subsection (l) of Section 15-1505.8, the court shall enter an order confirming the sale of the abandoned residential property, unless the court finds that a reason set forth in items (i) through (iv) of subsection (b) of this Section exists for not approving the sale, or an order is entered pursuant to subsection (h) of Section 15-1505.8. The confirmation order also may address the matters identified in items (1) through (3) of subsection (b) of this Section. The notice required under subsection (b-5) of this Section shall not be required.

(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 a copy of the order 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 a copy of the order shall be sent. In the event that a municipality or county has not complied with the publication requirement in this subsection (b-10), then a copy of the order shall be sent by first class mail, postage prepaid, to the chairperson of the county board or county clerk in the case of a county, to the mayor or city clerk in the case of a city, to the president of the board of trustees or village clerk in the case of a village, or to the president or town clerk in the case of a town.

(b-15) Notice of confirmation order sent to known insurers. With respect to residential real estate, the party filing the complaint shall send a copy of the confirmation order required under subsection (b) by first class mail, postage prepaid, to the last known property insurer of the foreclosed property. Failure to send or receive a copy of the order shall not impair or abrogate in any way the rights of the mortgagee or purchaser or affect the status of the foreclosure proceedings.

(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, ~~2016~~ ~~2014~~ for all actions filed under this Article after December 31, ~~2015~~ ~~2013~~, in which the mortgagor did not apply for assistance under the Making Home Affordable Program on or before December 31, ~~2015~~ ~~2013~~.

(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. No order of possession issued under this Section shall be entered against a lessee with a bona fide lease of a dwelling unit in residential real estate in foreclosure, whether or not the lessee has been made a party in the foreclosure. An order 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 IX of this Code or, if applicable, under 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 IX of this Code or, if applicable, under 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. 97-333, eff. 8-12-11; 97-575, eff. 8-26-11; 97-1159, eff. 1-29-13; 97-1164, eff. 6-1-13; 98-514, eff. 11-19-13.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Collins, **Senate Bill No. 1045** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None; Present 1.

The following voted in the affirmative:

Althoff	Forby	Lightford	Oberweis
Barickman	Frerichs	Link	Radogno
Bertino-Tarrant	Haine	Luechtefeld	Raoul
Biss	Harmon	Manar	Rezin
Bivins	Harris	Martinez	Righter
Bush	Hastings	McCann	Sandoval
Clayborne	Holmes	McCarter	Stadelman
Collins	Hunter	McConnaughay	Steans

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Connelly	Hutchinson	McGuire	Sullivan
Cullerton, T.	Jones, E.	Morrison	Syverson
Cunningham	Koehler	Mulroe	Trotter
Delgado	Kotowski	Muñoz	Van Pelt
Dillard	LaHood	Murphy	Mr. President
Duffy	Landek	Noland	

The following voted present:

Brady

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

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

Senator Rose asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 1045**.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Althoff moved that **Senate Resolution No. 637**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Althoff moved that Senate Resolution No. 637 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Frerichs moved that **Senate Resolution No. 640**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Frerichs moved that Senate Resolution No. 640 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Bush moved that **Senate Joint Resolution No. 43**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Bush moved that Senate Joint Resolution No. 43 be adopted.

The motion prevailed.

And the resolution was adopted.

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

Senator Delgado moved that **House Joint Resolution No. 31**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Delgado moved that House Joint Resolution No. 31 be adopted.

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

YEAS 53; NAY 1.

The following voted in the affirmative:

Althoff	Duffy	Lightford	Oberweis
Barickman	Forby	Link	Radogno
Bertino-Tarrant	Frerichs	Luechtefeld	Raoul
Biss	Haine	Manar	Rezin
Bivins	Harmon	Martinez	Righter

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Brady	Harris	McCann	Sandoval
Bush	Hastings	McCarter	Steans
Clayborne	Hunter	McConnaughay	Sullivan
Collins	Hutchinson	McGuire	Syverson
Connelly	Jones, E.	Morrison	Van Pelt
Cullerton, T.	Koehler	Mulroe	Mr. President
Cunningham	Kotowski	Muñoz	
Delgado	LaHood	Murphy	
Dillard	Landek	Noland	

The following voted in the negative:

Rose

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator Haine, **Senate Bill No. 1689**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Haine moved that the Senate concur with the House in the adoption of their amendments to said bill.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Luechtefeld	Rezin
Bertino-Tarrant	Haine	Manar	Righter
Biss	Harmon	Martinez	Rose
Bivins	Harris	McCann	Sandoval
Brady	Hastings	McCarter	Stadelman
Bush	Holmes	McConnaughay	Steans
Clayborne	Hunter	McGuire	Sullivan
Collins	Hutchinson	Morrison	Syverson
Connelly	Jones, E.	Mulroe	Trotter
Cullerton, T.	Koehler	Muñoz	Van Pelt
Cunningham	Kotowski	Murphy	Mr. President
Delgado	LaHood	Noland	
Dillard	Landek	Oberweis	
Duffy	Lightford	Radogno	
Forby	Link	Raoul	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 1689**.

Ordered that the Secretary inform the House of Representatives thereof.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 434

Offered by Senator Duffy and all Senators:

Mourns the death of Marshall L. "Mike" Pappas of Chicago.

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SENATE RESOLUTION NO. 435

Offered by Senator Forby and all Senators:
Mourns the death of Mary Allois.

SENATE RESOLUTION NO. 436

Offered by Senator Forby and all Senators:
Mourns the death of Bernice Augusta Covilli.

SENATE RESOLUTION NO. 437

Offered by Senator Althoff and all Senators:
Mourns the death of Frederick William Noble of Woodstock.

SENATE RESOLUTION NO. 438

Offered by Senator Forby and all Senators:
Mourns the death of George Morris, Jr.

SENATE RESOLUTION NO. 439

Offered by Senator Forby and all Senators:
Mourns the death of James "Gib" Phillips of Benton.

SENATE RESOLUTION NO. 440

Offered by Senator Althoff and all Senators:
Mourns the death of Valeria Rose Wolff of Crystal Lake.

SENATE RESOLUTION NO. 441

Offered by Senator Althoff and all Senators:
Mourns the death of Mary Ann Ruggero of Wonder Lake.

SENATE RESOLUTION NO. 442

Offered by Senator Duffy and all Senators:
Mourns the death of Marina (nee Spiropoulos) Alexis.

SENATE RESOLUTION NO. 443

Offered by Senator Manar and all Senators:
Mourns the death of Jacqueline Louise Day of Springfield.

SENATE RESOLUTION NO. 444

Offered by Senator Haine and all Senators:
Mourns the death of Donald Leo Hastings, Jr., of Edwardsville.

SENATE RESOLUTION NO. 445

Offered by Senator Manar and all Senators:
Mourns the death of George R. Likes of Woodburn.

SENATE RESOLUTION NO. 446

Offered by Senator Manar and all Senators:
Mourns the death of Richard B. Maye, Ph.D.

SENATE RESOLUTION NO. 447

Offered by Senator Clayborne and all Senators:
Mourns the death of Shelby F. Pollock of Belleville.

SENATE RESOLUTION NO. 448

Offered by Senator Althoff and all Senators:
Mourns the death of Joanne T. Stanek of Spring Grove.

SENATE RESOLUTION NO. 449

Offered by Senator Althoff and all Senators:

Mourns the death of Donald Joseph Folz of McHenry.

SENATE RESOLUTION NO. 450

Offered by Senator Link and all Senators:

Mourns the death of LeRoy "Lee" W. Sackman of Waukegan.

SENATE RESOLUTION NO. 451

Offered by Senator Link and all Senators:

Mourns the death of Anthony "Tony" Michael Rose.

SENATE RESOLUTION NO. 452

Offered by Senator Link and all Senators:

Mourns the death of George Fred Sinesh of Waukegan.

SENATE RESOLUTION NO. 453

Offered by Senator Link and all Senators:

Mourns the death of Mildred Elaine "Millie" (nee Goodman) Wool of Waukegan.

SENATE RESOLUTION NO. 454

Offered by Senator Link and all Senators:

Mourns the death of Jeanne Marie Petkus of Waukegan.

SENATE RESOLUTION NO. 455

Offered by Senator Connelly and all Senators:

Mourns the death of Michael Casey of Naperville, formerly of Downers Grove.

SENATE RESOLUTION NO. 456

Offered by Senator Althoff and all Senators:

Mourns the death of Dolores J. Polizzi of Woodstock.

SENATE RESOLUTION NO. 457

Offered by Senator Althoff and all Senators:

Mourns the death of Don L. Uthe of Harvard.

SENATE RESOLUTION NO. 458

Offered by Senator Koehler and all Senators:

Mourns the death of Robert E. Manning, Jr., of Peoria.

SENATE RESOLUTION NO. 459

Offered by Senator Harris and all Senators:

Mourns the death of Andre' Lydell Bunton of Chicago.

SENATE RESOLUTION NO. 460

Offered by Senator Mulroe and all Senators:

Mourns the death of Peter Mayer.

SENATE RESOLUTION NO. 461

Offered by Senator Link and all Senators:

Mourns the death of Leonard F. "Len" Prescott.

SENATE RESOLUTION NO. 462

Offered by Senator McCann and all Senators:

Mourns the death of S. John Calise of Jacksonville.

SENATE RESOLUTION NO. 463

Offered by Senator McCann and all Senators:

Mourns the death of Morgan M. McKinnon of Murrayville.

SENATE RESOLUTION NO. 464

Offered by Senator McCann and all Senators:
Mourns the death of Leonardo S. Alfano of Jacksonville.

SENATE RESOLUTION NO. 465

Offered by Senator McCann and all Senators:
Mourns the death of Daniel R. “Danny” Lomelino of Girard.

SENATE RESOLUTION NO. 466

Offered by Senator Harmon and all Senators:
Mourns the death of Alison O’Hara Barasa of Glenview.

SENATE RESOLUTION NO. 467

Offered by Senator Link and all Senators:
Mourns the death of Susan Lynne Suchsland.

SENATE RESOLUTION NO. 468

Offered by Senator Link and all Senators:
Mourns the death of Ellen A. Furtkamp.

SENATE RESOLUTION NO. 469

Offered by Senator Althoff and all Senators:
Mourns the death of Joseph P. Knox of McHenry.

SENATE RESOLUTION NO. 470

Offered by Senator Connelly and all Senators:
Mourns the death of Jean Wehrli Kuhn.

SENATE RESOLUTION NO. 471

Offered by Senator Haine and all Senators:
Mourns the death of John Elbert Julian of Alton.

SENATE RESOLUTION NO. 472

Offered by Senator Haine and all Senators:
Mourns the death of Thomas M. Moore of Godfrey.

SENATE RESOLUTION NO. 473

Offered by Senator Koehler and all Senators:
Mourns the death of Gary V. Sandberg of Peoria.

SENATE RESOLUTION NO. 474

Offered by Senator Koehler and all Senators:
Mourns the death of Marvin Thomans Everett of Peoria.

SENATE RESOLUTION NO. 475

Offered by Senator Van Pelt and all Senators:
Mourns the death of Bertha Lee Burns.

SENATE RESOLUTION NO. 476

Offered by Senator Haine and all Senators:
Mourns the death of Birdia Ruth (Woods) Hawthorne of Alton.

SENATE RESOLUTION NO. 477

Offered by Senator J. Cullerton and all Senators:
Mourns the death of Norinne Nicholson (nee Dolehide).

SENATE RESOLUTION NO. 478

Offered by Senator Link and all Senators:
Mourns the death of Jasper “Jay” S. Owens of Beach Park.

SENATE RESOLUTION NO. 479

Offered by Senator Link and all Senators:
Mourns the death of Helen Charlotte Hayner.

SENATE RESOLUTION NO. 480

Offered by Senator Link and all Senators:
Mourns the death of Frank Loquidis of Waukegan.

SENATE RESOLUTION NO. 481

Offered by Senator Link and all Senators:
Mourns the death of Rose A. Cary of Waukegan.

SENATE RESOLUTION NO. 482

Offered by Senator Link and all Senators:
Mourns the death of Frank Denson of Waukegan.

SENATE RESOLUTION NO. 483

Offered by Senator Link and all Senators:
Mourns the death of David Malcolm "Butch" Armstead of Bazemore, Alabama.

SENATE RESOLUTION NO. 484

Offered by Senator Link and all Senators:
Mourns the death of Richard E. Boyer of Park City.

SENATE RESOLUTION NO. 485

Offered by Senator Dillard and all Senators:
Mourns the death of Barbara Anderson Hudson of Downers Grove.

SENATE RESOLUTION NO. 486

Offered by Senator Link and all Senators:
Mourns the death of Robert J. Barrows of Gurnee.

SENATE RESOLUTION NO. 487

Offered by Senator Van Pelt and all Senators:
Mourns the death of James Stanford.

SENATE RESOLUTION NO. 488

Offered by Senator Link and all Senators:
Mourns the death of Charlann (Skaar) Schwan of Ivanhoe.

SENATE RESOLUTION NO. 489

Offered by Senator Link and all Senators:
Mourns the death of John Alan Dayer of Beach Park.

SENATE RESOLUTION NO. 490

Offered by Senator Link and all Senators:
Mourns the death of Rudolph Joseph Padilla of North Chicago.

SENATE RESOLUTION NO. 491

Offered by Senator Link and all Senators:
Mourns the death of William Issac Griffin of Mundelein.

SENATE RESOLUTION NO. 492

Offered by Senator Link and all Senators:
Mourns the death of Babi Baha'U'Llah Floyd.

SENATE RESOLUTION NO. 493

Offered by Senator Link and all Senators:
Mourns the death of Frohman "Buddy" Wool, M.D.

SENATE RESOLUTION NO. 494

Offered by Senator Link and all Senators:

Mourns the death of LeRoy T. "Roy" Paulson of Wadsworth, formerly of Waukegan.

SENATE RESOLUTION NO. 495

Offered by Senator LaHood and all Senators:

Mourns the death of Robert E. Manning, Jr., of Peoria.

SENATE RESOLUTION NO. 496

Offered by Senator LaHood and all Senators:

Mourns the death of Edward L. Meister of Peoria.

SENATE RESOLUTION NO. 497

Offered by Senator LaHood and all Senators:

Mourns the death of Terrance M. Flaherty, Sr., of Peoria.

SENATE RESOLUTION NO. 498

Offered by Senator Link and all Senators:

Mourns the death of Harold Richard Eckerstrom.

SENATE RESOLUTION NO. 499

Offered by Senator Link and all Senators:

Mourns the death of Kenneth H. Shroka of Grayslake.

SENATE RESOLUTION NO. 500

Offered by Senator Oberweis and all Senators:

Mourns the death of Danny Gonzalez of South Elgin.

SENATE RESOLUTION NO. 501

Offered by Senator Link and all Senators:

Mourns the death of Celia R. Loffredo (nee Marinello) of Waukegan.

SENATE RESOLUTION NO. 502

Offered by Senator Link and all Senators:

Mourns the death of Alexander "Alex" Nicholas Petropoulos of Waukegan.

SENATE RESOLUTION NO. 503

Offered by Senator Koehler and all Senators:

Mourns the death of Gerald "Jerry" VanWinkle of Peoria.

SENATE RESOLUTION NO. 504

Offered by Senator Mulroe and all Senators:

Mourns the death of the Reverend Patrick J. O'Malley.

SENATE RESOLUTION NO. 505

Offered by Senator Mulroe and all Senators:

Mourns the death of Mildred "Millie" McNicholas (nee Paisley).

SENATE RESOLUTION NO. 506

Offered by Senator Mulroe and all Senators:

Mourns the death of Kathleen "Katie" O'Malley (nee Gibbons).

SENATE RESOLUTION NO. 507

Offered by Senator Mulroe and all Senators:

Mourns the death of Mario M. Ricchio of Harwood Heights.

SENATE RESOLUTION NO. 508

Offered by Senator Mulroe and all Senators:

Mourns the death of John Joe O'Flaherty.

SENATE RESOLUTION NO. 509

Offered by Senator Haine and all Senators:
Mourns the death of Joan Rose Paddock of Alton.

SENATE RESOLUTION NO. 510

Offered by Senator Haine and all Senators:
Mourns the death of Judge John W. Day of Wood River.

SENATE RESOLUTION NO. 511

Offered by Senator Haine and all Senators:
Mourns the death of Lanny H. Darr of Godfrey.

SENATE RESOLUTION NO. 512

Offered by Senator Haine and all Senators:
Mourns the death of Alfretta M. Alford of Godfrey.

SENATE RESOLUTION NO. 513

Offered by Senator Althoff and all Senators:
Mourns the death of Barbara A. Schmiede of McHenry.

SENATE RESOLUTION NO. 514

Offered by Senator Althoff and all Senators:
Mourns the death of John Edward "Jack" Kelsey of McHenry.

SENATE RESOLUTION NO. 515

Offered by Senator Althoff and all Senators:
Mourns the death of Kenneth I. Latimer of Marengo.

SENATE RESOLUTION NO. 516

Offered by Senator Althoff and all Senators:
Mourns the death of Marlene J. Arvidson of McHenry.

SENATE RESOLUTION NO. 517

Offered by Senator Althoff and all Senators:
Mourns the death of Lilas Jean Beebe of Rockford.

SENATE RESOLUTION NO. 518

Offered by Senator Barickman and all Senators:
Mourns the death of Robert J. Lete of Alvin.

SENATE RESOLUTION NO. 519

Offered by Senator Althoff and all Senators:
Mourns the death of Jerome A. "Jerry" Johnson of McHenry.

SENATE RESOLUTION NO. 520

Offered by Senator Althoff and all Senators:
Mourns the death of Samuel Oginni of Crystal Lake.

SENATE RESOLUTION NO. 521

Offered by Senator Althoff and all Senators:
Mourns the death of John C. Wenzlaff of Wonder Lake.

SENATE RESOLUTION NO. 522

Offered by Senator Link and all Senators:
Mourns the death of Samuel Parker of Beach Park.

SENATE RESOLUTION NO. 523

Offered by Senator LaHood and all Senators:
Mourns the death of Rosemary "Rosie" Donnelly Crowley Manning of Peoria.

SENATE RESOLUTION NO. 524

Offered by Senator Rose and all Senators:
Mourns the death of Emmett C. Sefton of Mount Zion.

SENATE RESOLUTION NO. 525

Offered by Senator Van Pelt and all Senators:
Mourns the death of Aubrey L. Earls, Sr.

SENATE RESOLUTION NO. 526

Offered by Senator Koehler and all Senators:
Mourns the death of Paul Duncan Leitch of Memphis Tennessee, formerly of East Peoria.

SENATE RESOLUTION NO. 527

Offered by Senator Morrison and all Senators:
Mourns the death of Mary Barb Johnson.

SENATE RESOLUTION NO. 528

Offered by Senator Morrison and all Senators:
Mourns the death of Bruce Miller Macfarlane of Lake Forest.

SENATE RESOLUTION NO. 529

Offered by Senator Althoff and all Senators:
Mourns the death of Gertrude Louise Sward of Harvard.

SENATE RESOLUTION NO. 530

Offered by Senator Mulroe and all Senators:
Mourns the death of Austin Joyce of Chicago.

SENATE RESOLUTION NO. 531

Offered by Senator Duffy and all Senators:
Mourns the death of Thomas R. Slott of Wheaton.

SENATE RESOLUTION NO. 532

Offered by Senator Haine and all Senators:
Mourns the death of Philip H. Weber of Edwardsville.

SENATE RESOLUTION NO. 533

Offered by Senator Koehler and all Senators:
Mourns the death of Eugene Holford of Peoria.

SENATE RESOLUTION NO. 534

Offered by Senator Althoff and all Senators:
Mourns the death of Earl Edward Duffy of New Lisbon, Wisconsin, formerly of Crystal Lake.

SENATE RESOLUTION NO. 535

Offered by Senator Murphy and all Senators:
Mourns the death of Vincent A. Iuorio.

SENATE RESOLUTION NO. 536

Offered by Senator McCann and all Senators:
Mourns the death of Peyton Joseph O'Neil and Zoe Marie O'Neil of Arenzville.

SENATE RESOLUTION NO. 537

Offered by Senator E. Jones III and all Senators:
Mourns the death of Elaine S. Novak of Northbrook.

SENATE RESOLUTION NO. 538

Offered by Senator Link and all Senators:
Mourns the death of Ruth M. Rothstein (nee Merson).

SENATE RESOLUTION NO. 539

Offered by Senator Link and all Senators:
Mourns the death of John W. Lynn of Mundelein.

SENATE RESOLUTION NO. 540

Offered by Senator Koehler and all Senators:
Mourns the death of Vera Simon of Peoria.

SENATE RESOLUTION NO. 541

Offered by Senator Koehler and all Senators:
Mourns the death of Robert "Bob" Shelton Wilkins of Peoria.

SENATE RESOLUTION NO. 542

Offered by Senator Dillard and all Senators:
Mourns the death of former Glen Ellyn Village President Constance "Connie" (nee Miller) Zimmerman.

SENATE RESOLUTION NO. 543

Offered by Senator Dillard and all Senators:
Mourns the death of Donald E. Eckmann.

SENATE RESOLUTION NO. 544

Offered by Senator Koehler and all Senators:
Mourns the death of David K. Parker of Peoria.

SENATE RESOLUTION NO. 545

Offered by Senator Link and all Senators:
Mourns the death of Ronald Frank "Doley" Dolence, Sr., of Gurnee.

SENATE RESOLUTION NO. 546

Offered by Senator Haine and all Senators:
Mourns the death of Randall "Randy" Mortland of East Alton.

SENATE RESOLUTION NO. 547

Offered by Senator Althoff and all Senators:
Mourns the death of Eleanore V. Reid of McHenry.

SENATE RESOLUTION NO. 548

Offered by Senator Link and all Senators:
Mourns the death of Debra Ann Hartwig (nee Lorenz) of Waukegan.

SENATE RESOLUTION NO. 549

Offered by Senator Link and all Senators:
Mourns the death of James T. Heier.

SENATE RESOLUTION NO. 550

Offered by Senator Haine and all Senators:
Mourns the death of Stefano Dima of Maryville.

SENATE RESOLUTION NO. 551

Offered by Senator Lightford and all Senators:
Mourns the death of Debra Regena Brown.

SENATE RESOLUTION NO. 552

Offered by Senator Hutchinson and all Senators:

Mourns the death of Wanda Patricia Simmons Raymond.

SENATE RESOLUTION NO. 553

Offered by Senators Brady – Bivins and all Senators:
Mourns the death of Glenn Albert Bottrell of Sherman.

SENATE RESOLUTION NO. 554

Offered by Senator McCann and all Senators:
Mourns the death of Susan Denise Baird of Chatham.

SENATE RESOLUTION NO. 555

Offered by Senator Link and all Senators:
Mourns the death of Michael Tobin Shklair of Beach Park.

SENATE RESOLUTION NO. 556

Offered by Senator Link and all Senators:
Mourns the death of Armand J. Rossi of Gurnee.

SENATE RESOLUTION NO. 557

Offered by Senator Link and all Senators:
Mourns the death of Pauline M. (nee Prather) Needham of Waukegan.

SENATE RESOLUTION NO. 558

Offered by Senator Link and all Senators:
Mourns the death of Reuben A. Segebarth of Waukegan.

SENATE RESOLUTION NO. 559

Offered by Senator Link and all Senators:
Mourns the death of Rudolph Morris of Waukegan.

SENATE RESOLUTION NO. 560

Offered by Senator Link and all Senators:
Mourns the death of Alexandra B. (nee Michalowski) Kraemer of Beach Park.

SENATE RESOLUTION NO. 561

Offered by Senator Link and all Senators:
Mourns the death of Zenia L. Killian of Waukegan.

SENATE RESOLUTION NO. 562

Offered by Senator Link and all Senators:
Mourns the death of Mary Jane (nee Durco) Bedrosian of Waukegan.

SENATE RESOLUTION NO. 563

Offered by Senator Link and all Senators:
Mourns the death of Larry Walter Cabine.

SENATE RESOLUTION NO. 564

Offered by Senator Link and all Senators:
Mourns the death of William Fredrick Behrens of Park City.

SENATE RESOLUTION NO. 565

Offered by Senator Koehler and all Senators:
Mourns the death of Warren R. Watkins.

SENATE RESOLUTION NO. 566

Offered by Senator Althoff and all Senators:
Mourns the death of Robert Joseph Gerloff.

SENATE RESOLUTION NO. 567

Offered by Senator McGuire and all Senators
Mourns the death of Catherine E. Holy.

SENATE RESOLUTION NO. 568

Offered by Senator McGuire and all Senators
Mourns the death of Anthony Paul “Tony” D’Amico, Jr.

SENATE RESOLUTION NO. 569

Offered by Senator Hunter and all Senators:
Mourns the death of Wilesha Faye Clay.

SENATE RESOLUTION NO. 570

Offered by Senator Hunter and all Senators:
Mourns the death of Queen Esther Tramble of Chicago.

SENATE RESOLUTION NO. 571

Offered by Senator Clayborne and all Senators:
Mourns the death of Marvin Wright.

SENATE RESOLUTION NO. 572

Offered by Senator Clayborne and all Senators:
Mourns the death of David Anthony Bozeman, Sr.

SENATE RESOLUTION NO. 573

Offered by Senator Kotowski and all Senators:
Mourns the death of Michael Donald Harper.

SENATE RESOLUTION NO. 574

Offered by Senator Althoff and all Senators:
Mourns the death of Patricia G. Orloff of McHenry.

SENATE RESOLUTION NO. 575

Offered by Senator Althoff and all Senators:
Mourns the death of James P. “Jim” Hartke of Crystal Lake.

SENATE RESOLUTION NO. 576

Offered by Senator Althoff and all Senators:
Mourns the death of John Francis Rourke of McHenry.

SENATE RESOLUTION NO. 577

Offered by Senator Althoff and all Senators:
Mourns the death of Patricia A. Haley of McHenry.

SENATE RESOLUTION NO. 578

Offered by Senator Althoff and all Senators:
Mourns the death of Edward A. “Doc” Bryant of Crystal Lake.

SENATE RESOLUTION NO. 579

Offered by Senator Althoff and all Senators:
Mourns the death of Janice Spella of Algonquin.

SENATE RESOLUTION NO. 580

Offered by Senator Kotowski and all Senators:
Mourns the death of Teresa J. Mazza.

SENATE RESOLUTION NO. 581

Offered by Senator Kotowski and all Senators:
Mourns the death of Thomas N. Rockey.

SENATE RESOLUTION NO. 582

Offered by Senator Collins and all Senators:
Mourns the death of Carrie Mae Richardson.

SENATE RESOLUTION NO. 583

Offered by Senator Link and all Senators:
Mourns the death of Vera Veljkovic of Waukegan.

SENATE RESOLUTION NO. 584

Offered by Senator Link and all Senators:
Mourns the death of John H. "Jack" Wallace, Sr.

SENATE RESOLUTION NO. 585

Offered by Senator Link and all Senators:
Mourns the death of Frank L. Wortham, Sr., of North Chicago.

SENATE RESOLUTION NO. 586

Offered by Senator Mulroe and all Senators:
Mourns the death of Edward Anthony Cummins.

SENATE RESOLUTION NO. 587

Offered by Senator Haine and all Senators:
Mourns the death of Shirley Gene Miller.

SENATE RESOLUTION NO. 588

Offered by Senator Haine and all Senators:
Mourns the death of Henry Bernal Saenz of Alton.

SENATE RESOLUTION NO. 589

Offered by Senator Sandoval and all Senators:
Mourns the death of Jay Douglas Webb.

SENATE RESOLUTION NO. 590

Offered by Senator Kotowski and all Senators:
Mourns the death of Thomas R. Fitzsimons.

SENATE RESOLUTION NO. 591

Offered by Senator LaHood and all Senators:
Mourns the death of William D. Greek of Henry.

SENATE RESOLUTION NO. 592

Offered by Senator Link and all Senators:
Mourns the death of Eloise Yvonne Applewhite of North Chicago.

SENATE RESOLUTION NO. 593

Offered by Senator Link and all Senators:
Mourns the death of Gussie Lee (nee Bonner) Parker of Beach Park.

SENATE RESOLUTION NO. 594

Offered by Senator Link and all Senators:
Mourns the death of Thomas Charles Roser.

SENATE RESOLUTION NO. 595

Offered by Senator Link and all Senators:
Mourns the death of Ethel Gay Viau.

SENATE RESOLUTION NO. 596

Offered by Senator Link and all Senators:
Mourns the death of Harrison "Gene" Willis of Vernon Hills.

SENATE RESOLUTION NO. 597

Offered by Senator Link and all Senators:
Mourns the death of Clare R. Zimmerman of Gurnee.

SENATE RESOLUTION NO. 598

Offered by Senator Manar and all Senators:
Mourns the death of J. Harold Diel of Staunton.

SENATE RESOLUTION NO. 599

Offered by Senator Manar and all Senators:
Mourns the death of Joseph Franklin Bolin, M.D.

SENATE RESOLUTION NO. 600

Offered by Senator Manar and all Senators:
Mourns the death of Donald L. Harms of Atwater.

SENATE RESOLUTION NO. 601

Offered by Senator Manar and all Senators:
Mourns the death of Lyle Welch Royal of Virden.

SENATE RESOLUTION NO. 602

Offered by Senator Manar and all Senators:
Mourns the death of Mary Katherine (Stegall) Lawton.

SENATE RESOLUTION NO. 603

Offered by Senator Rose and all Senators:
Mourns the death of Jennifer Sinclair Arnold Smith of Champaign.

SENATE RESOLUTION NO. 604

Offered by Senator Link and all Senators:
Mourns the death of Morris A. Yellen.

SENATE RESOLUTION NO. 605

Offered by Senator Bivins and all Senators:
Mourns the death of Ruth J. (nee Tunila) Wiggers of Lincoln.

SENATE RESOLUTION NO. 606

Offered by Senator Dillard and all Senators:
Mourns the death of Thomas R. Fitzsimons.

SENATE RESOLUTION NO. 607

Offered by Senator Dillard and all Senators:
Mourns the death of Dennis Murphy of Willow Springs.

SENATE RESOLUTION NO. 608

Offered by Senator Dillard and all Senators:
Mourns the death of Paul Rosenberg.

SENATE RESOLUTION NO. 609

Offered by Senator Haine and all Senators:
Mourns the death of Salvatori A. Lavite of Wood River.

SENATE RESOLUTION NO. 610

Offered by Senator Koehler and all Senators:
Mourns the death of Patrick Allen Parsons of Peoria.

SENATE RESOLUTION NO. 611

Offered by Senator Koehler and all Senators:

Mourns the death of Carolyn Ann Greene Axt of Peoria.

SENATE RESOLUTION NO. 612

Offered by Senator Koehler and all Senators:
Mourns the death of Joseph P. Spears of Hanna City.

SENATE RESOLUTION NO. 613

Offered by Senator Althoff and all Senators:
Mourns the death of Christine “Nelly” Freund of McHenry.

SENATE RESOLUTION NO. 614

Offered by Senator Althoff and all Senators:
Mourns the death of Madeline G. Bolger of McHenry.

SENATE RESOLUTION NO. 615

Offered by Senator Althoff and all Senators:
Mourns the death of Anna Alaimo Kenny of McHenry.

SENATE RESOLUTION NO. 616

Offered by Senator Althoff and all Senators:
Mourns the death of Kenneth J. Steinlein of McHenry.

SENATE RESOLUTION NO. 617

Offered by Senator Althoff and all Senators:
Mourns the death of Greg McCoy of Woodstock.

SENATE RESOLUTION NO. 618

Offered by Senator Link and all Senators:
Mourns the death of Cheryl Ruth “Cherie” Rosko (nee Eckert) of Lake Forest.

SENATE RESOLUTION NO. 619

Offered by Senator Kotowski and all Senators:
Mourns the death of Teresa J. Mazza.

SENATE RESOLUTION NO. 620

Offered by Senator Manar and all Senators:
Mourns the death of Arno Barth of Bunker Hill.

SENATE RESOLUTION NO. 621

Offered by Senator Kotowski and all Senators:
Mourns the death of Susan Lynn (nee Bunger) Andreas of Maryville.

SENATE RESOLUTION NO. 622

Offered by Senator Kotowski and all Senators:
Mourns the death of Susan Ann Lemon McNeely of Jacksonville.

SENATE RESOLUTION NO. 623

Offered by Senator Stadelman and all Senators:
Mourns the death of Dorothy Jean Galloway of Rockford.

SENATE RESOLUTION NO. 624

Offered by Senator E. Jones III and all Senators:
Mourns the death of Ruth “Grandma” Jones.

SENATE RESOLUTION NO. 625

Offered by Senator Rose and all Senators:
Mourns the death of James R. “Jim” Allee of Mattoon.

SENATE RESOLUTION NO. 626

Offered by Senator McCann and all Senators:
Mourns the death of Michael S. Meyer of Springfield.

SENATE RESOLUTION NO. 627

Offered by Senator McCann and all Senators:
Mourns the death of Glenn Albert Bottrell of Sherman.

SENATE RESOLUTION NO. 628

Offered by Senator McCann and all Senators:
Mourns the death of Allen L. Goode.

SENATE RESOLUTION NO. 629

Offered by Senator McCann and all Senators:
Mourns the death of former State Representative Frederick Harris Rowe of Jacksonville.

SENATE RESOLUTION NO. 630

Offered by Senator McCann and all Senators:
Mourns the death of Robert E. Greaves.

SENATE RESOLUTION NO. 631

Offered by Senator McCann and all Senators:
Mourns the death of Janice Arleen Cates.

SENATE RESOLUTION NO. 632

Offered by Senator Althoff and all Senators:
Mourns the death of Beth Ann Klyczek of Crystal Lake.

SENATE RESOLUTION NO. 633

Offered by Senator Althoff and all Senators:
Mourns the death of Wanda G. Palmer of Johnsburg.

SENATE RESOLUTION NO. 641

Offered by Senator Link and all Senators:
Mourns the death of Glenda Green of Waukegan.

SENATE RESOLUTION NO. 642

Offered by Senator Murphy and all Senators:
Mourns the death of Michael Patrick Mullen, Sr.

SENATE RESOLUTION NO. 643

Offered by Senator Syverson and all Senators:
Mourns the death of Audrey Joy Smith of Mt. Vernon.

SENATE RESOLUTION NO. 644

Offered by Senator Syverson and all Senators:
Mourns the death of Edith Javorik of Aurora.

SENATE RESOLUTION NO. 645

Offered by Senator Syverson and all Senators:
Mourns the death of Dolores (need Ruddy) Stumm of New Orleans, Louisiana, formerly of Aurora.

SENATE RESOLUTION NO. 646

Offered by Senator Althoff and all Senators:
Mourns the death of Matthew John Porter of Woodstock.

SENATE RESOLUTION NO. 647

Offered by Senator Althoff and all Senators:
Mourns the death of Robert A. Gagnon of Antioch.

SENATE RESOLUTION NO. 648

Offered by Senator Harmon and all Senators:
Mourns the death of Linscott R. Hanson of Green Oaks.

SENATE RESOLUTION NO. 650

Offered by Senators Barickman – Brady and all Senators:
Mourns the death of Jeffrey Rance Hilton of Lexington.

SENATE RESOLUTION NO. 651

Offered by Senator Brady and all Senators:
Mourns the death of J. Mark Harrison of Springfield.

SENATE RESOLUTION NO. 652

Offered by Senator Bush and all Senators:
Mourns the death of Kim K. Kearby.

SENATE RESOLUTION NO. 653

Offered by Senator Murphy and all Senators:
Mourns the death of Bette B. Novak of Arlington Heights.

SENATE RESOLUTION NO. 654

Offered by Senator Haine and all Senators:
Mourns the death of Harrison Brooks “Jug” Paisley of Wood River.

SENATE RESOLUTION NO. 655

Offered by Senator Link and all Senators:
Mourns the death of Norman R. Cravens of Dahlgren.

SENATE RESOLUTION NO. 656

Offered by Senator Frerichs and all Senators:
Mourns the death of Erving Robert “Bob” Pape III of Danville.

SENATE RESOLUTION NO. 657

Offered by Senator Frerichs and all Senators:
Mourns the death of Larry S. Mills of Danville.

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

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 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. 61

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Wednesday, October 23, 2013, the House of Representatives stands adjourned until Tuesday, November 05, 2013 at 12:00 o'clock noon, or until the call of the Speaker; and the Senate stands adjourned until Tuesday, November 05, 2013 at 12:00 o'clock noon, or until the call of the President.

Adopted by the House, October 23, 2013.

[October 23, 2013]

TIMOTHY D. MAPES, Clerk of the House

By unanimous consent, on motion of Senator Link, the foregoing message reporting House Joint Resolution No. 61 was taken up for immediate consideration.

Senator Link moved that the Senate concur with the House in the adoption of the resolution.

The motion prevailed.

And the Senate concurred with the House in the adoption of the resolution.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 3:46 o'clock p.m., pursuant to **House Joint Resolution No. 61**, the Chair announced the Senate stand adjourned until Tuesday, November 5, 2013, at 12:00 o'clock noon, or until the call of the President.