



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-EIGHTH GENERAL ASSEMBLY**

**115TH LEGISLATIVE DAY**

**THURSDAY, MAY 1, 2014**

**10:37 O'CLOCK A.M.**

**SENATE**  
**Daily Journal Index**  
**115th Legislative Day**

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The Senate met pursuant to adjournment.  
Senator James F. Clayborne, Belleville, Illinois, presiding.  
Prayer by Chance Newingham, Lifegate International Ministries, Athens, Illinois.  
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, April 30, 2014, be postponed, pending arrival of the printed Journal.  
The motion prevailed.

### **REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

May 1, 2014 Bi-monthly Report pursuant to HB2275 (Public Act 98-0008), submitted by the Department on Aging.

2013 Adult Redeploy Annual Report, submitted by the Department of Corrections and the Department of Human Services.

Illinois Medicaid Redetermination Project Reports pursuant to P.A. 97-0689, submitted by the Department of Human Services and Department of Healthcare and Family Services.

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

### **LEGISLATIVE MEASURES FILED**

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

Senate Floor Amendment No. 1 to Senate Bill 2010  
Senate Floor Amendment No. 1 to Senate Bill 2674  
Senate Floor Amendment No. 2 to Senate Bill 2674

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

Senate Committee Amendment No. 1 to House Bill 5926

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

Senate Committee Amendment No. 2 to Senate Joint Resolution 67

### **PRESENTATION OF RESOLUTIONS**

#### **SENATE RESOLUTION NO. 1125**

Offered by Senator Dillard and all Senators:  
Mourns the death of Kenneth William Oestermeyer of Burr Ridge.

#### **SENATE RESOLUTION NO. 1126**

Offered by Senator Dillard and all Senators:  
Mourns the death of Herbert R. "Kip" Pohl, Jr., formerly of La Grange Park.

#### **SENATE RESOLUTION NO. 1127**

Offered by Senator Manar and all Senators:  
Mourns the death of Louis Enke of Bunker Hill.

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**SENATE RESOLUTION NO. 1128**

Offered by Senator Manar and all Senators:  
Mourns the death of Arden F. Clemonds of Rushville.

**SENATE RESOLUTION NO. 1129**

Offered by Senator Manar and all Senators:  
Mourns the death of William J. Johnson of Nokomis.

**SENATE RESOLUTION NO. 1130**

Offered by Senators Bertino-Tarrant - Jacobs and all Senators:  
Mourns the death of Tony A. Rasche of Moline.

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

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

**SENATE JOINT RESOLUTION NO. 72**

WHEREAS, On March 10, 2014 the Du Quoin City Council unanimously approved a resolution seeking to name the Du Quoin overpass after former Mayor, the late John Rednour, Sr.; and

WHEREAS, For nearly 75 years the citizens of Du Quoin heard discussions concerning the creation of an overpass within their town; trains coming through would cut the town in half, prohibiting vehicles, including emergency responders, from getting to those in need, creating literal life-and-death situations; and

WHEREAS, John Rednour, Sr. served as the Mayor of Du Quoin for for 24 years from 1989 to 2013 and was instrumental in finally securing funding for the construction of the overpass when others had been unable to do so; and

WHEREAS, John Rednour, Sr. challenged others "to become part of the solution" and let his actions speak for themselves; 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 the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name "John Rednour, Sr. Overpass"; and be it further

RESOLVED, That suitable copies of this resolution be presented to Du Quoin Mayor Rex Duncan and the Secretary of the Illinois Department of Transportation.

**REPORTS FROM STANDING COMMITTEES**

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Resolution No. 1002**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolution, as amended, be adopted.

Under the rules, **Senate Resolution No. 1002** was placed on the Secretary's Desk.

Senator Landek, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **House Bills Numbered 3748, 3833, 4283, 4491, 4556, 4557 and 4569**, reported the same back with the recommendation that the bills do pass.

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

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Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred **House Bills Numbered 3902, 4535, 4593 and 4707**, reported the same back with the recommendation that the bills 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 **House Bills Numbered 4208, 4442 and 5017**, reported the same back with the recommendation that the bills do pass.

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

Senator Hutchinson, Chairperson of the Committee on Revenue, to which was referred **House Bill No. 3885**, reported the same back with the recommendation that the bill do pass.

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

### COMMITTEE REPORT CORRECTION

On April 30, 2014, the Senate Committee on Transportation reported Senate Amendment 1 to Senate Bill 2620 and Senate Amendment 1 to Senate Bill 3398 to the Senate with a recommendation of “recommend do adopt.” Senate Amendment 1 to Senate Bill 2620 and Senate amendment 1 to Senate Bill 3398 were postponed by the committee.

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

**House Bill No. 4914**, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5674**, sponsored by Senator Raoul, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5701**, sponsored by Senator Muñoz, was taken up, read by title a first time and referred to the Committee on Assignments.

### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Silverstein, **House Bill No. 4403** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 47; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	Luechtefeld	Radogno
Barickman	Harris	Manar	Raoul
Bertino-Tarrant	Hastings	Martinez	Rezin
Biss	Holmes	McCann	Rose
Brady	Hunter	McCarter	Silverstein
Clayborne	Hutchinson	McGuire	Stadelman
Connelly	Jacobs	Morrison	Steans
Cullerton, T.	Koehler	Mulroe	Sullivan
Cunningham	Kotowski	Muñoz	Trotter

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Dillard	LaHood	Murphy	Van Pelt
Frerichs	Lightford	Noland	Mr. President
Haine	Link	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.

On motion of Senator Sullivan, **House Bill No. 4505** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 47; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Link	Radogno
Barickman	Harmon	Luechtefeld	Raoul
Bertino-Tarrant	Harris	Manar	Rezin
Biss	Hastings	Martinez	Rose
Brady	Holmes	McCann	Silverstein
Bush	Hunter	McCarter	Stadelman
Clayborne	Hutchinson	McGuire	Steans
Connelly	Jacobs	Morrison	Sullivan
Cullerton, T.	Koehler	Mulroe	Trotter
Cunningham	Kotowski	Muñoz	Van Pelt
Dillard	LaHood	Noland	Mr. President
Frerichs	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.

On motion of Senator Brady, **House Bill No. 4590** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

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

### SENATE BILL RECALLED

On motion of Senator McConaughay, **Senate Bill No. 3270** was recalled from the order of third reading to the order of second reading.

Senator McConaughay offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO SENATE BILL 3270

AMENDMENT NO. 1. Amend Senate Bill 3270 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Nuclear Safety Preparedness Act is amended by changing Section 4 as follows: (420 ILCS 5/4) (from Ch. 111 1/2, par. 4304)

Sec. 4. Nuclear accident plans; fees. Persons engaged within this State in the production of electricity utilizing nuclear energy, the operation of nuclear test and research reactors, the chemical conversion of uranium, or the transportation, storage or possession of spent nuclear fuel or high-level radioactive waste shall pay fees to cover the cost of establishing plans and programs to deal with the possibility of nuclear accidents. Except as provided below, the fees shall be used to fund those Agency and local government activities defined as necessary by the Director to implement and maintain the plans and programs authorized by this Act. Local governments incurring expenses attributable to implementation and maintenance of the plans and programs authorized by this Act may apply to the Agency for compensation for those expenses, and upon approval by the Director of applications submitted by local governments, the Agency shall compensate local governments from fees collected under this Section. Compensation for local governments shall include \$250,000 in any year through fiscal year 1993, \$275,000 in fiscal year 1994 and fiscal year 1995, \$300,000 in fiscal year 1996, \$400,000 in fiscal year 1997, and \$450,000 in fiscal year 1998 and thereafter. Appropriations to the Department of Nuclear Safety (of which the Agency is the successor) for compensation to local governments from the Nuclear Safety Emergency Preparedness Fund provided for in this Section shall not exceed \$650,000 per State fiscal year. Expenditures from these appropriations shall not exceed, in a single State fiscal year, the annual compensation amount made available to local governments under this Section, unexpended funds made available for local government compensation in the previous fiscal year, and funds recovered under the Illinois Grant Funds Recovery Act during previous fiscal years. Notwithstanding any other provision of this Act, the expenditure limitation for fiscal year 1998 shall include the additional \$100,000 made available to local governments for fiscal year 1997 under this amendatory Act of 1997. The Agency shall, by rule, determine the method for compensating local governments under this Section. The appropriation shall not exceed \$500,000 in any year preceding fiscal year 1996; the appropriation shall not exceed \$625,000 in fiscal year 1996, \$725,000 in fiscal year 1997, and \$775,000 in fiscal year 1998 and thereafter. The fees shall consist of the following:

(1) A one-time charge of \$590,000 per nuclear power station in this State to be paid by the owners of the stations.

(2) An additional charge of \$240,000 per nuclear power station for which a fee under subparagraph (1) was paid before June 30, 1982.

(3) Through June 30, 1982, an annual fee of \$75,000 per year for each nuclear power reactor for which an operating license has been issued by the NRC, and after June 30, 1982, and through June 30, 1984 an annual fee of \$180,000 per year for each nuclear power reactor for which an operating license has been issued by the NRC, and after June 30, 1984, and through June 30, 1991, an annual fee of \$400,000 for each nuclear power reactor for which an operating license has been issued by the NRC, to be paid by the owners of nuclear power reactors operating in this State. After June 30, 1991, the owners of nuclear power reactors in this State for which operating licenses have been issued by the NRC shall pay the following fees for each such nuclear power reactor: for State fiscal year 1992, \$925,000; for State fiscal year 1993, \$975,000; for State fiscal year 1994, \$1,010,000; for State fiscal year 1995, \$1,060,000; for State fiscal years 1996 and 1997, \$1,110,000; for State fiscal year 1998, \$1,314,000; for State fiscal year 1999, \$1,368,000; for State fiscal year 2000, \$1,404,000; for State fiscal year 2001, \$1,696,455; for State fiscal year 2002, \$1,730,636; for State fiscal year 2003 through State fiscal year 2011, \$1,757,727; for State fiscal year 2012 and subsequent fiscal years, \$1,903,182.

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(3.5) The owner of a nuclear power reactor that notifies the Nuclear Regulatory Commission that the nuclear power reactor has permanently ceased operations during State fiscal year 1998 shall pay the following fees for each such nuclear power reactor: \$1,368,000 for State fiscal year 1999 and \$1,404,000 for State fiscal year 2000.

(4) A capital expenditure surcharge of \$1,400,000 per nuclear power station in this State, whether operating or under construction, shall be paid by the owners of the station.

(5) An annual fee of \$25,000 per year for each site for which a valid operating license has been issued by NRC for the operation of an away-from-reactor spent nuclear fuel or high-level radioactive waste storage facility, to be paid by the owners of facilities for the storage of spent nuclear fuel or high-level radioactive waste for others in this State.

(6) A one-time charge of \$280,000 for each facility in this State housing a nuclear test and research reactor, to be paid by the operator of the facility. However, this charge shall not be required to be paid by any tax-supported institution.

(7) A one-time charge of \$50,000 for each facility in this State for the chemical conversion of uranium, to be paid by the owner of the facility.

(8) An annual fee of \$150,000 per year for each facility in this State housing a nuclear test and research reactor, to be paid by the operator of the facility. However, this annual fee shall not be required to be paid by any tax-supported institution.

(9) An annual fee of \$15,000 per year for each facility in this State for the chemical conversion of uranium, to be paid by the owner of the facility.

(10) A fee assessed at the rate of \$2,500 per truck for each truck shipment and \$4,500 for the first cask and \$3,000 for each additional cask for each rail shipment of spent nuclear fuel, high-level radioactive waste, transuranic waste, or a highway route controlled quantity of radioactive materials received at or departing from any nuclear power station or away-from-reactor spent nuclear fuel, high-level radioactive waste, transuranic waste storage facility, or other facility in this State to be paid by the shipper of the spent nuclear fuel, high level radioactive waste, transuranic waste, or highway route controlled quantity of radioactive material. Truck shipments of greater than 250 miles in Illinois are subject to a surcharge of \$25 per mile over 250 miles for each truck in the shipment.

(11) A fee assessed at the rate of \$2,500 per truck for each truck shipment and \$4,500 for the first cask and \$3,000 for each additional cask for each rail shipment of spent nuclear fuel, high-level radioactive waste, transuranic waste, or a highway route controlled quantity of radioactive materials traversing the State to be paid by the shipper of the spent nuclear fuel, high level radioactive waste, transuranic waste, or highway route controlled quantity of radioactive material. Truck shipments of greater than 250 miles in Illinois are subject to a surcharge of \$25 per mile over 250 miles for each truck in the shipment. For truck shipments of less than 100 miles in Illinois that consist entirely of cobalt-60 or other medical isotopes or both, the \$2,500 per truck fee shall be reduced to \$1,500 for the first truck and \$750 for each additional truck in the same shipment.

(12) In each of the State fiscal years 1988 through 1991, in addition to the annual fee provided for in subparagraph (3), a fee of \$400,000 for each nuclear power reactor for which an operating license has been issued by the NRC, to be paid by the owners of nuclear power reactors operating in this State. Within 120 days after the end of the State fiscal years ending June 30, 1988, June 30, 1989, June 30, 1990, and June 30, 1991, the Agency shall determine the expenses of the Illinois Nuclear Safety Preparedness Program paid from funds appropriated for those fiscal years. (Source: P.A. 97-195, eff. 7-25-11; 97-732, eff. 6-30-12.)".

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 McConaughay, **Senate Bill No. 3270** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

[May 1, 2014]



The following voted in the affirmative:

Althoff	Harmon	Manar	Raoul
Barickman	Harris	Martinez	Rezin
Bertino-Tarrant	Hastings	McCann	Rose
Biss	Holmes	McCarter	Silverstein
Bivins	Hunter	McConaughay	Stadelman
Bush	Hutchinson	McGuire	Steans
Clayborne	Jacobs	Morrison	Sullivan
Connelly	Koehler	Mulroe	Syverson
Cullerton, T.	Kotowski	Muñoz	Trotter
Cunningham	LaHood	Murphy	Van Pelt
Dillard	Lightford	Noland	Mr. President
Frerichs	Link	Oberweis	
Haine	Luechtefeld	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 Hutchinson, **Senate Bill No. 3398** was recalled from the order of third reading to the order of second reading.

Senate Floor Amendment No. 1 was postponed in the Committee on Transportation.

Senator Hutchinson offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO SENATE BILL 3398

AMENDMENT NO. 2. Amend Senate Bill 3398 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 3-815 and 18b-101 as follows: (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

Sec. 3-815. Flat weight tax; vehicles of the second division.

(a) Except as provided in Section 3-806.3 and 3-804.3, every owner of a vehicle of the second division registered under Section 3-813, and not registered under the mileage weight tax under Section 3-818, shall pay to the Secretary of State, for each registration year, for the use of the public highways, a flat weight tax at the rates set forth in the following table, the rates including the \$10 registration fee:

#### SCHEDULE OF FLAT WEIGHT TAX REQUIRED BY LAW

Gross Weight in Lbs. Including Vehicle and Maximum Load	Class	Total Fees each Fiscal year
8,000 lbs. and less	B	\$98
8,001 lbs. to 12,000 lbs.	D	138
12,001 lbs. to 16,000 lbs.	F	242
16,001 lbs. to 26,000 lbs.	H	490
26,001 lbs. to 28,000 lbs.	J	630
28,001 lbs. to 32,000 lbs.	K	842
32,001 lbs. to 36,000 lbs.	L	982
36,001 lbs. to 40,000 lbs.	N	1,202
40,001 lbs. to 45,000 lbs.	P	1,390
45,001 lbs. to 50,000 lbs.	Q	1,538
50,001 lbs. to 54,999 lbs.	R	1,698
55,000 lbs. to 59,500 lbs.	S	1,830

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59,501 lbs. to 64,000 lbs.	T	1,970
64,001 lbs. to 73,280 lbs.	V	2,294
73,281 lbs. to 77,000 lbs.	X	2,622
77,001 lbs. to 80,000 lbs.	Z	2,790

Beginning with the 2010 registration year a \$1 surcharge shall be collected for vehicles registered in the 8,000 lbs. and less flat weight plate category above to be deposited into the State Police Vehicle Fund.

Beginning with the 2014 registration year, a \$2 surcharge shall be collected in addition to the above fees for vehicles registered in the 8,000 lb. and less flat weight plate category as described in this subsection (a) to be deposited into the Park and Conservation Fund for the Department of Natural Resources to use for conservation efforts. The monies deposited into the Park and Conservation Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

All of the proceeds of the additional fees imposed by this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

(a-1) A Special Hauling Vehicle is a vehicle or combination of vehicles of the second division registered under Section 3-813 transporting asphalt or concrete in the plastic state or a vehicle or combination of vehicles that are subject to the gross weight limitations in subsection (a) of Section 15-111 for which the owner of the vehicle or combination of vehicles has elected to pay, in addition to the registration fee in subsection (a), \$125 to the Secretary of State for each registration year. The Secretary shall designate this class of vehicle as a Special Hauling Vehicle.

(a-5) Beginning January 1, 2015, upon the request of the vehicle owner, a \$10 surcharge shall be collected in addition to the above fees for vehicles in the 12,000 lbs. and less flat weight plate categories as described in subsection (a) to be deposited into the Secretary of State Special License Plate Fund. The \$10 surcharge is to identify vehicles in the 12,000 lbs. and less flat weight plate categories as a covered farm vehicle. The \$10 surcharge is an annual, flat fee that shall be based on an applicant's new or existing registration year for each vehicle in the 12,000 lbs. and less flat weight plate categories. A designation as a covered farm vehicle under this subsection (a-5) shall not alter a vehicle's registration as a registration in the 12,000 lbs. or less flat weight category. The Secretary shall adopt any rules necessary to implement this subsection (a-5).

(b) Except as provided in Section 3-806.3, every camping trailer, motor home, mini motor home, travel trailer, truck camper or van camper used primarily for recreational purposes, and not used commercially, nor for hire, nor owned by a commercial business, may be registered for each registration year upon the filing of a proper application and the payment of a registration fee and highway use tax, according to the following table of fees:

MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER	
Gross Weight in Lbs.	Total Fees
Including Vehicle and	Each
Maximum Load	Calendar Year
8,000 lbs and less	\$78
8,001 Lbs. to 10,000 Lbs	90
10,001 Lbs. and Over	102
CAMPING TRAILER OR TRAVEL TRAILER	
Gross Weight in Lbs.	Total Fees
Including Vehicle and	Each
Maximum Load	Calendar Year
3,000 Lbs. and Less	\$18
3,001 Lbs. to 8,000 Lbs.	30
8,001 Lbs. to 10,000 Lbs.	38
10,001 Lbs. and Over	50

Every house trailer must be registered under Section 3-819.

(c) Farm Truck. Any truck used exclusively for the owner's own agricultural, horticultural or livestock raising operations and not-for-hire only, or any truck used only in the transportation for-hire of seasonal, fresh, perishable fruit or vegetables from farm to the point of first processing, may be registered by the owner under this paragraph in lieu of registration under paragraph (a), upon filing of a proper application and the payment of the \$10 registration fee and the highway use tax herein specified as follows:

SCHEDULE OF FEES AND TAXES

Gross Weight in Lbs.		Total Amount for
Including Truck and		each
Maximum Load	Class	Fiscal Year

16,000 lbs. or less	VF	\$150
16,001 to 20,000 lbs.	VG	226
20,001 to 24,000 lbs.	VH	290
24,001 to 28,000 lbs.	VJ	378
28,001 to 32,000 lbs.	VK	506
32,001 to 36,000 lbs.	VL	610
36,001 to 45,000 lbs.	VP	810
45,001 to 54,999 lbs.	VR	1,026
55,000 to 64,000 lbs.	VT	1,202
64,001 to 73,280 lbs.	VV	1,290
73,281 to 77,000 lbs.	VX	1,350
77,001 to 80,000 lbs.	VZ	1,490

In the event the Secretary of State revokes a farm truck registration as authorized by law, the owner shall pay the flat weight tax due hereunder before operating such truck.

Any combination of vehicles having 5 axles, with a distance of 42 feet or less between extreme axles, that are subject to the weight limitations in subsection (a) of Section 15-111 for which the owner of the combination of vehicles has elected to pay, in addition to the registration fee in subsection (c), \$125 to the Secretary of State for each registration year shall be designated by the Secretary as a Special Hauling Vehicle.

(d) The number of axles necessary to carry the maximum load provided shall be determined from Chapter 15 of this Code.

(e) An owner may only apply for and receive 5 farm truck registrations, and only 2 of those 5 vehicles shall exceed 59,500 gross weight in pounds per vehicle.

(f) Every person convicted of violating this Section by failure to pay the appropriate flat weight tax to the Secretary of State as set forth in the above tables shall be punished as provided for in Section 3-401. (Source: P.A. 97-201, eff. 1-1-12; 97-811, eff. 7-13-12; 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13.)

(625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

Sec. 18b-101. Definitions. Unless the context otherwise clearly requires, as used in this Chapter:

"Agricultural commodities" means any agricultural commodity, non-processed food, feed, fiber, or livestock, including insects.

"Agricultural operations" means the operation of a motor vehicle or combination of vehicles transporting agricultural commodities or farm supplies for agricultural purposes.

"Air mile" means a nautical mile, which is equivalent to 6,076 feet or 1,852 meters. Accordingly, 100 air miles are equivalent to 115.08 statute miles or 185.2 kilometers.

"Commercial motor vehicle" means any self propelled or towed vehicle used on public highways in interstate and intrastate commerce to transport passengers or property when the vehicle has a gross vehicle weight, a gross vehicle weight rating, a gross combination weight, or a gross combination weight rating of 10,001 or more pounds; or the vehicle is used or designed to transport more than 15 passengers, including the driver; or the vehicle is designed to carry 15 or fewer passengers and is operated by a contract carrier transporting employees in the course of their employment on a highway of this State; or the vehicle is used or designed to transport between 9 and 15 passengers, including the driver, for direct compensation; or the vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under the Illinois Hazardous Materials Transportation Act. This definition shall not include farm machinery, fertilizer spreaders, and other special agricultural movement equipment described in Section 3-809 nor implements of husbandry as defined in Section 1-130. †

"Covered farm vehicle", for purposes of this Chapter and rule-making under this Chapter, means a straight truck or articulated vehicle, excluding vehicles transporting hazardous materials of a type or quantity that requires the vehicle to be placarded in accordance with the Illinois Hazardous Materials Transportation Act, registered in this State or another state and equipped with a special license plate or other designation by the state in which the vehicle is registered identifying the vehicle as a covered farm vehicle for law enforcement personnel and:

(1) is operated by a farm or ranch owner or operator, or an employee or family member of the farm or ranch owner or operator; and

(2) is being used to transport the following to or from a farm or ranch:

(A) agricultural commodities;

(B) livestock; or

(C) machinery or supplies; and

(3) if registered in this State, is:

(A) registered as a farm truck under subsection (c) of Section 3-815 of this Code; or

(B) operated in combination as an articulated vehicle when the truck in the combination is registered for 12,000 lbs. or less as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code or subsection (a) of Section 3-818 of this Code and contains in the cab of the motor vehicle a registration designating the vehicle as a covered farm vehicle under subsection (a) of Section 3-815 of this Code and the trailer in the combination is registered as a farm trailer under subsection (a) of Section 3-819 of this Code and displays a farm registration license plate; or

(C) a truck registered for 12,000 lbs. or less as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code or subsection (a) of Section 3-818 of this Code containing in the cab of the motor vehicle a registration designating the vehicle as a covered farm vehicle under subsection (a) of Section 3-815 of this Code that is towing an implement of husbandry as part of a farming operation; and

(4) is not used in for-hire motor carrier operations; except that this paragraph (4) does not apply to the transport of a landlord's portion of crops by a tenant under a crop share farm lease agreement; and

(5) has a gross vehicle weight rating (GVWR), a gross combination weight rating (GCWR), or a gross vehicle weight or gross vehicle combination weight, whichever is greater, that is:

(A) 26,001 lbs. or less, for vehicles operating in interstate commerce; or

(B) greater than 26,001 lbs., operating in interstate commerce and registered in this State; or

(C) greater than 26,001 lbs. and traveling interstate within 150 air miles of the farm or ranch for which the vehicle is being operated, regardless of whether it is registered in this State; or

(D) greater than 10,000 lbs. and traveling intrastate.

"Direct compensation" means payment made to the motor carrier by the passengers or a person acting on behalf of the passengers for the transportation services provided, and not included in a total package charge or other assessment for highway transportation services. †

"Farm supplies for agricultural purposes" means products directly related to the growing or harvesting of agricultural commodities and livestock feed at any time of the year. †

"Livestock" means cattle, sheep, goats, swine, poultry (including egg-producing poultry), fish used for food, and other animals designated by the Secretary of the United States Department of Transportation (at his or her sole discretion) that are part of a foundation herd (including producing dairy cattle) or offspring. †

"Officer" means Illinois State Police Officer. †

"Person" means any natural person or individual, governmental body, firm, association, partnership, copartnership, joint venture, company, corporation, joint stock company, trust, estate or any other legal entity or their legal representative, agent or assigns.

(Source: P.A. 97-795, eff. 1-1-13.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Hutchinson offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO SENATE BILL 3398**

AMENDMENT NO. 3. Amend Senate Bill 3398 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 3-815 and 18b-101 as follows: (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

Sec. 3-815. Flat weight tax; vehicles of the second division.

(a) Except as provided in Section 3-806.3 and 3-804.3, every owner of a vehicle of the second division registered under Section 3-813, and not registered under the mileage weight tax under Section 3-818, shall pay to the Secretary of State, for each registration year, for the use of the public highways, a flat weight tax at the rates set forth in the following table, the rates including the \$10 registration fee:

**SCHEDULE OF FLAT WEIGHT TAX  
REQUIRED BY LAW**

Gross Weight in Lbs. Including Vehicle and Maximum Load	Class	Total Fees each Fiscal year
8,000 lbs. and less	B	\$98

[May 1, 2014]

8,001 lbs. to 12,000 lbs.	D	138
12,001 lbs. to 16,000 lbs.	F	242
16,001 lbs. to 26,000 lbs.	H	490
26,001 lbs. to 28,000 lbs.	J	630
28,001 lbs. to 32,000 lbs.	K	842
32,001 lbs. to 36,000 lbs.	L	982
36,001 lbs. to 40,000 lbs.	N	1,202
40,001 lbs. to 45,000 lbs.	P	1,390
45,001 lbs. to 50,000 lbs.	Q	1,538
50,001 lbs. to 54,999 lbs.	R	1,698
55,000 lbs. to 59,500 lbs.	S	1,830
59,501 lbs. to 64,000 lbs.	T	1,970
64,001 lbs. to 73,280 lbs.	V	2,294
73,281 lbs. to 77,000 lbs.	X	2,622
77,001 lbs. to 80,000 lbs.	Z	2,790

Beginning with the 2010 registration year a \$1 surcharge shall be collected for vehicles registered in the 8,000 lbs. and less flat weight plate category above to be deposited into the State Police Vehicle Fund.

Beginning with the 2014 registration year, a \$2 surcharge shall be collected in addition to the above fees for vehicles registered in the 8,000 lb. and less flat weight plate category as described in this subsection (a) to be deposited into the Park and Conservation Fund for the Department of Natural Resources to use for conservation efforts. The monies deposited into the Park and Conservation Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

All of the proceeds of the additional fees imposed by this amendatory Act of the 96th General Assembly shall be deposited into the Capital Projects Fund.

(a-1) A Special Hauling Vehicle is a vehicle or combination of vehicles of the second division registered under Section 3-813 transporting asphalt or concrete in the plastic state or a vehicle or combination of vehicles that are subject to the gross weight limitations in subsection (a) of Section 15-111 for which the owner of the vehicle or combination of vehicles has elected to pay, in addition to the registration fee in subsection (a), \$125 to the Secretary of State for each registration year. The Secretary shall designate this class of vehicle as a Special Hauling Vehicle.

(a-5) Beginning January 1, 2015, upon the request of the vehicle owner, a \$10 surcharge shall be collected in addition to the above fees for vehicles in the 12,000 lbs. and less flat weight plate categories as described in subsection (a) to be deposited into the Secretary of State Special License Plate Fund. The \$10 surcharge is to identify vehicles in the 12,000 lbs. and less flat weight plate categories as a covered farm vehicle. The \$10 surcharge is an annual, flat fee that shall be based on an applicant's new or existing registration year for each vehicle in the 12,000 lbs. and less flat weight plate categories. A designation as a covered farm vehicle under this subsection (a-5) shall not alter a vehicle's registration as a registration in the 12,000 lbs. or less flat weight category. The Secretary shall adopt any rules necessary to implement this subsection (a-5).

(b) Except as provided in Section 3-806.3, every camping trailer, motor home, mini motor home, travel trailer, truck camper or van camper used primarily for recreational purposes, and not used commercially, nor for hire, nor owned by a commercial business, may be registered for each registration year upon the filing of a proper application and the payment of a registration fee and highway use tax, according to the following table of fees:

MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER		
Gross Weight in Lbs.	Including Vehicle and Maximum Load	Total Fees Each Calendar Year
8,000 lbs and less		\$78
8,001 Lbs. to 10,000 Lbs		90
10,001 Lbs. and Over		102
CAMPING TRAILER OR TRAVEL TRAILER		
Gross Weight in Lbs.	Including Vehicle and Maximum Load	Total Fees Each Calendar Year
3,000 Lbs. and Less		\$18
3,001 Lbs. to 8,000 Lbs.		30
8,001 Lbs. to 10,000 Lbs.		38

10,001 Lbs. and Over

50

Every house trailer must be registered under Section 3-819.

(c) Farm Truck. Any truck used exclusively for the owner's own agricultural, horticultural or livestock raising operations and not-for-hire only, or any truck used only in the transportation for-hire of seasonal, fresh, perishable fruit or vegetables from farm to the point of first processing, may be registered by the owner under this paragraph in lieu of registration under paragraph (a), upon filing of a proper application and the payment of the \$10 registration fee and the highway use tax herein specified as follows:

SCHEDULE OF FEES AND TAXES

Gross Weight in Lbs. Including Truck and Maximum Load	Class	Total Amount for each Fiscal Year
16,000 lbs. or less	VF	\$150
16,001 to 20,000 lbs.	VG	226
20,001 to 24,000 lbs.	VH	290
24,001 to 28,000 lbs.	VJ	378
28,001 to 32,000 lbs.	VK	506
32,001 to 36,000 lbs.	VL	610
36,001 to 45,000 lbs.	VP	810
45,001 to 54,999 lbs.	VR	1,026
55,000 to 64,000 lbs.	VT	1,202
64,001 to 73,280 lbs.	VV	1,290
73,281 to 77,000 lbs.	VX	1,350
77,001 to 80,000 lbs.	VZ	1,490

In the event the Secretary of State revokes a farm truck registration as authorized by law, the owner shall pay the flat weight tax due hereunder before operating such truck.

Any combination of vehicles having 5 axles, with a distance of 42 feet or less between extreme axles, that are subject to the weight limitations in subsection (a) of Section 15-111 for which the owner of the combination of vehicles has elected to pay, in addition to the registration fee in subsection (c), \$125 to the Secretary of State for each registration year shall be designated by the Secretary as a Special Hauling Vehicle.

(d) The number of axles necessary to carry the maximum load provided shall be determined from Chapter 15 of this Code.

(e) An owner may only apply for and receive 5 farm truck registrations, and only 2 of those 5 vehicles shall exceed 59,500 gross weight in pounds per vehicle.

(f) Every person convicted of violating this Section by failure to pay the appropriate flat weight tax to the Secretary of State as set forth in the above tables shall be punished as provided for in Section 3-401.

(Source: P.A. 97-201, eff. 1-1-12; 97-811, eff. 7-13-12; 97-1136, eff. 1-1-13; 98-463, eff. 8-16-13.)

(625 ILCS 5/18b-101) (from Ch. 95 1/2, par. 18b-101)

Sec. 18b-101. Definitions. Unless the context otherwise clearly requires, as used in this Chapter:

"Agricultural commodities" means any agricultural commodity, non-processed food, feed, fiber, or livestock, including insects.

"Agricultural operations" means the operation of a motor vehicle or combination of vehicles transporting agricultural commodities or farm supplies for agricultural purposes.

"Air mile" means a nautical mile, which is equivalent to 6,076 feet or 1,852 meters. Accordingly, 100 air miles are equivalent to 115.08 statute miles or 185.2 kilometers.

"Commercial motor vehicle" means any self propelled or towed vehicle used on public highways in interstate and intrastate commerce to transport passengers or property when the vehicle has a gross vehicle weight, a gross vehicle weight rating, a gross combination weight, or a gross combination weight rating of 10,001 or more pounds; or the vehicle is used or designed to transport more than 15 passengers, including the driver; or the vehicle is designed to carry 15 or fewer passengers and is operated by a contract carrier transporting employees in the course of their employment on a highway of this State; or the vehicle is used or designed to transport between 9 and 15 passengers, including the driver, for direct compensation; or the vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under the Illinois Hazardous Materials Transportation Act. This definition shall not include farm machinery, fertilizer spreaders, and other special agricultural movement equipment described in Section 3-809 nor implements of husbandry as defined in Section 1-130.5

"Covered farm vehicle", for purposes of this Chapter and rule-making under this Chapter, means a straight truck or articulated vehicle, excluding vehicles transporting hazardous materials of a type or quantity that requires the vehicle to be placarded in accordance with the Illinois Hazardous Materials

Transportation Act, registered in this State or another state and equipped with a special license plate or other designation by the state in which the vehicle is registered identifying the vehicle as a covered farm vehicle for law enforcement personnel and:

(1) is operated by a farm or ranch owner or operator, or an employee or family member of the farm or ranch owner or operator; and

(2) is being used to transport the following to or from a farm or ranch:

(A) agricultural commodities;

(B) livestock; or

(C) machinery or supplies; and

(3) if registered in this State, is:

(A) registered as a farm truck under subsection (c) of Section 3-815 of this Code; or

(B) operated in combination as an articulated vehicle when the truck in the combination is registered for 12,000 lbs. or less as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code or subsection (a) of Section 3-818 of this Code and contains in the cab of the motor vehicle a registration designating the vehicle as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code and the trailer in the combination is registered as a farm trailer under subsection (a) of Section 3-819 of this Code and displays a farm registration license plate; or

(C) a truck registered for 12,000 lbs. or less as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code or subsection (a) of Section 3-818 of this Code containing in the cab of the motor vehicle a registration designating the vehicle as a covered farm vehicle under subsections (a) and (a-5) of Section 3-815 of this Code that is towing an implement of husbandry as part of a farming operation; and

(4) is not used in for-hire motor carrier operations; however, for-hire motor carrier operations do not include the operation of a vehicle meeting the definition of a covered farm vehicle by a tenant pursuant to a crop share farm lease agreement to transport the landlord's portion of the crops under that agreement; and

(5) has a gross vehicle weight rating (GVWR), a gross combination weight rating (GCWR), or a gross vehicle weight or gross vehicle combination weight, whichever is greater, that is:

(A) 26,001 lbs. or less, for vehicles operating in interstate commerce; or

(B) greater than 26,001 lbs., operating in interstate commerce and registered in this State; or

(C) greater than 26,001 lbs. and traveling interstate within 150 air miles of the farm or ranch for which the vehicle is being operated, regardless of whether it is registered in this State; or

(D) greater than 10,000 lbs. and traveling intrastate.

"Direct compensation" means payment made to the motor carrier by the passengers or a person acting on behalf of the passengers for the transportation services provided, and not included in a total package charge or other assessment for highway transportation services. †

"Farm supplies for agricultural purposes" means products directly related to the growing or harvesting of agricultural commodities and livestock feed at any time of the year. ‡

"Livestock" means cattle, sheep, goats, swine, poultry (including egg-producing poultry), fish used for food, and other animals designated by the Secretary of the United States Department of Transportation (at his or her sole discretion) that are part of a foundation herd (including producing dairy cattle) or offspring. ‡

"Officer" means Illinois State Police Officer. ‡

"Person" means any natural person or individual, governmental body, firm, association, partnership, copartnership, joint venture, company, corporation, joint stock company, trust, estate or any other legal entity or their legal representative, agent or assigns.

(Source: P.A. 97-795, eff. 1-1-13.)

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 Amendments numbered 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

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

[May 1, 2014]

On motion of Senator Hutchinson, **Senate Bill No. 3398** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Muñoz, **Senate Bill No. 3478** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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.

[May 1, 2014]



**SENATE BILL RECALLED**

On motion of Senator Link, **Senate Bill No. 509** was recalled from the order of third reading to the order of second reading.

Senator Link offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO SENATE BILL 509**

AMENDMENT NO. 1. Amend Senate Bill 509 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-4 as follows:  
(65 ILCS 5/11-74.4-4) (from Ch. 24, par. 11-74.4-4)

Sec. 11-74.4-4. Municipal powers and duties; redevelopment project areas. The changes made by this amendatory Act of the 91st General Assembly do not apply to a municipality that, (i) before the effective date of this amendatory Act of the 91st General Assembly, has adopted an ordinance or resolution fixing a time and place for a public hearing under Section 11-74.4-5 or (ii) before July 1, 1999, has adopted an ordinance or resolution providing for a feasibility study under Section 11-74.4-4.1, but has not yet adopted an ordinance approving redevelopment plans and redevelopment projects or designating redevelopment project areas under this Section, until after that municipality adopts an ordinance approving redevelopment plans and redevelopment projects or designating redevelopment project areas under this Section; thereafter the changes made by this amendatory Act of the 91st General Assembly apply to the same extent that they apply to redevelopment plans and redevelopment projects that were approved and redevelopment projects that were designated before the effective date of this amendatory Act of the 91st General Assembly.

A municipality may:

(a) By ordinance introduced in the governing body of the municipality within 14 to 90 days from the completion of the hearing specified in Section 11-74.4-5 approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to notice and hearing required by this Act. No redevelopment project area shall be designated unless a plan and project are approved prior to the designation of such area and such area shall include only those contiguous parcels of real property and improvements thereon substantially benefited by the proposed redevelopment project improvements. Upon adoption of the ordinances, the municipality shall forthwith transmit to the county clerk of the county or counties within which the redevelopment project area is located a certified copy of the ordinances, a legal description of the redevelopment project area, a map of the redevelopment project area, identification of the year that the county clerk shall use for determining the total initial equalized assessed value of the redevelopment project area consistent with subsection (a) of Section 11-74.4-9, and a list of the parcel or tax identification number of each parcel of property included in the redevelopment project area.

(b) Make and enter into all contracts with property owners, developers, tenants, overlapping taxing bodies, and others necessary or incidental to the implementation and furtherance of its redevelopment plan and project. Contract provisions concerning loan repayment obligations in contracts entered into on or after the effective date of this amendatory Act of the 93rd General Assembly shall terminate no later than the last to occur of the estimated dates of completion of the redevelopment project and retirement of the obligations issued to finance redevelopment project costs as required by item (3) of subsection (n) of Section 11-74.4-3. Payments received under contracts entered into by the municipality prior to the effective date of this amendatory Act of the 93rd General Assembly that are received after the redevelopment project area has been terminated by municipal ordinance shall be deposited into a special fund of the municipality to be used for other community redevelopment needs within the redevelopment project area.

(c) Within a redevelopment project area, acquire by purchase, donation, lease or eminent domain; own, convey, lease, mortgage or dispose of land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality determines is reasonably necessary to achieve the objectives of the redevelopment plan and project. No conveyance, lease, mortgage, disposition of land or other property owned by a municipality, or agreement relating to the development of such municipal property shall be made except upon the adoption of an ordinance by the corporate authorities of the municipality. Furthermore, no conveyance, lease, mortgage, or other disposition of land owned by a municipality or agreement relating to the development of such municipal property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's

[May 1, 2014]

request. The procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids.

(d) Within a redevelopment project area, clear any area by demolition or removal of any existing buildings and structures.

(e) Within a redevelopment project area, renovate or rehabilitate or construct any structure or building, as permitted under this Act.

(f) Install, repair, construct, reconstruct or relocate streets, utilities and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan.

(g) Within a redevelopment project area, fix, charge and collect fees, rents and charges for the use of any building or property owned or leased by it or any part thereof, or facility therein.

(h) Accept grants, guarantees and donations of property, labor, or other things of value from a public or private source for use within a project redevelopment area.

(i) Acquire and construct public facilities within a redevelopment project area, as permitted under this Act.

(j) Incur project redevelopment costs and reimburse developers who incur redevelopment project costs authorized by a redevelopment agreement; provided, however, that on and after the effective date of this amendatory Act of the 91st General Assembly, no municipality shall incur redevelopment project costs (except for planning costs and any other eligible costs authorized by municipal ordinance or resolution that are subsequently included in the redevelopment plan for the area and are incurred by the municipality after the ordinance or resolution is adopted) that are not consistent with the program for accomplishing the objectives of the redevelopment plan as included in that plan and approved by the municipality until the municipality has amended the redevelopment plan as provided elsewhere in this Act.

(k) Create a commission of not less than 5 or more than 15 persons to be appointed by the mayor or president of the municipality with the consent of the majority of the governing board of the municipality. Members of a commission appointed after the effective date of this amendatory Act of 1987 shall be appointed for initial terms of 1, 2, 3, 4 and 5 years, respectively, in such numbers as to provide that the terms of not more than 1/3 of all such members shall expire in any one year. Their successors shall be appointed for a term of 5 years. The commission, subject to approval of the corporate authorities may exercise the powers enumerated in this Section. The commission shall also have the power to hold the public hearings required by this division and make recommendations to the corporate authorities concerning the adoption of redevelopment plans, redevelopment projects and designation of redevelopment project areas.

(l) Make payment in lieu of taxes or a portion thereof to taxing districts. If payments in lieu of taxes or a portion thereof are made to taxing districts, those payments shall be made to all districts within a project redevelopment area on a basis which is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment project area.

(m) Exercise any and all other powers necessary to effectuate the purposes of this Act.

(n) If any member of the corporate authority, a member of a commission established pursuant to Section 11-74.4-4(k) of this Act, or an employee or consultant of the municipality involved in the planning and preparation of a redevelopment plan, or project for a redevelopment project area or proposed redevelopment project area, as defined in Sections 11-74.4-3(i) through (k) of this Act, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates and terms and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the corporate authorities and entered upon the minute books of the corporate authorities. If an individual holds such an interest then that individual shall refrain from any further official involvement in regard to such redevelopment plan, project or area, from voting on any matter pertaining to such redevelopment plan, project or area, or communicating with other members concerning corporate authorities, commission or employees concerning any matter pertaining to said redevelopment plan, project or area. Furthermore, no such member or employee shall acquire of any interest direct, or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan, project or area or (b) first public notice of such plan, project or area pursuant to Section 11-74.4-6 of this Division, whichever occurs first. For the purposes of this subsection, a property interest acquired in a single parcel of property by a member of the corporate authority, which property is used exclusively as the member's primary residence, shall not be deemed to constitute an interest in any property included in a redevelopment area or proposed redevelopment area that was established before December 31, 1989, but the member must disclose the acquisition to the municipal clerk under the provisions of this subsection. A single property interest acquired within one year after the effective date of this amendatory Act of the 94th General Assembly or

2 years after the effective date of this amendatory Act of the 95th General Assembly by a member of the corporate authority does not constitute an interest in any property included in any redevelopment area or proposed redevelopment area, regardless of when the redevelopment area was established, if (i) the property is used exclusively as the member's primary residence, (ii) the member discloses the acquisition to the municipal clerk under the provisions of this subsection, (iii) the acquisition is for fair market value, (iv) the member acquires the property as a result of the property being publicly advertised for sale, and (v) the member refrains from voting on, and communicating with other members concerning, any matter when the benefits to the redevelopment project or area would be significantly greater than the benefits to the municipality as a whole. For the purposes of this subsection, a month-to-month leasehold interest in a single parcel of property by a member of the corporate authority shall not be deemed to constitute an interest in any property included in any redevelopment area or proposed redevelopment area, but the member must disclose the interest to the municipal clerk under the provisions of this subsection.

(o) Create a Tax Increment Economic Development Advisory Committee to be appointed by the Mayor or President of the municipality with the consent of the majority of the governing board of the municipality, the members of which Committee shall be appointed for initial terms of 1, 2, 3, 4 and 5 years respectively, in such numbers as to provide that the terms of not more than 1/3 of all such members shall expire in any one year. Their successors shall be appointed for a term of 5 years. The Committee shall have none of the powers enumerated in this Section. The Committee shall serve in an advisory capacity only. The Committee may advise the governing Board of the municipality and other municipal officials regarding development issues and opportunities within the redevelopment project area or the area within the State Sales Tax Boundary. The Committee may also promote and publicize development opportunities in the redevelopment project area or the area within the State Sales Tax Boundary.

(p) Municipalities may jointly undertake and perform redevelopment plans and projects and utilize the provisions of the Act wherever they have contiguous redevelopment project areas or they determine to adopt tax increment financing with respect to a redevelopment project area which includes contiguous real property within the boundaries of the municipalities, and in doing so, they may, by agreement between municipalities, issue obligations, separately or jointly, and expend revenues received under the Act for eligible expenses anywhere within contiguous redevelopment project areas or as otherwise permitted in the Act.

(q) Utilize revenues, other than State sales tax increment revenues, received under this Act from one redevelopment project area for eligible costs in another redevelopment project area that is:

(i) contiguous to the redevelopment project area from which the revenues are received;

(ii) separated only by a public right of way from the redevelopment project area from which the revenues are received; or

(iii) separated only by forest preserve property from the redevelopment project area from which the revenues are received if the closest boundaries of the redevelopment project areas that are separated by the forest preserve property are less than one mile apart.

Utilize tax increment revenues for eligible costs that are received from a redevelopment project area created under the Industrial Jobs Recovery Law that is either contiguous to, or is separated only by a public right of way from, the redevelopment project area created under this Act which initially receives these revenues. Utilize revenues, other than State sales tax increment revenues, by transferring or loaning such revenues to a redevelopment project area created under the Industrial Jobs Recovery Law that is either contiguous to, or separated only by a public right of way from the redevelopment project area that initially produced and received those revenues; and, if the redevelopment project area (i) was established before the effective date of this amendatory Act of the 91st General Assembly and (ii) is located within a municipality with a population of more than 100,000, utilize revenues or proceeds of obligations authorized by Section 11-74.4-7 of this Act, other than use or occupation tax revenues, to pay for any redevelopment project costs as defined by subsection (q) of Section 11-74.4-3 to the extent that the redevelopment project costs involve public property that is either contiguous to, or separated only by a public right of way from, a redevelopment project area whether or not redevelopment project costs or the source of payment for the costs are specifically set forth in the redevelopment plan for the redevelopment project area.

(q-5) Utilize revenues, other than the State sales tax increment revenues, received under this Act from one redevelopment project area located within the City of Waukegan for eligible costs in another redevelopment project area located within the City of Waukegan.

(r) If no redevelopment project has been initiated in a redevelopment project area within 7 years after the area was designated by ordinance under subsection (a), the municipality shall adopt an ordinance repealing the area's designation as a redevelopment project area; provided, however, that if an area received its designation more than 3 years before the effective date of this amendatory Act of 1994 and no

redevelopment project has been initiated within 4 years after the effective date of this amendatory Act of 1994, the municipality shall adopt an ordinance repealing its designation as a redevelopment project area. Initiation of a redevelopment project shall be evidenced by either a signed redevelopment agreement or expenditures on eligible redevelopment project costs associated with a redevelopment project.

Notwithstanding any other provision of this Section to the contrary, with respect to a redevelopment project area designated by an ordinance that was adopted on July 29, 1998 by the City of Chicago, the City of Chicago shall adopt an ordinance repealing the area's designation as a redevelopment project area if no redevelopment project has been initiated in the redevelopment project area within 15 years after the designation of the area. The City of Chicago may retroactively repeal any ordinance adopted by the City of Chicago, pursuant to this subsection (r), that repealed the designation of a redevelopment project area designated by an ordinance that was adopted by the City of Chicago on July 29, 1998. The City of Chicago has 90 days after the effective date of this amendatory Act to repeal the ordinance. The changes to this Section made by this amendatory Act of the 96th General Assembly apply retroactively to July 27, 2005. (Source: P.A. 96-1555, eff. 3-18-11; 97-333, eff. 8-12-11.)

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 Link, **Senate Bill No. 509** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Manar	Raoul
Barickman	Harmon	Martinez	Rezin
Bertino-Tarrant	Hastings	McCann	Righter
Biss	Holmes	McCarter	Rose
Brady	Hunter	McConaughay	Silverstein
Bush	Hutchinson	McGuire	Stadelman
Clayborne	Jacobs	Morrison	Steans
Connely	Koehler	Mulroe	Sullivan
Cullerton, T.	Kotowski	Muñoz	Syverson
Cunningham	LaHood	Murphy	Trotter
Delgado	Lightford	Noland	Van Pelt
Duffy	Link	Oberweis	Mr. President
Frerichs	Luechtefeld	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 Manar, **Senate Bill No. 648** was recalled from the order of third reading to the order of second reading.

Senator Manar offered the following amendment and moved its adoption:

[May 1, 2014]

**AMENDMENT NO. 1 TO SENATE BILL 648**

AMENDMENT NO. 1. Amend Senate Bill 648 by replacing everything after the enacting clause with the following:

"Section 5. The Animal Welfare Act is amended by changing Sections 3.4 and 10 as follows:

(225 ILCS 605/3.4)

Sec. 3.4. Release of animals to shelters.

(a) An animal shelter or animal control facility may not release any animal to an individual representing an animal shelter, unless (1) the recipient animal shelter has been licensed or has a foster care permit issued by the Department or (2) the individual is a representative of a not-for-profit, out-of-State organization and the animal is being transferred out of the State of Illinois.

(b) No animal shelter may impound or accept a stray dog or cat, unless such animal is released to the animal control facility or law enforcement officer with jurisdiction the next business day. Any animal shelter that impounds or accepts a stray dog or cat and does not transfer the animal to the local animal control or law enforcement official by the next business day shall be in violation of this Act and shall be fined. An animal shelter may only accept an animal from its owner if the owner signs a relinquishment form that states he or she is the owner of the animal, an animal shelter licensed under this Act, or an out-of-state animal control facility, rescue group, or animal shelter that is duly licensed in their state or is a not-for-profit organization.

(c) No representative of an animal shelter may enter upon private property and remove an animal, nor can any representative of an animal shelter direct another person to enter upon private property and remove an animal, without a search warrant or court order. Any animal shelter that impounds an animal without approval from the Department shall be fined and is subject to a suspension or revocation of its license at an administrative hearing by the Department.

(d) An animal shelter that accepts animals from animal shelters or animal control facilities from out of state must require a certificate of veterinary inspection from the state where the animal originates. If the animal accepted is a dog over the age of 4 months, it must be vaccinated for rabies and listed as such on the certificate of veterinary inspection.

(e) Nothing in this Section limits an animal shelter and an animal control facility that, through mutual agreement, wish to enter into an agreement for animal control, boarding, holding, or other services, provided that the agreement requires that the parties adhere to the provisions of the Animal Control Act, the Humane Euthanasia in Animal Shelters Act, and the Humane Care for Animals Act.

(Source: P.A. 96-314, eff. 8-11-09.)

(225 ILCS 605/10) (from Ch. 8, par. 310)

Sec. 10. Grounds for discipline. The Department may refuse to issue or renew or may suspend or revoke a license on any one or more of the following grounds:

a. Material misstatement in the application for original license or in the application for any renewal license under this Act;

b. A violation of this Act or of any regulations or rules issued pursuant thereto;

c. Aiding or abetting another in the violation of this Act or of any regulation or rule issued pursuant thereto;

d. Allowing one's license under this Act to be used by an unlicensed person;

e. Conviction of any crime an essential element of which is misstatement, fraud or dishonesty or conviction of any felony, if the Department determines, after investigation, that such person has not been sufficiently rehabilitated to warrant the public trust;

f. Conviction of a violation of any law of Illinois except minor violations such as traffic violations and violations not related to the disposition of dogs, cats and other animals or any rule or regulation of the Department relating to dogs or cats and sale thereof;

g. Making substantial misrepresentations or false promises of a character likely to influence, persuade or induce in connection with the business of a licensee under this Act;

h. Pursuing a continued course of misrepresentation of or making false promises through advertising, salesman, agents or otherwise in connection with the business of a licensee under this Act;

i. Failure to possess the necessary qualifications or to meet the requirements of the Act for the issuance or holding a license; or

j. Proof that the licensee is guilty of gross negligence, incompetency, or cruelty with regard to animals.

The Department may refuse to issue or may suspend 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.

The Department may order any licensee to cease operation for a period not to exceed 72 hours to correct deficiencies in order to meet licensing requirements.

If the Department revokes a license under this Act at an administrative hearing, the licensee shall be prohibited from applying for or obtaining a license under this Act for at least 3 years after the revocation. (Source: P.A. 89-178, eff. 7-19-95; 90-385, eff. 8-15-97; 90-403, eff. 8-15-97.)

Section 10. The Humane Care for Animals Act is amended by changing Section 9 as follows:  
(510 ILCS 70/9) (from Ch. 8, par. 709)

Sec. 9. Humane investigators; qualifications. The Department shall, by rule or regulation, establish reasonable qualifications for approved humane investigators and shall maintain a current listing of all approved humane investigators which shall be available for public inspection. These qualifications shall include, but need not be limited to, a knowledge of the provisions of this Act and its rules and regulations and expertise in the investigation of complaints relating to the care and treatment of animals. Persons designated as humane investigators shall cooperate, when requested, in completing routine investigations and filing reports of violations of this Act received by the Department. Persons designated as humane investigators shall notify local law enforcement or the local animal control agency prior to conducting an investigation into a complaint within the jurisdiction of such law enforcement or animal control agency.

Employees of the Department may be assigned as Department investigators.

A person designated as a humane investigator may have his or her approval suspended or revoked if:

(1) the person identifies himself or herself as a government employee and not as an approved humane investigator sponsored by a licensed animal shelter or humane society;

(2) the person gives false or misleading information to a State's Attorney, law enforcement official, licensed animal control agency, or the Department;

(3) the person impounds an animal without obtaining the required impoundment number and approval from the Department; or

(4) the person identifies a violation of Section 3 or other Section of this Act and fails to give proper notification to correct the violation.

The animal shelter or humane society sponsoring a person designated as a humane investigator shall be fined and is subject to have its license suspended or revoked if the person designated as a humane investigator is found to have committed one of the infractions listed in this Section in an administrative hearing by the Department. (Source: P.A. 88-600, eff. 9-1-94)."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

### READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Manar, **Senate Bill No. 648** 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	Luechtefeld	Raoul
Barickman	Haine	Manar	Rezin
Bertino-Tarrant	Harmon	Martinez	Righter
Biss	Harris	McCann	Rose
Bivins	Hastings	McCarter	Silverstein
Brady	Holmes	McConnaughay	Stadelman
Bush	Hunter	McGuire	Steans

[May 1, 2014]

Clayborne	Hutchinson	Morrison	Sullivan
Connelly	Jacobs	Mulroe	Syverson
Cullerton, T.	Koehler	Muñoz	Trotter
Cunningham	Kotowski	Murphy	Van Pelt
Delgado	LaHood	Noland	Mr. President
Dillard	Lightford	Oberweis	
Duffy	Link	Radogno	

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

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

On motion of Senator Haine, **Senate Bill No. 649** 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 36; NAYS 16.

The following voted in the affirmative:

Bertino-Tarrant	Harris	Martinez	Steans
Biss	Hastings	McGuire	Sullivan
Bush	Holmes	Morrison	Syverson
Clayborne	Hunter	Mulroe	Trotter
Cullerton, T.	Hutchinson	Muñoz	Van Pelt
Cunningham	Koehler	Noland	Mr. President
Delgado	Kotowski	Radogno	
Frerichs	Lightford	Raoul	
Haine	Link	Silverstein	
Harmon	Manar	Stadelman	

The following voted in the negative:

Barickman	Duffy	McConaughay	Rose
Bivins	LaHood	Murphy	
Brady	Luechtefeld	Oberweis	
Connelly	McCann	Rezin	
Dillard	McCarter	Righter	

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

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

### SENATE BILL RECALLED

On motion of Senator Muñoz, **Senate Bill No. 650** was recalled from the order of third reading to the order of second reading.

Senator Muñoz offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO SENATE BILL 650

AMENDMENT NO. 1. Amend Senate Bill 650 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 5.855 as follows:

[May 1, 2014]

(30 ILCS 105/5.855 new)

Sec. 5.855. The Medical Assisted Transport Licensure Fund.

Section 10. The Emergency Medical Services (EMS) Systems Act is amended by changing Sections 3.10 and 3.220 and by adding Section 3.88 as follows:

(210 ILCS 50/3.10)

Sec. 3.10. Scope of Services.

(a) "Advanced Life Support (ALS) Services" means an advanced level of pre-hospital and inter-hospital emergency care and non-emergency medical services that includes basic life support care, cardiac monitoring, cardiac defibrillation, electrocardiography, intravenous therapy, administration of medications, drugs and solutions, use of adjunctive medical devices, trauma care, and other authorized techniques and procedures, as outlined in the Advanced Life Support national curriculum of the United States Department of Transportation and any modifications to that curriculum specified in rules adopted by the Department pursuant to this Act.

That care shall be initiated as authorized by the EMS Medical Director in a Department approved advanced life support EMS System, under the written or verbal direction of a physician licensed to practice medicine in all of its branches or under the verbal direction of an Emergency Communications Registered Nurse.

(b) "Intermediate Life Support (ILS) Services" means an intermediate level of pre-hospital and inter-hospital emergency care and non-emergency medical services that includes basic life support care plus intravenous cannulation and fluid therapy, invasive airway management, trauma care, and other authorized techniques and procedures, as outlined in the Intermediate Life Support national curriculum of the United States Department of Transportation and any modifications to that curriculum specified in rules adopted by the Department pursuant to this Act.

That care shall be initiated as authorized by the EMS Medical Director in a Department approved intermediate or advanced life support EMS System, under the written or verbal direction of a physician licensed to practice medicine in all of its branches or under the verbal direction of an Emergency Communications Registered Nurse.

(c) "Basic Life Support (BLS) Services" means a basic level of pre-hospital and inter-hospital emergency care and non-emergency medical services that includes airway management, clinical observation, cardiopulmonary resuscitation (CPR), control of shock and bleeding and splinting of fractures, as outlined in the Basic Life Support national curriculum of the United States Department of Transportation and any modifications to that curriculum specified in rules adopted by the Department pursuant to this Act.

That care shall be initiated, where authorized by the EMS Medical Director in a Department approved EMS System, under the written or verbal direction of a physician licensed to practice medicine in all of its branches or under the verbal direction of an Emergency Communications Registered Nurse.

(d) "First Response Services" means a preliminary level of pre-hospital emergency care that includes cardiopulmonary resuscitation (CPR), monitoring vital signs and control of bleeding, as outlined in the First Responder curriculum of the United States Department of Transportation and any modifications to that curriculum specified in rules adopted by the Department pursuant to this Act.

(e) "Pre-hospital care" means those emergency medical services rendered to emergency patients for analytic, resuscitative, stabilizing, or preventive purposes, precedent to and during transportation of such patients to hospitals.

(f) "Inter-hospital care" means those emergency medical services rendered to emergency patients for analytic, resuscitative, stabilizing, or preventive purposes, during transportation of such patients from one hospital to another hospital.

(f-5) "Critical care transport" means the pre-hospital or inter-hospital transportation of a critically injured or ill patient by a vehicle service provider, including the provision of medically necessary supplies and services, at a level of service beyond the scope of the EMT-paramedic. When medically indicated for a patient, as determined by a physician licensed to practice medicine in all of its branches, an advanced practice nurse, or a physician's assistant, in compliance with subsections (b) and (c) of Section 3.155 of this Act, critical care transport may be provided by:

(1) Department-approved critical care transport providers, not owned or operated by a hospital, utilizing EMT-paramedics with additional training, nurses, or other qualified health professionals; or

(2) Hospitals, when utilizing any vehicle service provider or any hospital-owned or operated vehicle service provider. Nothing in this amendatory Act of the 96th General Assembly requires a hospital to use, or to be, a Department-approved critical care transport provider when



transporting patients, including those critically injured or ill. Nothing in this Act shall restrict or prohibit a hospital from providing, or arranging for, the medically appropriate transport of any patient, as determined by a physician licensed to practice in all of its branches, an advanced practice nurse, or a physician's assistant.

(g) "Non-emergency medical services" means medical care or monitoring rendered to patients whose conditions do not meet this Act's definition of emergency, before or during transportation of such patients to or from health care facilities visited for the purpose of obtaining medical or health care services which are not emergency in nature, using a vehicle regulated by this Act.

(g-1) "Clinical observation" means the ongoing observation of a patient's condition by a licensed physician, nurse, or emergency medical technician using a medical skill set while the licensed physician, nurse, or emergency medical technician continues assessment and care of the patient.

(g-5) The Department shall have the authority to promulgate minimum standards for critical care transport providers through rules adopted pursuant to this Act. All critical care transport providers must function within a Department-approved EMS System. Nothing in Department rules shall restrict a hospital's ability to furnish personnel, equipment, and medical supplies to any vehicle service provider, including a critical care transport provider. Minimum critical care transport provider standards shall include, but are not limited to:

- (1) Personnel staffing and licensure.
- (2) Education, certification, and experience.
- (3) Medical equipment and supplies.
- (4) Vehicular standards.
- (5) Treatment and transport protocols.
- (6) Quality assurance and data collection.

(h) The provisions of this Act shall not apply to the use of an ambulance or SEMSV, unless and until emergency or non-emergency medical services are needed during the use of the ambulance or SEMSV. (Source: P.A. 96-1469, eff. 1-1-11.)

(210 ILCS 50/3.88 new)

Sec. 3.88. Medical assisted transport providers.

(a) In this Section, "medical assisted transport provider" means an entity licensed by the Department to provide non-emergency bedside-to-bedside transportation of passengers in compliance with this Act or the rules adopted by the Department pursuant to this Act, using a medical assisted transport vehicle.

In this Section, "medical assisted transport vehicle" means any publicly or privately owned on-road vehicle that is equipped for, intended to be used for, and operated for non-emergency bedside-to-bedside transportation.

(b) The Department has the authority and the responsibility to do the following:

(1) Require that all medical assisted transport providers, both publicly and privately owned, be licensed by the Department.

(2) Establish licensing, safety, and training standards and requirements for medical assisted transport providers through rules adopted pursuant to this Act, including, but not limited to, the following:

(A) Vehicle design, specification, operation, and maintenance standards.

(B) Safety equipment requirements and standards.

(C) Medical supply and equipment requirements and standards, including, but not limited to, the requirement to have the following medical supply and equipment items on each medical assisted transport vehicle:

(i) a first aid kit; and

(ii) an automated external defibrillator (AED), as described in Section 10 of the Automated External Defibrillator Act.

(D) Training requirements, including, but not limited to, the requirement that all staff members providing medical assisted transport services under this Section receive the following training:

(i) safety training as specified in subsection (e) of Section 5-4.2 of the Illinois Public Aid Code;

(ii) defensive driving training equivalent to the National Safety Council's Coaching the Van Driver 3 course;

(iii) basic first aid training equivalent to the American Red Cross's First Aid course; and

(iv) cardiopulmonary resuscitation (CPR) training, including training in the proper use of an automated external defibrillator (AED), equivalent to the American Red Cross's CPR/AED for Professional Rescuers and Health Care Providers course.

(E) Annual license renewal.

(3) License all medical assisted transport providers that have met the Department's requirements for licensure.

(4) Annually inspect all licensed medical assisted transport providers and relicense providers that have met the Department's requirements for license renewal.

(5) Suspend, revoke, refuse to issue, or refuse to renew the license of any medical assisted transport provider, or that portion of a license pertaining to a specific vehicle operated by a provider, after an opportunity for a hearing when findings show that the provider or one or more of its vehicles has failed to comply with the rules adopted by the Department pursuant to this Act.

(6) Issue an emergency suspension order for any medical assisted transport provider or vehicle licensed under this Act when the Director or his or her designee has determined that an immediate or serious danger to the public health, safety, and welfare exists. Suspension or revocation proceedings that offer an opportunity for a hearing shall be promptly initiated after the emergency suspension order has been issued.

(7) Prohibit any medical assisted transport provider from advertising, identifying its vehicles, or disseminating information in a false or misleading manner concerning the provider's type and level of vehicles, location, response times, level of personnel, licensure status, or EMS System participation.

(8) Charge each medical assisted transport provider a fee that shall not exceed \$25 per vehicle nor \$500 per provider. The fee shall be submitted with each application for licensure and license renewal.

(c) A medical assisted transport provider may provide transport of a passenger who is ambulatory or is in a wheelchair, provided that all of the following requirements are met:

(1) The passenger needs no medical monitoring or clinical observation.

(2) The passenger is transported as follows: (A) if the passenger resides in a facility licensed under the Nursing Home Care Act, he or she is transported from the inside of his or her room to a room at a physician's office or to a ward, unit, or room of a hospital licensed under the Hospital Licensing Act or operated under the University of Illinois Hospital Act or (B) from a room at a physician's office or ward, unit, or room of a hospital licensed under the Hospital Licensing Act or operated under the University of Illinois Hospital Act to the inside of his or her residence or, if the passenger resides in a facility licensed under the Nursing Home Care Act, to the inside of his or her room.

(d) A medical assisted transport provider may not transport a passenger who meets any of the following conditions:

(1) He or she is acutely ill, wounded, or medically unstable as determined by a licensed physician.

(2) He or she is experiencing an emergency medical condition, an acute medical condition, or a sudden illness or injury.

(3) He or she was administered a medication that might prevent the passenger from caring for himself or herself.

(4) He or she requires active medical monitoring, clinical observation, isolation precautions, supplemental oxygen that is not self-administered, continuous airway management, suctioning during transport, or the administration of intravenous fluids during transport.

(e) The Medical Assisted Transport Licensure Fund is created as a special fund in the State treasury. All fees received by the Department in connection with the licensure of medical assisted transport providers under this Section shall be deposited into the Fund. Moneys in the Fund shall be used by the Department, subject to appropriation, to implement this Section.

(210 ILCS 50/3.220)

Sec. 3.220. EMS Assistance Fund.

(a) There is hereby created an "EMS Assistance Fund" within the State treasury, for the purpose of receiving fines and fees collected by the Illinois Department of Health pursuant to this Act.

(b) (Blank).

(b-5) All licensing, testing, and certification fees authorized by this Act, excluding ambulance licensure fees, within this fund shall be used by the Department for administration, oversight, and enforcement of activities authorized under this Act.

(c) All other moneys within this fund shall be distributed by the Department to the EMS Regions for disbursement in accordance with protocols established in the EMS Region Plans, for the purposes of organization, development and improvement of Emergency Medical Services Systems, including but not limited to training of personnel and acquisition, modification and maintenance of necessary supplies, equipment and vehicles.

(d) All fees and fines collected pursuant to this Act shall be deposited into the EMS Assistance Fund, except that all fees collected under Section 3.86 in connection with the licensure of stretcher van providers shall be deposited into the Stretcher Van Licensure Fund and all fees collected under Section 3.88 in connection with the licensure of medical assisted transport providers shall be deposited into the Medical Assisted Transport Licensure Fund.

(Source: P.A. 96-702, eff. 8-25-09; 96-1469, eff. 1-1-11.)

[May 1, 2014]

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. 650** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 38; NAYS 8.

The following voted in the affirmative:

Bertino-Tarrant	Harmon	Link	Raoul
Biss	Harris	Manar	Silverstein
Bush	Hastings	Martinez	Stadelman
Clayborne	Holmes	McConnaughay	Steans
Connelly	Hunter	McGuire	Sullivan
Cullerton, T.	Hutchinson	Morrison	Trotter
Cunningham	Jacobs	Mulroe	Van Pelt
Delgado	Koehler	Muñoz	Mr. President
Dillard	Kotowski	Noland	
Haine	Lightford	Radogno	

The following voted in the negative:

Barickman	LaHood	Rezin
Bivins	McCarter	Syverson
Duffy	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.

At the hour of 11:18 o'clock a.m., Senator Sullivan, presiding.

### SENATE BILL RECALLED

On motion of Senator Delgado, **Senate Bill No. 742** was recalled from the order of third reading to the order of second reading.

Senate Floor Amendment No. 1 was postponed in the Committee on Human Services.

Senator Delgado offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO SENATE BILL 742

AMENDMENT NO. 2. Amend Senate Bill 742 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by adding Section 5-33 as follows:  
(305 ILCS 5/5-33 new)

[May 1, 2014]

Sec. 5-33. Personal needs allowance. No later than January 1, 2015, the monthly personal needs allowance required under Section 1902(g) of Title XIX of the Social Security Act (42 U.S.C. 1396(g)) for any person residing in a facility licensed under the ID/DD Community Care Act and who has been determined eligible for medical assistance under this Code shall be no less than \$50.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

### READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Delgado, **Senate Bill No. 742** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 35; NAYS 17.

The following voted in the affirmative:

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

The following voted in the negative:

Althoff	Dillard	Murphy	Rose
Barickman	Duffy	Oberweis	Syverson
Bivins	LaHood	Radogno	
Brady	McCarter	Rezin	
Connelly	McConnaughay	Righter	

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

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

### SENATE BILL RECALLED

On motion of Senator Kotowski, **Senate Bill No. 855** 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 855

AMENDMENT NO. 1. Amend Senate Bill 855 by replacing everything after the enacting clause with the following:

"Section 5. The Food Handling Regulation Enforcement Act is amended by adding Section 5 as follows:

[May 1, 2014]

(410 ILCS 625/5 new)

Sec. 5. Latex gloves; notice. A food service establishment where natural rubber latex gloves are used for the preparation or conveyance of food for consumers shall provide notice to its patrons by means of signs, printed materials, or other communication to read as follows: "Latex gloves are used by staff in the preparation and conveyance of food in this establishment. If you are allergic to latex products, please take appropriate precautions.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

### READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Kotowski, **Senate Bill No. 855** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 38; NAYS 12.

The following voted in the affirmative:

Bertino-Tarrant	Harris	Manar	Silverstein
Biss	Hastings	Martinez	Stadelman
Bush	Holmes	McGuire	Steans
Clayborne	Hunter	Morrison	Sullivan
Cullerton, T.	Hutchinson	Mulroe	Syverson
Cunningham	Koehler	Muñoz	Trotter
Delgado	Kotowski	Noland	Van Pelt
Frerichs	Lightford	Oberweis	Mr. President
Haine	Link	Radogno	
Harmon	Luechtefeld	Raoul	

The following voted in the negative:

Althoff	Connelly	McCarter
Barickman	Dillard	McConaughay
Bivins	Duffy	Murphy
Brady	LaHood	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.

On motion of Senator Harmon, **Senate Bill No. 1098** 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 46; NAYS 4.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Rezin
Bertino-Tarrant	Harmon	Manar	Rose

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Biss	Harris	Martinez	Silverstein
Brady	Hastings	McConnaughay	Stadelman
Bush	Holmes	McGuire	Steans
Clayborne	Hunter	Morrison	Sullivan
Connelly	Hutchinson	Mulroe	Syverson
Cullerton, T.	Jacobs	Muñoz	Trotter
Cunningham	Koehler	Murphy	Van Pelt
Delgado	Kotowski	Noland	Mr. President
Dillard	Lightford	Radogno	
Frerichs	Link	Raoul	

The following voted in the negative:

Barickman	McCarter
Duffy	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.

**SENATE BILL RECALLED**

On motion of Senator Hutchinson, as chief co-sponsor pursuant to Senate Rule 5-1(b)(i), **Senate Bill No. 2620** was recalled from the order of third reading to the order of second reading.

Senate Floor Amendment No. 1 was postponed in the Committee on Transportation.

Senator Sandoval offered the following amendment and Senator Hutchinson moved its adoption:

**AMENDMENT NO. 2 TO SENATE BILL 2620**

AMENDMENT NO. 2. Amend Senate Bill 2620 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 15-111 as follows:  
(625 ILCS 5/15-111) (from Ch. 95 1/2, par. 15-111)

Sec. 15-111. Wheel and axle loads and gross weights.

(a) No vehicle or combination of vehicles with pneumatic tires may be operated, unladen or with load, when the total weight on the road surface exceeds the following: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle with no axle within the tandem exceeding 20,000 pounds; 80,000 pounds gross weight for vehicle combinations of 5 or more axles; or a total weight on a group of 2 or more consecutive axles in excess of that weight produced by the application of the following formula:  $W = 500 \text{ times the sum of } (LN \text{ divided by } N-1) + 12N + 36$ , where "W" equals overall total weight on any group of 2 or more consecutive axles to the nearest 500 pounds, "L" equals the distance measured to the nearest foot between extremes of any group of 2 or more consecutive axles, and "N" equals the number of axles in the group under consideration.

The above formula when expressed in tabular form results in allowable loads as follows:

Distance measured to the nearest foot between the extremes of any group of 2 or more consecutive axles	Maximum weight in pounds of any group of 2 or more consecutive axles				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				

8	38,000*	42,000		
9	39,000	42,500		
10	40,000	43,500		
11		44,000		
12		45,000	50,000	
13		45,500	50,500	
14		46,500	51,500	
15		47,000	52,000	
16		48,000	52,500	58,000
17		48,500	53,500	58,500
18		49,500	54,000	59,000
19		50,000	54,500	60,000
20		51,000	55,500	60,500
21		51,500	56,000	61,000
22		52,500	56,500	61,500
23		53,000	57,500	62,500
24		54,000	58,000	63,000
25		54,500	58,500	63,500
26		55,500	59,500	64,000
27		56,000	60,000	65,000
28		57,000	60,500	65,500
29		57,500	61,500	66,000
30		58,500	62,000	66,500
31		59,000	62,500	67,500
32		60,000	63,500	68,000
33			64,000	68,500
34			64,500	69,000
35			65,500	70,000
36			66,000	70,500
37			66,500	71,000
38			67,500	72,000
39			68,000	72,500
40			68,500	73,000
41			69,500	73,500
42			70,000	74,000
43			70,500	75,000
44			71,500	75,500
45			72,000	76,000
46			72,500	76,500
47			73,500	77,500
48			74,000	78,000
49			74,500	78,500
50			75,500	79,000
51			76,000	80,000
52			76,500	
53			77,500	
54			78,000	
55			78,500	
56			79,500	
57			80,000	

\*If the distance between 2 axles is 96 inches or less, the 2 axles are tandem axles and the maximum total weight may not exceed 34,000 pounds, notwithstanding the higher limit resulting from the application of the formula.

Vehicles not in a combination having more than 4 axles may not exceed the weight in the table in this subsection (a) for 4 axles measured between the extreme axles of the vehicle.

Vehicles in a combination having more than 6 axles may not exceed the weight in the table in this subsection (a) for 6 axles measured between the extreme axles of the combination.

Local authorities, with respect to streets and highways under their jurisdiction, without additional fees, may also by ordinance or resolution allow the weight limitations of this subsection, provided the maximum

gross weight on any one axle shall not exceed 20,000 pounds and the maximum total weight on any tandem axle shall not exceed 34,000 pounds, on designated highways when appropriate regulatory signs giving notice are erected upon the street or highway or portion of any street or highway affected by the ordinance or resolution.

The following are exceptions to the above formula:

(1) Vehicles for which a different limit is established and posted in accordance with Section 15-316 of this Code.

(2) Vehicles for which the Department of Transportation and local authorities issue overweight permits under authority of Section 15-301 of this Code. These vehicles are not subject to the bridge formula.

(3) Cities having a population of more than 50,000 may permit by ordinance axle loads on 2 axle motor vehicles 33 1/2% above those provided for herein, but the increase shall not become effective until the city has officially notified the Department of the passage of the ordinance and shall not apply to those vehicles when outside of the limits of the city, nor shall the gross weight of any 2 axle motor vehicle operating over any street of the city exceed 40,000 pounds.

(4) Weight limitations shall not apply to vehicles (including loads) operated by a public utility when transporting equipment required for emergency repair of public utility facilities or properties or water wells.

(4.5) A 3 or 4 axle vehicle (including when laden) operated or hired by a municipality within Cook, Lake, McHenry, Kane, DuPage, or Will county being operated for the purpose of performing emergency sewer repair that would be subject to a weight limitation less than 66,000 pounds under the formula in this subsection (a) shall have a weight limitation of 66,000 pounds or the vehicle's gross vehicle weight rating, whichever is less. This paragraph (4.5) does not apply to vehicles being operated on the National System of Interstate and Defense Highways, or to vehicles being operated on bridges or other elevated structures constituting a part of a highway.

(5) Two consecutive sets of tandem axles may carry a total weight of 34,000 pounds each if the overall distance between the first and last axles of the consecutive sets of tandem axles is 36 feet or more, notwithstanding the lower limit resulting from the application of the above formula.

(6) A truck, not in combination and used exclusively for the collection of rendering materials, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle.

(7) A truck not in combination, equipped with a self compactor or an industrial roll-off hoist and roll-off container, used exclusively for garbage, refuse, or recycling operations, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 40,000 pounds gross weight on a 2-axle vehicle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(7.5) A 3-axle rear discharge truck mixer registered as a Special Hauling Vehicle, used exclusively for the mixing and transportation of concrete in the plastic state, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on single axle; 40,000 pounds on a tandem axle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(8) Except as provided in paragraph (7.5) of this subsection (a), tandem axles on a 3-axle truck registered as a Special Hauling Vehicle, manufactured prior to or in the model year of 2024 and first registered in Illinois prior to January 1, 2025, with a distance greater than 72 inches but not more than 96 inches between any series of 2 axles, is allowed a combined weight on the series not to exceed 36,000 pounds and neither axle of the series may exceed 20,000 pounds. Any vehicle of this type manufactured after the model year of 2024 or first registered in Illinois after December 31, 2024 may not exceed a combined weight of 34,000 pounds through the series of 2 axles and neither axle of the series may exceed 20,000 pounds.

A 3-axle combination sewer cleaning jetting vacuum truck registered as a Special Hauling Vehicle, used exclusively for the transportation of non-hazardous solid waste, manufactured before or in the model year of 2014, first registered in Illinois before January 1, 2015, may, when laden, transmit upon the road surface, except when on part of the National System of Interstate and Defense Highways, the following maximum weights: 22,000 pounds on a single axle; 40,000 pounds on a tandem axle; 54,000 pounds gross weight on a 3-axle vehicle. This vehicle is not subject to the bridge formula.

(9) A 4-axle truck mixer registered as a Special Hauling Vehicle, used exclusively for



the mixing and transportation of concrete in the plastic state, ~~2024-2025~~ and not operated on a highway that is part of the National System of Interstate Highways, is allowed the following maximum weights: 20,000 pounds on any single axle; 36,000 pounds on a series of axles greater than 72 inches but not more than 96 inches; and 34,000 pounds on any series of 2 axles greater than 40 inches but not more than 72 inches. The gross weight of this vehicle may not exceed the weights allowed by the bridge formula for 4 axles. The bridge formula does not apply to any series of 3 axles while the vehicle is transporting concrete in the plastic state, but no axle or tandem axle of the series may exceed the maximum weight permitted under this paragraph (9) of subsection (a).

(10) Combinations of vehicles, registered as Special Hauling Vehicles that include a semitrailer manufactured prior to or in the model year of 2024, and registered in Illinois prior to January 1, 2025, having 5 axles with a distance of 42 feet or less between extreme axles, may not exceed the following maximum weights: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle; and 72,000 pounds gross weight. This combination of vehicles is not subject to the bridge formula. For all those combinations of vehicles that include a semitrailer manufactured after the effective date of P.A. 92-0417, the overall distance between the first and last axles of the 2 sets of tandems must be 18 feet 6 inches or more. Any combination of vehicles that has had its cargo container replaced in its entirety after December 31, 2024 may not exceed the weights allowed by the bridge formula.

(11) The maximum weight allowed on a vehicle with crawler type tracks is 40,000 pounds.

(12) A combination of vehicles, including a tow truck and a disabled vehicle or disabled combination of vehicles, that exceeds the weight restriction imposed by this Code, may be operated on a public highway in this State provided that neither the disabled vehicle nor any vehicle being towed nor the tow truck itself shall exceed the weight limitations permitted under this Chapter. During the towing operation, neither the tow truck nor the vehicle combination shall exceed 24,000 pounds on a single rear axle and 44,000 pounds on a tandem rear axle, provided the towing vehicle:

(i) is specifically designed as a tow truck having a gross vehicle weight rating of at least 18,000 pounds and is equipped with air brakes, provided that air brakes are required only if the towing vehicle is towing a vehicle, semitrailer, or tractor-trailer combination that is equipped with air brakes;

(ii) is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions;

(iii) is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles; and

(iv) does not engage in a tow exceeding 20 miles from the initial point of wreck or disablement. Any additional movement of the vehicles may occur only upon issuance of authorization for that movement under the provisions of Sections 15-301 through 15-319 of this Code. The towing vehicle, however, may tow any disabled vehicle to a point where repairs are actually to occur. This movement shall be valid only on State routes. The tower must abide by posted bridge weight limits.

Gross weight limits shall not apply to the combination of the tow truck and vehicles being towed. The tow truck license plate must cover the operating empty weight of the tow truck only. The weight of each vehicle being towed shall be covered by a valid license plate issued to the owner or operator of the vehicle being towed and displayed on that vehicle. If no valid plate issued to the owner or operator of that vehicle is displayed on that vehicle, or the plate displayed on that vehicle does not cover the weight of the vehicle, the weight of the vehicle shall be covered by the third tow truck plate issued to the owner or operator of the tow truck and temporarily affixed to the vehicle being towed. If a roll-back carrier is registered and being used as a tow truck, however, the license plate or plates for the tow truck must cover the gross vehicle weight, including any load carried on the bed of the roll-back carrier.

The Department may by rule or regulation prescribe additional requirements. However, nothing in this Code shall prohibit a tow truck under instructions of a police officer from legally clearing a disabled vehicle, that may be in violation of weight limitations of this Chapter, from the roadway to the berm or shoulder of the highway. If in the opinion of the police officer that location is unsafe, the officer is authorized to have the disabled vehicle towed to the nearest place of safety.

For the purpose of this subsection, gross vehicle weight rating, or GVWR, means the value specified by the manufacturer as the loaded weight of the tow truck.

(b) As used in this Section, "recycling haul" or "recycling operation" means the hauling of non-hazardous, non-special, non-putrescible materials, such as paper, glass, cans, or plastic, for subsequent use in the secondary materials market.

(c) No vehicle or combination of vehicles equipped with pneumatic tires shall be operated, unladen or with load, upon the highways of this State in violation of the provisions of any permit issued under the provisions of Sections 15-301 through 15-319 of this Chapter.

(d) No vehicle or combination of vehicles equipped with other than pneumatic tires may be operated, unladen or with load, upon the highways of this State when the gross weight on the road surface through any wheel exceeds 800 pounds per inch width of tire tread or when the gross weight on the road surface through any axle exceeds 16,000 pounds.

(e) No person shall operate a vehicle or combination of vehicles over a bridge or other elevated structure constituting part of a highway with a gross weight that is greater than the maximum weight permitted by the Department, when the structure is sign posted as provided in this Section.

(f) The Department upon request from any local authority shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if it finds that the structure cannot with safety to itself withstand the weight of vehicles otherwise permissible under this Code the Department shall determine and declare the maximum weight of vehicles that the structures can withstand, and shall cause or permit suitable signs stating maximum weight to be erected and maintained before each end of the structure. No person shall operate a vehicle or combination of vehicles over any structure with a gross weight that is greater than the posted maximum weight.

(g) Upon the trial of any person charged with a violation of subsection (e) or (f) of this Section, proof of the determination of the maximum allowable weight by the Department and the existence of the signs, constitutes conclusive evidence of the maximum weight that can be maintained with safety to the bridge or structure.

(Source: P.A. 97-201, eff. 1-1-12; 98-409, eff. 1-1-14; 98-410, eff. 8-16-13; revised 9-19-13.)"

The motion prevailed.

And the amendment was adopted and ordered printed.

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

### READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Hutchinson, as chief co-sponsor pursuant to Senate Rule 5-1(b)(i), **Senate Bill No. 2620** 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	Luechtefeld	Raoul
Barickman	Haine	Manar	Rezin
Bertino-Tarrant	Harmon	Martinez	Righter
Biss	Harris	McCann	Rose
Bivins	Hastings	McCarter	Silverstein
Brady	Holmes	McConnaughay	Stadelman
Bush	Hunter	McGuire	Steans
Clayborne	Hutchinson	Morrison	Sullivan
Connelly	Jacobs	Mulroe	Syverson
Cullerton, T.	Koehler	Muñoz	Trotter
Cunningham	Kotowski	Murphy	Van Pelt
Delgado	LaHood	Noland	Mr. President
Dillard	Lightford	Oberweis	
Duffy	Link	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.

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On motion of Senator Martinez, as chief co-sponsor pursuant to Senate Rule 5-1(b)(i), **Senate Bill No. 2929** 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 43; NAYS 10.

The following voted in the affirmative:

Althoff	Haine	Link	Raoul
Bertino-Tarrant	Harmon	Manar	Rezin
Biss	Harris	Martinez	Silverstein
Brady	Hastings	McGuire	Stadelman
Bush	Holmes	Morrison	Steans
Clayborne	Hunter	Mulroe	Sullivan
Cullerton, T.	Hutchinson	Muñoz	Syverson
Cunningham	Jacobs	Murphy	Trotter
Delgado	Koehler	Noland	Van Pelt
Dillard	Kotowski	Oberweis	Mr. President
Frerichs	Lightford	Radogno	

The following voted in the negative:

Barickman	Duffy	McCarter	Rose
Bivins	LaHood	McConnaughay	
Connelly	Luechtefeld	Righter	

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

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

### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Holmes, **House Bill No. 4522** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Luechtefeld	Raoul
Barickman	Haine	Manar	Rezin
Bertino-Tarrant	Harmon	Martinez	Righter
Biss	Harris	McCann	Rose
Bivins	Hastings	McCarter	Silverstein
Brady	Holmes	McConnaughay	Stadelman
Bush	Hunter	McGuire	Steans
Clayborne	Hutchinson	Morrison	Sullivan
Connelly	Jacobs	Mulroe	Syverson
Cullerton, T.	Koehler	Muñoz	Trotter
Cunningham	Kotowski	Murphy	Van Pelt
Delgado	LaHood	Noland	Mr. President
Dillard	Lightford	Oberweis	

[May 1, 2014]

Duffy

Link

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.

On motion of Senator Manar, **House Bill No. 4663** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Luechtefeld	Raoul
Barickman	Haine	Manar	Rezin
Bertino-Tarrant	Harmon	Martinez	Righter
Biss	Harris	McCann	Rose
Bivins	Hastings	McCarter	Silverstein
Brady	Holmes	McConaughay	Stadelman
Bush	Hunter	McGuire	Steans
Clayborne	Hutchinson	Morrison	Sullivan
Connelly	Jacobs	Mulroe	Syverson
Cullerton, T.	Koehler	Muñoz	Trotter
Cunningham	Kotowski	Murphy	Van Pelt
Delgado	LaHood	Noland	Mr. President
Dillard	Lightford	Oberweis	
Duffy	Link	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.

#### CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Holmes moved that **Senate Resolution No. 1090**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Holmes moved that Senate Resolution No. 1090 be adopted.

The motion prevailed.

And the resolution was adopted.

At the hour of 11:50 o'clock a.m., the Chair announced that the Senate stand at ease.

#### AT EASE

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

Senator Sullivan, presiding.

#### REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 1, 2014 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

[May 1, 2014]

Criminal Law: **SENATE BILL 3502.**

Criminal Law: **HOUSE BILLS 802, 4216, 4236 and 4781.**

Education: **HOUSE BILL 2513.**

Executive: **HOUSE BILLS 9, 5593 and 5622.**

Financial Institutions: **HOUSE BILL 3681.**

Higher Education: **HOUSE BILL 5323.**

Human Services: **HOUSE BILL 671.**

Judiciary: **HOUSE BILLS 1532 and 4204.**

Licensed Activities and Pensions: **HOUSE BILL 4790.**

Local Government: **HOUSE BILLS 5666 and 5856.**

Public Health: **HOUSE BILL 4600.**

Revenue: **HOUSE BILL 5893.**

State Government and Veterans Affairs: **HOUSE BILLS 3092 and 4769.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 1, 2014 meeting, reported the following Senate Resolution has been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Joint Resolution No. 70.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 1, 2014 meeting, to which was referred **House Bill No. 4713**, reported the same back with the recommendation that the bill be placed on the order of second reading without recommendation to committee.

### **PRESENTATION OF RESOLUTION**

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

#### **SENATE JOINT RESOLUTION NO. 73**

WHEREAS, Numerous development projects are occurring in Illinois, including roads, electric transmission lines, and pipelines; and

WHEREAS, Landowners are often unaware their land is being considered for a project until they are contacted by a field agent; and

WHEREAS, An open line of communication often eases landowner concerns and helps preserve the integrity of any land impacted by construction; 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, in the

[May 1, 2014]

taking of land or seeking of easements by eminent domain or quick-take procedures for development projects, the Senate recommends the following steps be followed by the entity developing the project:

- (1) Notify affected landowners about the potential project as soon as possible and provide a reliable time frame for development activities;
- (2) Notify a landowner prior to entering the landowner's private property for any reason;
- (3) Keep work crews within the working easement;
- (4) If applicable, ensure all field drainage tiles are repaired by a drain tile contractor chosen by the landowner, including repairing drainage issues discovered after the project is completed;
- (5) Ensure that road closings are limited and appropriate detour access is provided;
- (6) Ensure that run off and storm water are appropriately managed in a dedicated system and not directed into farm fields or farm drainage ditches;
- (7) Assign an ombudsman for purposes of communication with landowners to address problems that arise before, during, and after the project is completed; the ombudsman should be on call for a period of 5 years after completion of the project so that any damages to property, which may not be revealed until after the project is completed, can be reported; the ombudsmen should provide a predictable, transparent, and credible communication process to all parties resulting in outcomes that are seen as fair, effective, and lasting and enable a more systematic identification of emerging issues and trends, facilitating corrective action and preemptive engagement; and
- (8) Inform landowners about any pertinent State agriculture impact mitigation agreements and inform them that the provisions of those agreements may be the minimum standards for impact migration that could be included in landowner agreements or contracts.

## **RESOLUTIONS CONSENT CALENDAR**

### **SENATE RESOLUTION NO. 1092**

Offered by Senator Barickman and all Senators:  
Mourns the death of Harold Lloyd Ingold of Paxton.

### **SENATE RESOLUTION NO. 1093**

Offered by Senator Rose and all Senators:  
Mourns the death of Richard "Rich" C. Bowman of Monticello.

### **SENATE RESOLUTION NO. 1094**

Offered by Senator McGuire and all Senators  
Mourns the death of Robert S. Krockey of Shorewood.

### **SENATE RESOLUTION NO. 1095**

Offered by Senator McGuire and all Senators  
Mourns the death of Louis R. Peyla.

### **SENATE RESOLUTION NO. 1096**

Offered by Senator McGuire and all Senators  
Mourns the death of Marianne U. Kozlik (nee Bogolin) of Bolingbrook.

### **SENATE RESOLUTION NO. 1097**

Offered by Senators Harmon – Stadelman and all Senators:  
Mourns the death of Richard S. "Dick" Schofield of Rockford.

### **SENATE RESOLUTION NO. 1098**

Offered by Senator Mulroe and all Senators::  
Mourns the death of Clarence E. "Smitty" Smith of Edison Park.

### **SENATE RESOLUTION NO. 1099**

Offered by Senators Harmon – Mulroe and all Senators:  
Mourns the death of Caroline P. "Carol" Patronski (nee Kurianowicz).

### **SENATE RESOLUTION NO. 1100**

[May 1, 2014]

Offered by Senator Van Pelt and all Senators:  
Mourns the death of Pennington McGee, formerly of Chicago.

**SENATE RESOLUTION NO. 1101**

Offered by Senator Clayborne and all Senators:  
Mourns the death of Carol Sue Hamm of Madison.

**SENATE RESOLUTION NO. 1102**

Offered by Senator Link and all Senators:  
Mourns the death of Marian Lucille Whitcomb (nee Link) of Beach Park.

**SENATE RESOLUTION NO. 1103**

Offered by Senator Link and all Senators:  
Mourns the death of Marie McCafferty of North Chicago.

**SENATE RESOLUTION NO. 1104**

Offered by Senator Link and all Senators:  
Mourns the death of Eugene Anthony “Chuck” Turowski of Gurnee.

**SENATE RESOLUTION NO. 1105**

Offered by Senator Link and all Senators:  
Mourns the death of Gary H. Hill of Waukegan.

**SENATE RESOLUTION NO. 1106**

Offered by Senator Link and all Senators:  
Mourns the death of James P. “Ski” Glogovsky of Algonquin.

**SENATE RESOLUTION NO. 1107**

Offered by Senator Link and all Senators:  
Mourns the death of Sylvia J. Frey of Mundelein.

**SENATE RESOLUTION NO. 1108**

Offered by Senator Link and all Senators:  
Mourns the death of Robert C. Bobby” Edwards of North Chicago.

**SENATE RESOLUTION NO. 1109**

Offered by Senator Mulroe and all Senators:  
Mourns the death of Clarence J. Swiontek, Jr., of Niles.

**SENATE RESOLUTION NO. 1110**

Offered by Senator Dillard and all Senators:  
Mourns the death of Bruce William Viernow of Glen Ellyn.

**SENATE RESOLUTION NO. 1111**

Offered by Senator Link and all Senators:  
Mourns the death of Ellen Bay Reinhardt (nee Hershberger), formerly of Columbus, Ohio.

**SENATE RESOLUTION NO. 1112**

Offered by Senator Link and all Senators:  
Mourns the death of Arnold David Goodman of Waukegan.

**SENATE RESOLUTION NO. 1113**

Offered by Senator Haine and all Senators:  
Mourns the death of Pennington McGee, formerly of Chicago.

**SENATE RESOLUTION NO. 1116**

Offered by Senator Koehler and all Senators:  
Mourns the death of Marilyn J. Roedell of Peoria.

**SENATE RESOLUTION NO. 1117**

Offered by Senator Koehler and all Senators:  
Mourns the death of Kathleen “Kay” R. Rolando of Farmington.

**SENATE RESOLUTION NO. 1118**

Offered by Senator Connelly and all Senators:  
Mourns the death of Marcia Beverly Martin (nee Gray).

**SENATE RESOLUTION NO. 1119**

Offered by Senator Dillard and all Senators:  
Mourns the death of Ann McHugh of Naperville.

**SENATE RESOLUTION NO. 1120**

Offered by Senator Hutchinson and all Senators:  
Mourns the death of Thornal “T” Gilbert Washington.

**SENATE RESOLUTION NO. 1122**

Offered by Senator John Cullerton and all Senators:  
Mourns the death of John A. Patterson of Farmington.

**SENATE RESOLUTION NO. 1123**

Offered by Senator Frerichs and all Senators:  
Mourns the death of Annapurna “Purni” Antisdell of Urbana.

**SENATE RESOLUTION NO. 1125**

Offered by Senator Dillard and all Senators:  
Mourns the death of Kenneth William Oestermeyer of Burr Ridge.

**SENATE RESOLUTION NO. 1126**

Offered by Senator Dillard and all Senators:  
Mourns the death of Herbert R. “Kip” Pohl, Jr., formerly of La Grange Park.

**SENATE RESOLUTION NO. 1127**

Offered by Senator Manar and all Senators:  
Mourns the death of Louis Enke of Bunker Hill.

**SENATE RESOLUTION NO. 1128**

Offered by Senator Manar and all Senators:  
Mourns the death of Arden F. Clemonds of Eagarville.

**SENATE RESOLUTION NO. 1129**

Offered by Senator Manar and all Senators:  
Mourns the death of William J. Johnson of Nokomis.

**SENATE RESOLUTION NO. 1130**

Offered by Senators Bertino-Tarrant - Jacobs and all Senators:  
Mourns the death of Tony A. Rasche of Moline.

**SENATE JOINT RESOLUTION NO. 71**

Offered by Senators McGuire – Silverstein and all Senators:  
Mourns the death of Audrey Levison (nee Klein).

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

[May 1, 2014]



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. 92**

**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 Thursday, May 01, 2014, the House of Representatives stands adjourned until Tuesday, May 06, 2014 at 12:00 o'clock noon, or until the call of the Speaker; and the Senate stands adjourned until Tuesday, May 06, 2014, or until the call of the President.

Adopted by the House, April 30, 2014.

TIMOTHY D. MAPES, Clerk of the House

By unanimous consent, on motion of Senator Link, the foregoing message reporting House Joint Resolution No. 92 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.

**LEGISLATIVE MEASURES FILED**

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

Senate Committee Amendment No. 1 to Senate Bill 3502

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 2005

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

Senate Floor Amendment No. 1 to House Bill 4056

**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

May 1, 2014

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

[May 1, 2014]

Dear Mr. Secretary:

Pursuant to Rule 2-10, I am canceling Session scheduled Friday, May 9, 2014. Session will reconvene on Monday, May 12, 2014.

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

cc: Senate Minority Leader Christine Radogno  
Democrat Caucus Members  
Tim Mapes

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

JOHN J. CULLERTON  
SENATE PRESIDENT

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

May 1, 2014

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

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish May 1, 2014 as the committee deadline for Senate Bill 3502.

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

cc: Senate Republican Leader Christine Radogno

At the hour of 12:05 o'clock p.m., pursuant to **House Joint Resolution No. 92**, the Chair announced the Senate stand adjourned until Tuesday, May 6, 2014, at 12:00 o'clock noon, or until the call of the President.

[May 1, 2014]