

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-THIRD GENERAL ASSEMBLY

25TH LEGISLATIVE DAY

WEDNESDAY, MARCH 5, 2003

12:00 O'CLOCK NOON

**HOUSE OF REPRESENTATIVES
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The House met pursuant to adjournment.

Speaker Madigan in the chair.

Prayer by Reverend Ron Philpot of the Northcrest Calvary Baptist Church in Moline.

Representative Hassert led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:

117 present. (ROLL CALL 1)

By unanimous consent, Representative Morrow was excused from attendance.

LETTER OF TRANSMITTAL

February 7, 2003

Honorable Anthony D. Rossi
Room 402—State Capitol Building
Springfield, Illinois 62706

Dear Clerk Rossi:

I am writing this letter to disclose that I am currently employed on a part-time basis by Illinois Power Company. My job title is Manager-Special Projects. In this capacity, I am responsible for the completion of special projects, as assigned. My employment agreement with Illinois Power provides that I will not have any responsibilities relating to policy or legislative matters.

Because of my employment with Illinois Power, I may have a conflict of interest on certain pieces of legislation that come before the House. If presented with a potential conflict situation, it is my intent to follow the guides to conduct for legislators set forth in Article 3, Part 2 of the Illinois Governmental Ethics Act (5 ILCS 420/3-201 through 3-206).

Please maintain a copy of this letter in your files, and I would also request that the content of this letter be included in the House Journal.

Thank you for your attention to this matter.

Sincerely,
s/Robert Flider

REPORTS FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

- Amendment No. 1 to HOUSE BILL 60.
- Amendment No. 2 to HOUSE BILL 85.
- Amendment No. 2 to HOUSE BILL 115.
- Amendment No. 1 to HOUSE BILL 176.
- Amendment No. 2 to HOUSE BILL 184.
- Amendment No. 3 to HOUSE BILL 429.
- Amendment No. 1 to HOUSE BILL 486.
- Amendment No. 1 to HOUSE BILL 1166.
- Amendment No. 3 to HOUSE BILL 1383.

The committee roll call vote on the foregoing Legislative Measures is as follows:

5, Yeas; 0, Nays; 0, Answering Present.

Y Currie, Barbara(D), Chairperson
Y Hannig, Gary(D)
Y Turner, Arthur(D)

Y Black, William(R)
Y Hassert, Brent(R), Republican Spokesperson

COMMITTEE ON RULES REFERRALS

Representative Currie, Chairperson of the Committee on Rules, reported the following legislative measures and/or joint action motions have been assigned as follows:

Aging: HOUSE BILLS 3436, 3437, 3440, 3448 and 3674.

Agriculture & Conservation: HOUSE BILL 3545.

Appropriations-General Service: HOUSE BILLS 3513 and 3514.

Appropriations-Higher Education: HOUSE BILLS 1263, 3376, 3377, 3378, 3379, 3380 and 3435.

Appropriations-Human Services: HOUSE BILL 3607.

Appropriations-Public Safety: HOUSE BILLS 3335, 3463 and 3500.

Commerce & Business Development: HOUSE BILL 3478.

Consumer Protection: HOUSE BILLS 3334, 3458, 3603 and 3604.

Elections & Campaign Reform: HOUSE BILLS 3388 and 3427.

Elementary & Secondary Education: HOUSE BILLS 3441, 3480, 3487, 3544, 3587, 3593, 3619, 3624 and 3625.

Environment & Energy: HOUSE BILLS 3429, 3506, 3507, 3508, 3519, 3524, 3546, 3549, 3550, 3551, 3553 and 3554.

Executive: HOUSE BILLS 3364, 3365, 3381, 3382, 3383, 3384, 3389, 3394, 3400, 3401, 3402, 3404, 3407, 3408, 3409, 3410, 3412, 3413, 3414, 3415, 3416, 3417, 3418, 3419, 3420, 3421, 3422, 3423, 3424, 3425, 3426, 3430, 3431, 3432, 3434, 3459, 3460, 3461, 3462, 3470, 3471, 3472, 3473, 3474, 3475, 3477, 3483, 3485, 3491, 3494, 3495, 3496, 3497, 3498, 3499, 3502, 3509, 3510, 3511, 3515, 3516, 3529, 3531, 3533, 3536, 3537, 3538, 3539, 3541, 3542, 3548, 3559, 3563, 3564, 3565, 3566, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, 3579, 3583, 3584, 3585, 3590, 3591, 3594, 3596, 3598, 3600, 3601, 3605, 3606, 3611, 3613, 3614, 3615, 3616, 3617, 3618, 3621, 3623, 3630, 3631, 3635, 3637, 3638, 3639, 3640, 3641, 3642, 3643, 3644, 3645, 3646, 3647, 3648, 3649, 3650, 3651, 3652, 3653, 3654, 3655, 3659, 3664, 3665, 3666, 3667, 3669, 3670, 3672, 3680, 3681, 3682, 3683, 3684, 3685, 3686, 3687, 3688, 3689, 3690, 3693, 3694, 3696, 3697, 3698, 3700, 3701, 3703, 3704, 3705, 3706, 3707, 3709, 3710, 3711, 3712, 3713, 3714, 3715, 3716, 3717 and 3718.

Financial Institutions: HOUSE BILL 3663.

Health Care Availability & Access: HOUSE RESOLUTION 93.

Higher Education: HOUSE BILLS 3403, 3443 and 3465.

Housing & Urban Development: HOUSE BILL 3456.

Human Services: HOUSE BILLS 3329, 3457, 3464, 3481, 3586, 3588, 3589, 3608 and HOUSE AMENDMENT No. 1 to HOUSE BILL 215.

Insurance: HOUSE BILLS 3522, 3547, 3580, 3581, 3622, 3626, 3656, 3657, 3658, 3660 and 3661.

Judiciary I - Civil Law: HOUSE BILLS 3482, 3503, 3517, 3518, 3526, 3552, 3582, 3597, 3602, 3627, 3632, 3633 and HOUSE AMENDMENT No. 1 to HOUSE BILL 1400.

Judiciary II - Criminal Law: HOUSE BILLS 3332, 3333, 3336, 3337, 3338, 3339, 3340, 3341, 3342, 3343, 3344, 3345, 3346, 3347, 3348, 3349, 3350, 3351, 3352, 3353, 3354, 3355, 3356, 3357, 3358, 3359, 3360, 3361, 3362, 3363, 3366, 3367, 3368, 3369, 3370, 3371, 3372, 3373, 3374, 3375, 3385, 3386, 3387, 3390, 3451, 3453, 3466, 3484, 3492, 3493, 3501, 3504, 3525, 3528, 3532, 3540, 3555, 3556, 3610, 3662, 3675, 3691 and 3708.

Juvenile Justice Reform: HOUSE BILL 3567.

Labor: HOUSE BILLS 3392, 3396, 3397, 3398, 3399, 3405, 3486 and 3636.

Local Government: HOUSE BILLS 3395, 3411, 3433, 3490, 3530, 3543, 3679 and 3702.

Personnel & Pensions: HOUSE BILLS 3523 and 3592.

Public Utilities: HOUSE BILLS 3505 and 3557.

Registration & Regulation: HOUSE BILLS 3330, 3406, 3535, 3671 and 3678.

Revenue: HOUSE BILLS 2304, 3391, 3393, 3428, 3439, 3442, 3445, 3450, 3454, 3534, 3560, 3595, 3609, 3612, 3673, 3676 and 3677.

State Government Administration: HOUSE BILLS 3331, 3449, 3452, 3479, 3488, 3489, 3558, 3561, 3562, 3620, 3628, 3634, 3668 and 3719.

Transportation & Motor Vehicles: HOUSE BILLS 3467, 3476, 3527, 3599, 3629, 3692, 3699 and HOUSE AMENDMENT No. 1 to HOUSE BILL 1574.

Developmental Disabilities Mental Illness: HOUSE BILLS 74, 3438, 3444, 3446, 3447, 3455, 3512 and 3695.

COMMITTEE ON RULES REASSIGNMENTS

Representative Currie, Chairperson of the Committee on Rules, reassigned the following legislation:

HOUSE BILL 539 was recalled from the Committee on Executive and reassigned to the Committee on State Government Administration.

HOUSE BILL 1449 was recalled from the Committee on Executive and reassigned to the Committee on Local Government.

HOUSE BILL 1480 was recalled from the Committee on Executive and reassigned to the Committee on Financial Institutions.

HOUSE BILL 1608 was recalled from the Committee on Executive and reassigned to the Committee on Veterans' Affairs.

HOUSE BILL 2207 was recalled from the Committee on Executive and reassigned to the Committee on Elections & Campaign Reform.

HOUSE BILL 2233 was recalled from the Committee on Executive and reassigned to the Committee on Revenue.

HOUSE BILL 2234 was recalled from the Committee on Executive and reassigned to the Committee on Revenue.

HOUSE BILL 2268 was recalled from the Committee on Executive and reassigned to the Committee on Health Care Availability & Access.

HOUSE BILL 2310 was recalled from the Committee on Executive and reassigned to the Committee on Develop Disabilities Mental Illness.

HOUSE BILL 2317 was recalled from the Committee on Executive and reassigned to the Committee on Local Government.

HOUSE BILL 2334 was recalled from the Committee on Executive and reassigned to the Committee on Revenue.

HOUSE BILL 2353 was recalled from the Committee on Executive and reassigned to the Committee on Elementary & Secondary Education.

HOUSE BILL 2415 was recalled from the Committee on Executive and reassigned to the Committee on Judiciary I - Civil Law.

HOUSE BILL 2425 was recalled from the Committee on Executive and reassigned to the Committee on Financial Institutions.

HOUSE BILL 2456 was recalled from the Committee on Local Government and reassigned to the Committee on Labor.

HOUSE BILL 2532 was recalled from the Committee on Executive and reassigned to the Committee on Judiciary I - Civil Law.

HOUSE BILL 2535 was recalled from the Committee on Executive and reassigned to the Committee on State Government Administration.

HOUSE BILL 2541 was recalled from the Committee on Executive and reassigned to the Committee on Local Government.

HOUSE BILL 2542 was recalled from the Committee on Executive and reassigned to the Committee on Environment & Energy.

HOUSE BILL 2566 was recalled from the Committee on Financial Institutions and reassigned to the Committee on Judiciary I - Civil Law.

HOUSE BILL 2576 was recalled from the Committee on Executive and reassigned to the Committee on Financial Institutions.

HOUSE BILL 2790 was recalled from the Committee on Executive and reassigned to the Committee on Elementary & Secondary Education.

HOUSE BILL 2880 was recalled from the Committee on Human Services and reassigned to the Committee on Develop Disabilities Mental Illness.

HOUSE BILL 2911 was recalled from the Committee on Executive and reassigned to the Committee on Human Services.

HOUSE BILL 3048 was recalled from the Committee on Executive and reassigned to the Committee on Labor.

HOUSE BILL 3049 was recalled from the Committee on Executive and reassigned to the Committee on Revenue.

HOUSE BILL 3183 was recalled from the Committee on Executive and reassigned to the Committee on Personnel & Pensions.

CORRECTIONAL NOTE SUPPLIED

A Correctional Note has been supplied for HOUSE BILL 1253.

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for HOUSE BILLS 46, 1107, 1508, 1626, 2363, 2388, 2464, 2487 and 2630.

PENSION NOTE SUPPLIED

A Pension Note has been supplied for HOUSE BILL 1383, as amended.

JUDICIAL NOTES SUPPLIED

Judicial Notes have been supplied for HOUSE BILLS 1191, as amended, and 1253.

REPORTS FROM STANDING COMMITTEES

Representative Mautino, Chairperson, from the Committee on Insurance to which the following were referred, action taken on March 4, 2003, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 1640.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 1493.

The committee roll call vote on House Bills 1493 and 1640 is as follows:
12, Yeas; 0, Nays; 0, Answering Present.

- | | |
|--|---|
| Y Mautino, Frank(D), Chairperson | Y Berrios, Maria(D) |
| A Bradley, Richard(D) | Y Brady, Dan(R) |
| Y Colvin, Marlow(D) | Y Dunkin, Kenneth(D) |
| Y Dunn, Joe(R) | Y Mitchell, Bill(R) |
| Y Osmond, JoAnn(R) | Y Pankau, Carole(R) |
| Y Parke, Terry(R), Republican Spokesperson | Y Phelps, Brandon(D) |
| A Rita, Robert(D) | Y Yarbrough, Karen(D), Vice-Chairperson |

Representative Steve Davis, Chairperson, from the Committee on Public Utilities to which the following were referred, action taken on March 4, 2003, and reported the same back with the following recommendations:

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 2839.

That the bills be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 1452 and 2489.

The committee roll call vote on House Bills 2489 and 2839 is as follows:
15, Yeas; 0, Nays; 0, Answering Present.

Y Davis, Steve(D), Chairperson	Y Bost, Mike(R)
A Davis, Monique(D)	Y Giles, Calvin(D)
Y Granberg, Kurt(D)	Y Holbrook, Thomas(D)
Y Hultgren, Randall(R)	Y Jones, Lovana(D)
A Krause, Carolyn(R), Republican Spokesperson	Y Lyons, Eileen(R)
Y May, Karen(D)	Y Meyer, James(R)
A Morrow, Charles(D), Vice-Chairperson	Y Myers, Richard(R)
Y Novak, John(D)	Y Saviano, Angelo(R)
Y Scully, George(D)	Y Sullivan, Ed(R)

The committee roll call vote on House Bill 1452 is as follows:
16, Yeas; 0, Nays; 0, Answering Present.

Y Davis, Steve(D), Chairperson	Y Bost, Mike(R)
A Davis, Monique(D)	Y Giles, Calvin(D)
Y Granberg, Kurt(D)	Y Holbrook, Thomas(D)
Y Hultgren, Randall(R)	Y Jones, Lovana(D)
Y Krause, Carolyn(R), Republican Spokesperson	Y Lyons, Eileen(R)
Y May, Karen(D)	Y Meyer, James(R)
A Morrow, Charles(D), Vice-Chairperson	Y Myers, Richard(R)
Y Novak, John(D)	Y Saviano, Angelo(R)
Y Scully, George(D)	Y Sullivan, Ed(R)

Representative Hoffman, Chairperson, from the Committee on Transportation & Motor Vehicles to which the following were referred, action taken on March 4, 2003, and reported the same back with the following recommendations:

That the bills be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 463 and 1532.

That the bills be reported “do pass” and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 2301 and 2302.

That the bill be reported “do pass” and be placed on the order of Second Reading-- Standard Debate: HOUSE BILL 2824.

The committee roll call vote on House Bill 463 is as follows:
19, Yeas; 0, Nays; 0, Answering Present.

Y Hoffman, Jay(D), Chairperson	Y Bassi, Suzanne(R)
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Y Black,William(R)	Y Brosnahan,James(D)
Y Forby,Gary(D)	Y Fritchey,John(D)
Y Joyce,Kevin(D)	Y Lyons,Joseph(D)
A Mathias,Sidney(R)	Y McAuliffe,Michael(R)
Y Miller,David(D), Vice-Chairperson	Y Millner,John(R)
Y Moffitt,Donald(R)	Y Molaro,Robert(D)
Y O'Brien,Mary(D)	Y Reitz,Dan(D)
Y Soto,Cynthia(D)	Y Tenhouse,Art(R)
Y Wait,Ronald(R), Republican Spokesperson	Y Watson,Jim(R)

The committee roll call vote on House Bills 1532, 2301 and 2302 is as follows:
20, Yeas; 0, Nays; 0, Answering Present.

Y Hoffman,Jay(D), Chairperson	Y Bassi,Suzanne(R)
Y Black,William(R)	Y Brosnahan,James(D)
Y Forby,Gary(D)	Y Fritchey,John(D)
Y Joyce,Kevin(D)	Y Lyons,Joseph(D)
Y Mathias,Sidney(R)	Y McAuliffe,Michael(R)
Y Miller,David(D), Vice-Chairperson	Y Millner,John(R)
Y Moffitt,Donald(R)	Y Molaro,Robert(D)
Y O'Brien,Mary(D)	Y Reitz,Dan(D)
Y Soto,Cynthia(D)	Y Tenhouse,Art(R)
Y Wait,Ronald(R), Republican Spokesperson	Y Watson,Jim(R)

The committee roll call vote on House Bill 2824 is as follows:
11, Yeas; 7, Nays; 1, Answering Present.

Y Hoffman,Jay(D), Chairperson	P Bassi,Suzanne(R)
N Black,William(R)	Y Brosnahan,James(D)
Y Forby,Gary(D)	A Fritchey,John(D)
N Joyce,Kevin(D)	Y Lyons,Joseph(D)
Y Mathias,Sidney(R)	Y McAuliffe,Michael(R)
Y Miller,David(D), Vice-Chairperson	N Millner,John(R)
Y Moffitt,Donald(R)	Y Molaro,Robert(D)
Y O'Brien,Mary(D)	N Reitz,Dan(D)
N Soto,Cynthia(D)	N Tenhouse,Art(R)
N Wait,Ronald(R), Republican Spokesperson	Y Watson,Jim(R)

Representative Flowers, Chairperson, from the Committee on Health Care Availability & Access to which the following were referred, action taken on March 4, 2003, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Standard Debate: HOUSE BILL 2376.

The committee roll call vote on House Bill 2376 is as follows:
11, Yeas; 1, Nays; 8, Answering Present.

Y Flowers,Mary(D), Chairperson	P Aguilar,Frank(R)
Y Bailey,Patricia(D)	Y Berrios,Maria(D)
Y Chapa LaVia,Linda(D)	P Coulson,Elizabeth(R)
Y Fritchey,John(D)	Y Graham,Deborah(D)
P Hassert,Brent(R)	Y Howard,Constance(D)
P Krause,Carolyn(R)	P Kurtz,Rosemary(R), Republican Spokesperson
Y May,Karen(D), Vice-Chairperson	P Miller,David(D)

P Mulligan,Rosemary(R)
 Y Ryg,Kathleen(D)
 N Sommer,Keith(R)

P Munson,Ruth(R)
 Y Slone,Ricca(D)
 Y Stephens,Ron(R)

Representative Reitz, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken on March 4, 2003, and reported the same back with the following recommendations:

That the bills be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 230, 2273, 2816, 2889, 2890, 2918, 2943, 2949 and 2950.

The committee roll call vote on House Bills 230, 2816, 2918, 2943, 2949 and 2950 is as follows:
 16, Yeas; 0, Nays; 0, Answering Present.

Y Reitz,Dan(D), Chairperson	Y Brauer,Rich(R)
Y Brunsvold,Joel(D)	Y Cultra,Shane(R)
Y Eddy,Roger(R)	Y Flider,Robert(D)
Y Forby,Gary(D), Vice-Chairperson	Y Hartke,Charles(D)
Y Mautino,Frank(D)	Y Moffitt,Donald(R), Republican Spokesperson
Y Myers,Richard(R)	Y O'Brien,Mary(D)
Y Phelps,Brandon(D)	Y Sacia,Jim(R)
Y Smith,Michael(D)	Y Winters,Dave(R)

The committee roll call vote on House Bill 2273 is as follows:
 15, Yeas; 0, Nays; 0, Answering Present.

Y Reitz,Dan(D), Chairperson	Y Brauer,Rich(R)
Y Brunsvold,Joel(D)	Y Cultra,Shane(R)
Y Eddy,Roger(R)	Y Flider,Robert(D)
A Forby,Gary(D), Vice-Chairperson	Y Hartke,Charles(D)
Y Mautino,Frank(D)	Y Moffitt,Donald(R), Republican Spokesperson
Y Myers,Richard(R)	Y O'Brien,Mary(D)
Y Phelps,Brandon(D)	Y Sacia,Jim(R)
Y Smith,Michael(D)	Y Winters,Dave(R)

The committee roll call vote on House Bill 2889 is as follows:
 13, Yeas; 2, Nays; 0, Answering Present.

Y Reitz,Dan(D), Chairperson	Y Brauer,Rich(R)
Y Brunsvold,Joel(D)	Y Cultra,Shane(R)
Y Eddy,Roger(R)	N Flider,Robert(D)
A Forby,Gary(D), Vice-Chairperson	Y Hartke,Charles(D)
Y Mautino,Frank(D)	Y Moffitt,Donald(R), Republican Spokesperson
Y Myers,Richard(R)	Y O'Brien,Mary(D)
N Phelps,Brandon(D)	Y Sacia,Jim(R)
Y Smith,Michael(D)	Y Winters,Dave(R)

The committee roll call vote on House Bill 2890 is as follows:
 11, Yeas; 4, Nays; 0, Answering Present.

Y Reitz,Dan(D), Chairperson	Y Brauer,Rich(R)
Y Brunsvold,Joel(D)	Y Cultra,Shane(R)
N Eddy,Roger(R)	N Flider,Robert(D)
A Forby,Gary(D), Vice-Chairperson	Y Hartke,Charles(D)
Y Mautino,Frank(D)	Y Moffitt,Donald(R), Republican Spokesperson

Y Myers,Richard(R)
N Phelps,Brandon(D)
Y Smith,Michael(D)

Y O'Brien,Mary(D)
N Sacia,Jim(R)
Y Winters,Dave(R)

Representative Boland, Chairperson, from the Committee on Elections & Campaign Reform to which the following were referred, action taken on March 4, 2003, and reported the same back with the following recommendations:

That the bills be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 1442, 1603 and 2508.

The committee roll call vote on House Bill 1442 is as follows:
8, Yeas; 0, Nays; 0, Answering Present.

Y Boland,Mike(D), Chairperson
Y Jakobsson,Naomi(D)
A Nekritz,Elaine(D) (Scully)
Y Osterman,Harry(D)
Y Wait,Ronald(R)

Y Brady,Dan(R), Republican Spokesperson
Y Jefferson,Charles(D), Vice-Chairperson
Y Osmond,JoAnn(R)
Y Sullivan,Ed(R)

The committee roll call vote on House Bill 1603 is as follows:
9, Yeas; 0, Nays; 0, Answering Present.

Y Boland,Mike(D), Chairperson
Y Jakobsson,Naomi(D)
Y Nekritz,Elaine(D) (Scully)
Y Osterman,Harry(D)
Y Wait,Ronald(R)

Y Brady,Dan(R), Republican Spokesperson
Y Jefferson,Charles(D), Vice-Chairperson
Y Osmond,JoAnn(R)
Y Sullivan,Ed(R)

The committee roll call vote on House Bill 2508 is as follows:
6, Yeas; 2, Nays; 0, Answering Present.

Y Boland,Mike(D), Chairperson
N Jakobsson,Naomi(D)
A Nekritz,Elaine(D) (Scully)
Y Osterman,Harry(D)
Y Wait,Ronald(R)

Y Brady,Dan(R), Republican Spokesperson
N Jefferson,Charles(D), Vice-Chairperson
Y Osmond,JoAnn(R)
Y Sullivan,Ed(R)

Representative Brosnahan, Chairperson, from the Committee on Consumer Protection to which the following were referred, action taken on March 4, 2003, and reported the same back with the following recommendations:

That the bills be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 1486 and 2344.

That the bills be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 70, 259, 2187 and 2188.

The committee roll call vote on House Bills 70, 259, 1486, 2187, 2188 and 2344 is as follows:
11, Yeas; 0, Nays; 0, Answering Present.

Y Brosnahan,James(D), Chairperson
Y McCarthy,Kevin(D), Vice-Chairperson

Y Churchill,Robert(R)
Y McGuire,Jack(D)

Y Mendoza,Susana(D)
 Y Parke,Terry(R)
 Y Rita,Robert(D)
 Y Washington,Eddie(D)

Y Millner,John(R)
 Y Pihos,Sandra(R)
 Y Tenhouse,Art(R), Republican Spokesperson

Representative Joseph Lyons, Chairperson, from the Committee on Financial Institutions to which the following were referred, action taken on March 4, 2003, and reported the same back with the following recommendations:

That the bills be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 1150 and 2550.

That the bills be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 1516, 1521 and 2543.

The committee roll call vote on House Bill 1150 is as follows:
 16, Yeas; 0, Nays; 0, Answering Present.

Y Lyons,Joseph(D), Chairperson	Y Bellock,Patricia(R)
Y Burke,Daniel(D), Vice-Chairperson	A Capparelli,Ralph(D)
Y Davis,Monique(D)	Y Davis,Steve(D)
Y Dunn,Joe(R)	Y Giles,Calvin(D)
Y Holbrook,Thomas(D)	Y Hultgren,Randall(R)
Y Jones,Lovana(D)	Y Kosel,Renee(R)
Y Mathias,Sidney(R)	Y McAuliffe,Michael(R)
Y Meyer,James(R)	Y Mitchell,Bill(R), Republican Spokesperson
A Molaro,Robert(D)	Y Morrow,Charles(D) (Bradley)

The committee roll call vote on House Bills 2543 and 2550 is as follows:
 14, Yeas; 0, Nays; 0, Answering Present.

Y Lyons,Joseph(D), Chairperson	Y Bellock,Patricia(R)
A Burke,Daniel(D), Vice-Chairperson	A Capparelli,Ralph(D)
Y Davis,Monique(D)	Y Davis,Steve(D)
Y Dunn,Joe(R)	Y Giles,Calvin(D)
Y Holbrook,Thomas(D)	Y Hultgren,Randall(R)
A Jones,Lovana(D)	Y Kosel,Renee(R)
Y Mathias,Sidney(R)	Y McAuliffe,Michael(R)
Y Meyer,James(R)	Y Mitchell,Bill(R), Republican Spokesperson
A Molaro,Robert(D)	Y Morrow,Charles(D) (Bradley)

The committee roll call vote on House Bill 1516 is as follows:
 13, Yeas; 0, Nays; 0, Answering Present.

Y Lyons,Joseph(D), Chairperson	Y Bellock,Patricia(R)
A Burke,Daniel(D), Vice-Chairperson	A Capparelli,Ralph(D)
A Davis,Monique(D)	Y Davis,Steve(D)
Y Dunn,Joe(R)	Y Giles,Calvin(D)
Y Holbrook,Thomas(D)	Y Hultgren,Randall(R)
A Jones,Lovana(D)	Y Kosel,Renee(R)
Y Mathias,Sidney(R)	Y McAuliffe,Michael(R)
Y Meyer,James(R)	Y Mitchell,Bill(R), Republican Spokesperson
A Molaro,Robert(D)	Y Morrow,Charles(D) (Bradley)

The committee roll call vote on House Bill 1521 is as follows:

11, Yeas; 1, Nays; 0, Answering Present.

Y Lyons,Joseph(D), Chairperson	Y Bellock,Patricia(R)
A Burke,Daniel(D), Vice-Chairperson	A Capparelli,Ralph(D)
A Davis,Monique(D)	Y Davis,Steve(D)
Y Dunn,Joe(R)	A Giles,Calvin(D)
Y Holbrook,Thomas(D)	Y Hultgren,Randall(R)
A Jones,Lovana(D)	Y Kosel,Renee(R)
Y Mathias,Sidney(R)	Y McAuliffe,Michael(R)
N Meyer,James(R)	Y Mitchell,Bill(R), Republican Spokesperson
A Molaro,Robert(D)	Y Morrow,Charles(D) (Bradley)

Representative Hamos, Chairperson, from the Committee on Housing & Urban Development to which the following were referred, action taken on March 4, 2003, and reported the same back with the following recommendations:

That the bills be reported “do pass” and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 2345 and 2382.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 1529.

The committee roll call vote on House Bills 1529 and 2382 is as follows:
20, Yeas; 0, Nays; 0, Answering Present.

Y Hamos,Julie(D), Chairperson	Y Bailey,Patricia(D)
Y Biggins,Bob(R)	Y Feigenholtz,Sara(D)
Y Froehlich,Paul(R)	Y Graham,Deborah(D)
Y Jefferson,Charles(D)	Y Kelly,Robin(D)
Y Leitch,David(R), Republican Spokesperson	Y McKeon,Larry(D), Vice-Chairperson
Y Munson,Ruth(R)	Y Nekritz,Elaine(D)
Y Osterman,Harry(D)	Y Poe,Raymond(R)
Y Rose,Chapin(R)	Y Ryg,Kathleen(D)
Y Slone,Ricca(D)	Y Sommer,Keith(R)
Y Stephens,Ron(R)	Y Winters,Dave(R)

The committee roll call vote on House Bill 2345 is as follows:
18, Yeas; 1, Nays; 1, Answering Present.

Y Hamos,Julie(D), Chairperson	Y Bailey,Patricia(D)
N Biggins,Bob(R)	Y Feigenholtz,Sara(D)
Y Froehlich,Paul(R)	Y Graham,Deborah(D)
Y Jefferson,Charles(D)	Y Kelly,Robin(D)
Y Leitch,David(R), Republican Spokesperson	Y McKeon,Larry(D), Vice-Chairperson
Y Munson,Ruth(R)	Y Nekritz,Elaine(D)
Y Osterman,Harry(D)	Y Poe,Raymond(R)
Y Rose,Chapin(R)	Y Ryg,Kathleen(D)
Y Slone,Ricca(D)	P Sommer,Keith(R)
Y Stephens,Ron(R)	Y Winters,Dave(R)

CHANGE OF SPONSORSHIP

Representative Rita asked and obtained unanimous consent to be removed as chief sponsor and Representative Burke asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 3618.

RESOLUTIONS

The following resolutions were offered and placed in the Committee on Rules.

HOUSE RESOLUTION 112

Offered by Representative Brauer:

WHEREAS, The date of Wednesday March 12, 2003, marks the 91st anniversary of Girl Scouts of the USA, founded in 1912 by Juliette Gordon Low in Savannah, Georgia; and

WHEREAS, Throughout its long and distinguished history, Girl Scouting has inspired millions of girls and women with the highest ideals of character, conduct, and patriotism; and

WHEREAS, Through Girl Scouting girls grow strong, gain self-confidence and skills for success, and learn their duty to the world around them; and

WHEREAS, Girl Scouting takes an active role in increasing the interest and skill levels of today's youth in math, science, and technology to fulfill our country's economic needs; and

WHEREAS, More than 3.8 million current Girl Scout members nationwide will be celebrating 91 years of an American tradition, with nearly 50 million women who are former Girl Scouts who can be mentors to help today's girls succeed; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the week of March 9-15 as Girl Scout Week; and be it further

RESOLVED, That we extend our congratulations to the Girl Scouts of the USA on this 91st anniversary of their beginning; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Girl Scouts of the USA.

HOUSE JOINT RESOLUTION 24

Offered by Representative McKeon:

WHEREAS, The right to a quality education is a fundamental right Illinois owes to all of its children; and

WHEREAS, The State of Illinois is over-reliant on property taxes to fund education; and

WHEREAS, This over-reliance on property taxes has created a number of problems for education funding, tax equity, and economic development across the State of Illinois; and

WHEREAS, In particular, the State's over-reliance on property taxes is a primary cause of the significant differences between per student education funding across the State; and

WHEREAS, The over-reliance on property taxes also has created significant hardships for rural areas of the State, for areas of concentrated poverty in urban areas of the State, and for senior citizens on fixed incomes in gentrifying areas of the State; and

WHEREAS, Numerous commissions and task forces, such as the Ikenberry Commission and the Governor's Education Funding Advisory Board, have recommended that Illinois assume primary responsibility for funding education by reducing its reliance on property taxes and using more State-based revenue to fund education; and

WHEREAS, Any changes the State makes in how it funds education should ensure that:

(i) Every school district in the State has sufficient financial resources to fund a quality education;

(ii) No school district loses money as a result of the reform; and

(iii) The State-based revenue sources used to replace property taxes are adjusted through the use of credits or other tax relief, so that the State does not create additional financial burdens for low-income and moderate-income families and senior citizens; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL

ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created a Joint Committee on Property Tax Reform and School Funding Reform which shall be charged with reforming the State's fiscal system to ensure it is fundamentally sound, fair, and capable of funding a quality education for all Illinois children; and be it further

RESOLVED, That the Joint Committee on Property Tax Reform and School Funding Reform shall be comprised as follows: seven members of the House of Representatives, the Speaker of the House appointing four, with one serving as co-chairperson, and the Minority Leader of the House appointing three; and seven members of the Senate, the President of the Senate appointing four, with one of them serving as co-chairperson, and the Minority Leader of the Senate appointing three; and be it further

RESOLVED, That the Joint Committee on Property Tax Reform and School Funding Reform meet at least twelve times during the 93rd General Assembly and summarize its findings and recommendations in a report to the General Assembly no later than December 31, 2004.

AGREED RESOLUTIONS

The following resolutions were offered and placed on the Calendar on the order of Agreed Resolutions.

HOUSE RESOLUTION 110

Offered by Representative Brauer:

WHEREAS, The City of Lincoln was first christened by Abraham Lincoln in 1853; the City will reenact this christening at a sesquicentennial celebration during the week of August 24 through August 31; and

WHEREAS, The sesquicentennial celebration will include several activities; there will be an 1860s baseball game with the players wearing period outfits, an old-fashioned ice cream social and queen contest, an historic play depicting Abraham Lincoln, a celebrity parade, an Abe Lincoln look-a-like contest, popular musical groups, civil war military reenactments, a civil war ball, black history and underground railroad lectures and displays, an 1850s farming educational program, a lecture evening on Abraham Lincoln's life in Lincoln and Logan County, and more; and

WHEREAS, Lincoln is the only city in the world named for and by Abraham Lincoln and actually christened by him prior to being elected President of the United States; Lincoln has a current population of approximately 15,800; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the City of Lincoln on the occasion of the sesquicentennial anniversary of its christening; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Mayor Elizabeth A. Davis with our best wishes for a successful sesquicentennial celebration.

HOUSE RESOLUTION 111

Offered by Representative Molaro:

WHEREAS, The members of the House of Representatives of the State of Illinois were saddened to learn of the death of Cynthia L. Blaida of Beecher on February 3, 2003 at 51 years of age; and

WHEREAS, Mrs. Blaida was born on January 8, 1952, the beloved daughter of Mr. and Mrs. Frank and Celia Fary; and

WHEREAS, Mrs. Blaida was an active resident of the McKinley Park neighborhood; and

WHEREAS, Mrs. Blaida received her bachelor's degree in religious studies from St. Xavier College in 1999 and completed her graduate studies in pastoral ministry at Loyola University in January of this year; and

WHEREAS, Mrs. Blaida was the Music Director, music teacher, and organist of Our Lady of Good Counsel for many years and for the last seven years, Mrs. Blaida was the Music Director for St. Christina's Parish in Mt. Greenwood; and

WHEREAS, Mrs. Blaida and her husband resided in Beecher where they had just built their dream

home; and

WHEREAS, Mrs. Blaida showed tireless dedication to her family and friends while facing her illness with a strength and courage that we all hope to attain; and

WHEREAS, Mrs. Blaida's passing will be deeply felt by her friends and family, especially her husband, Thomas; her children, Derek, Vannessa (Kevin) Connor, and Nicholas; her parents, Frank and Celia Fary; and her brother, the Honorable Mark J. Fary, former alderman of the 12th Ward in Chicago; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the death of Cynthia L. Blaida along with all who knew and loved her, and extend our sincere condolences to her friends and family; and be it further RESOLVED, That a suitable copy of this resolution be presented to the family of Cynthia L. Blaida.

HOUSE BILLS ON SECOND READING

HOUSE BILL 32. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 32 on page 1, line 13 by inserting after the period the following:

"(a) Except as otherwise provided in subsection (b),"; and on page 1, by inserting after line 17 the following:

"(b) Permanent cookies used by State agency Web sites may be exempt from the prohibition in subsection (a) if they meet the following criteria:

(1) The use of permanent cookies adds value to the user otherwise not available;

(2) The permanent cookies are not used to monitor and track web site viewing habits unless all types of information collected and the State's use of that information add user value and are disclosed through a comprehensive online privacy statement.

The Internet Privacy Task Force established under Section 15 shall define the exemption and limitations of this subsection (b) in practice."

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 46. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 46 by replacing everything after the enacting clause with the following:

"Section 5. The Retailers' Occupation Tax Act is amended by changing Section 14 as follows:

(35 ILCS 120/14) (from Ch. 120, par. 453)

Sec. 14. Short title; additional tax. This Act shall be known as the "Retailers' Occupation Tax Act" and the tax herein imposed shall be in addition to all other occupation or privilege taxes imposed by the State of Illinois or by any municipal corporation or political subdivision thereof. (Source: Laws 1933, p. 924.)"

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 57, 91 and 102.

Having been printed, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 121.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 186, 216, 231, 237 and 263.

HOUSE BILL 264. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary I - Civil Law, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1 . Amend House Bill 264 by replacing the title with the following:

"AN ACT concerning agriculture."; and

by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Agricultural Production Contract Code.

Section 5. Definitions. As used in this Act, unless the context otherwise requires:

"Capital investment" means a purchase or lease of any of the following:

(1) A structure used for producing or storing a commodity required to be provided by the producer under the terms of the production contract if the structure has a useful life in excess of 3 years. This includes, but is not limited to, swine farrowing buildings, grain storage facilities, and manure storage structures.

(2) Machinery or equipment used for producing a commodity required to be provided by the producer under the terms of the production contract if the machinery has a useful life in excess of 3 years. This includes, but is not limited to, trucks, tractors, combines, wagons, augers, and planters.

"Commodity" means livestock, raw milk, fruits, vegetables, or a crop.

"Contract input" means a commodity or an organic or synthetic substance or compound that is used to produce a commodity, including but not limited to, livestock, plants, agricultural seeds, semen or eggs for breeding livestock, fertilizer, pesticides, or petroleum products.

"Contractor" means a person who offers, provides, or enters into a production contract with a producer for the production of commodities in this State by the producer.

"Crop" means a plant used for food, animal feed, fiber, oil, pharmaceuticals, nutraceuticals, industrial uses, or seed, including but not limited to, alfalfa, barley, buckwheat, canola, corn, flax, forage, fruits, millet, oats, popcorn, rye, sorghum, soybeans, sunflowers, tobacco, vegetables, wheat, and grasses used for forage or silage.

"Livestock" includes, but is not limited to, beef cattle, dairy cattle, poultry, sheep, or swine.

"Person" means an individual or entity, including but not limited to, a sole proprietorship, a partnership, a corporation, a cooperative, an association, a limited liability company, an estate, or a trust.

"Produce" means to do any of the following:

(1) Provide feed or services relating to the care and feeding of livestock. If the livestock is dairy cattle, then "produce" includes milking the dairy cattle and storing raw milk.

(2) Provide for planting, raising, harvesting, identity preserving, or storing a crop.

"Produce" includes preparing the soil for planting and also for nurturing the crop by the application of fertilizers or soil conditioners, including those substances regulated under the Illinois Fertilizer Act of 1961, or pesticides as defined in the Illinois Pesticide Act.

"Producer" means a person who has been offered or who has entered into a contract to produce a commodity. "Producer" does not include a fertilizer or pesticide applicator, a feed supplier, or a veterinarian, when acting in that capacity.

"Production contract" means: (1) Any written document offered to or executed by a producer, under the provisions of which (i) the producer would sell to a contractor, or the contractor's designee, an identified commodity or commodities and (ii) the contractor has, or exercises some control or direction over, the production process; or (2) any written agreement offered to or executed by a producer under the provisions of which the producer would produce, care for, or raise a commodity or commodities not owned by the producer, using land, equipment, or facilities owned or leased by the producer, in exchange for payment. For purposes of this definition, control or direction over the production process includes (i) the contractor's

designation of special commodity characteristics, such as those present in value-enhanced grains, or specific genetics in livestock or (ii) the contractor's designation of a production input, such as a seed variety, to be used by the producer to fulfill the production contract.

Section 10. Limited applicability. This Act shall not apply to a production contract under the provisions of which the commodity is to be delivered by the producer to the contractor or the contractor's designee within 30 days after the date of the production agreement.

Section 20. Readability of production contracts.

(a) A production contract must comply with all of the following:

(1) It must be in a typeface at least as large as 10-point modern, one-point leaded.

(2) It must be divided and captioned by its various sections, have an index of the major provisions of the production contract and the pages on which they are found, and use commonly-used and understood words and terms, but may include technical or industry terms customarily used and understood by producers in the ordinary course of business.

(3) It must limit references to other sections or provisions and, when incorporating a document, have a copy of the document attached.

(4) It must have a Flesch scale analysis readability score of at least 50.

(b) A contractor may include a provision in the index required by Section 25 that the production contract being offered meets the requirements of this Section as to readability.

Section 25. Index. An index of the major portions of the contract and the pages on which they are found must be included with each production contract offered to a producer that exceeds 2 pages in length. The index must contain references for any of the following that are included in the contract:

(1) The names of the parties to the contract.

(2) The definition sections of the contract.

(3) The provisions governing cancellation, renewal, or amendment of the contract by either party.

(4) The sections outlining the duties or obligations of each party.

(5) The compensation information.

(6) Any provisions subject to change in the contract.

(7) Any special provisions relative to production guidelines.

Section 30. Confidentiality clauses. A production contract may include a confidentiality provision, but communications with any of the following shall not be considered a breach of any such provision: (i) a producer's spouse; (ii) a producer's parents, siblings, and children of the age of majority if these persons are partners, shareholders, officers, or directors of the producer's agricultural operations; (iii) accountants; (iv) attorneys; (v) bankers; (vi) financial institutions; (vii) farm managers; (viii) trusts or trust beneficiaries; or (ix) the partners, officers, or directors of the producer's agricultural operations. When communicating with these persons, the producer must request each person to treat the information as privileged and confidential.

Section 35. Special provisions. If a production contract requires any special production or handling guidelines required by the producer, these provisions must be fully explained in the contract. These provisions include, but are not limited to, disease protocols for livestock and segregation or identity preservation for grain.

Section 40. Termination or alteration of contracts.

(a) A contractor may not provide, offer, or execute a production contract that allows the contractor to unilaterally terminate the contract unless (i) the termination is the result of a legitimate force majeure as applied to the contractor or (ii) the producer breaches a material term of the contract or voluntarily abandons the contractual relationship.

(b) A contractor may not alter the quality, quantity, or delivery times of contract inputs provided to the producer, unless agreed to by the producer.

(c) Any cancellation or termination provisions must include specific causes for the cancellation or termination and any circumstances under which the commodity produced under the contract might be rejected in whole or part by the contractor.

(d) Any circumstances in which the compensation to be paid by a producer may be discounted or increased shall include specific causes to be clearly and concisely stated.

Section 45. Investment requirements.

(a) This Section applies to all production contracts that have capital investment requirements.

(b) Except as provided in subsection (c), a contractor shall not take action to terminate or cancel a production contract until the contractor has done the following:

(1) Provided the producer with written notice of the intention to terminate or cancel at least 60 days before the effective date of the termination or cancellation.

(2) Reimbursed the contract producer for the value of the remaining useful life of the capital investment items. In calculating this reimbursement amount, the contractor may take into account the producer's ability to use the capital investments in other business enterprises of the producer and the opportunity to recoup the cost of the capital improvements by sale or lease.

(c) Exceptions. A contractor may terminate or cancel a production contract without remedy as required in subsection (b) if the basis for the termination or cancellation is any of the following:

(1) A voluntary abandonment of the contractual relationship by the producer. A complete failure of a producer's performance under a production contract shall be deemed to be abandonment.

(2) Failure of the producer to meet the specific provisions of the contract and failure to remedy his or her default.

(3) The conviction of a producer of an offense of fraud or theft committed against the contractor.

Section 50. Enforcement; offenses; remedies. The Attorney General is primarily responsible for enforcing this Act.

A person who violates Section 20, 25, 30, or 35 commits a business offense under the Code of Civil Procedure.

A producer may recover his or her actual damages for a contractor's violation of Section 40 or 45 of this Act.

Section 55. Statute of limitations. A claim that a production contract violates this Act must be filed within 4 years after the date on which the party alleging the violation knew or should have known of the existence of the violation.

Section 60. Conflict with the Uniform Commercial Code. To the extent that any provision of this Act conflicts with or is inconsistent with any provision of the Uniform Commercial Code, the provision of this Act shall control.

Section 90. The Uniform Commercial Code is amended by adding Section 1-104b as follows:

(810 ILCS 5/104b new)

Sec. 1-104b. Agriculture Production Contract Code. This Act is subject to the provisions of the Agriculture Production Contract Code.

Section 99. Effective date. This Act takes effect on January 1, 2005."

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 371. Having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Elections & Campaign Reform, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 371 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 21-5b as follows:

(105 ILCS 5/21-5b)

Sec. 21-5b. Alternative certification. The State Board of Education, in consultation with the State Teacher Certification Board, shall establish and implement an alternative certification program under which persons who meet the requirements of and successfully complete the program established by this Section shall be issued an alternative teaching certificate for teaching in the schools. The program shall be limited to not more than 500 ~~260~~ new participants during each year that the program is in effect. The State Board of Education, in cooperation with a partnership formed with a university that offers 4-year baccalaureate and masters degree programs and that is a recognized institution as defined in Section 21-21 and one or more not-for-profit organizations in the State which support excellence in teaching, shall within 30 days after submission by the partnership approve a course of study developed by the partnership that persons in the program must successfully complete in order to satisfy one criterion for issuance of an alternative certificate under this Section. The Alternative Teacher Certification program course of study must include the current content and skills contained in the university's current courses for State certification which have been approved by the State Board of Education, in consultation with the State Teacher Certification Board, as the requirement for State teacher certification.

The alternative certification program established under this Section shall be known as the Alternative

Teacher Certification program. The Alternative Teacher Certification Program shall be offered by the submitting partnership and may be offered in conjunction with one or more not-for-profit organizations in the State which support excellence in teaching. The program shall be comprised of the following 3 phases: (a) the first phase is the course of study offered on an intensive basis in education theory, instructional methods, and practice teaching; (b) the second phase is the person's assignment to a full-time teaching position for one school year; and (c) the third phase is a comprehensive assessment of the person's teaching performance by school officials and the partnership participants and a recommendation by the partner institution of higher education to the State Board of Education that the person be issued a standard alternative teaching certificate. Successful completion of the Alternative Teacher Certification program shall be deemed to satisfy any other practice or student teaching and subject matter requirements established by law.

A provisional alternative teaching certificate, valid for one year of teaching in the common schools and not renewable, shall be issued under this Section 21-5b to persons who at the time of applying for the provisional alternative teaching certificate under this Section:

- (1) have graduated from an accredited college or university with a bachelor's degree;
- (2) have successfully completed the first phase of the Alternative Teacher Certification program as provided in this Section;
- (3) have passed the tests of basic skills and subject matter knowledge required by Section 21-1a; and
- (4) have been employed for a period of at least 5 years in an area requiring application of the individual's education; however, this requirement does not apply with respect to a provisional alternative teaching certificate for teaching in schools situated in a school district that is located in a city having a population in excess of 500,000 inhabitants.

A person possessing a provisional alternative certificate under this Section shall be treated as a regularly certified teacher for purposes of compensation, benefits, and other terms and conditions of employment afforded teachers in the school who are members of a bargaining unit represented by an exclusive bargaining representative, if any.

Until February 15, 2000, a standard alternative teaching certificate, valid for 4 years for teaching in the schools and renewable as provided in Section 21-14, shall be issued under this Section 21-5b to persons who first complete the requirements for the provisional alternative teaching certificate and who at the time of applying for a standard alternative teaching certificate under this Section have successfully completed the second and third phases of the Alternative Teacher Certification program as provided in this Section. Alternatively, beginning February 15, 2000, at the end of the 4-year validity period, persons who were issued a standard alternative teaching certificate shall be eligible, on the same basis as holders of an Initial Teaching Certificate issued under subsection (b) of Section 21-2 of this Code, to apply for a Standard Teaching Certificate, provided they meet the requirements of subsection (c) of Section 21-2 of this Code and further provided that a person who does not apply for and receive a Standard Teaching Certificate shall be able to teach only in schools situated in a school district that is located in a city having a population in excess of 500,000 inhabitants.

Beginning February 15, 2000, persons who have completed the requirements for a standard alternative teaching certificate under this Section shall be issued an Initial Alternative Teaching Certificate valid for 4 years of teaching and not renewable. At the end of the 4-year validity period, these persons shall be eligible, on the same basis as holders of an Initial Teaching Certificate issued under subsection (b) of Section 21-2 of this Code, to apply for a Standard Teaching Certificate, provided they meet the requirements of subsection (c) of Section 21-2.

This alternative certification program shall be implemented so that the first provisional alternative teaching certificates issued under this Section are effective upon the commencement of the 1997-1998 academic year and the first standard alternative teaching certificates issued under this Section are effective upon the commencement of the 1998-1999 academic year.

The State Board of Education, in cooperation with the partnership establishing the Alternative Teacher Certification program, shall adopt rules and regulations that are consistent with this Section and that the State Board of Education deems necessary to establish and implement the program. (Source: P.A. 91-609, eff. 1-1-00.)

Section 99. Effective date. This Act takes effect on July 1, 2003."

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 371, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 3, lines 8 and 9, by replacing "for a period of at least 5

years" with "~~for a period of at least 5 years~~".

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 373. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Personnel & Pensions, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 373 on page 8, in line 21, before "heavy", by inserting "highway construction supervisor (grade 1 or 2)".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 386. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Environment & Energy, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 386 by replacing everything after the enacting clause with the following:

"Section 5. The Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997 is amended by changing Section 6-5 as follows:

(20 ILCS 687/6-5) (Section scheduled to be repealed on December 16, 2007)

Sec. 6-5. Renewable Energy Resources and Coal Technology Development Assistance Charge.

(a) Notwithstanding the provisions of Section 16-111 of the Public Utilities Act but subject to subsection (e) of this Section, each public utility, electric cooperative, as defined in Section 3.4 of the Electric Supplier Act, and municipal utility, as referenced in Section 3-105 of the Public Utilities Act, that is engaged in the delivery of electricity or the distribution of natural gas within the State of Illinois shall, effective January 1, 1998, assess each of its customer accounts a monthly Renewable Energy Resources and Coal Technology Development Assistance Charge. The delivering public utility, municipal electric or gas utility, or electric or gas cooperative for a self-assessing purchaser remains subject to the collection of the fee imposed by this Section. The monthly charge shall be as follows:

(1) \$0.05 per month on each account for residential electric service as defined in Section 13 of the Energy Assistance Act;

(2) \$0.05 per month on each account for residential gas service as defined in Section 13 of the Energy Assistance Act;

(3) \$0.50 per month on each account for nonresidential electric service, as defined in Section 13 of the Energy Assistance Act, which had less than 10 megawatts of peak demand during the previous calendar year;

(4) \$0.50 per month on each account for nonresidential gas service, as defined in Section 13 of the Energy Assistance Act, which had distributed to it less than 4,000,000 therms of gas during the previous calendar year;

(5) \$37.50 per month on each account for nonresidential electric service, as defined in Section 13 of the Energy Assistance Act, which had 10 megawatts or greater of peak demand during the previous calendar year; and

(6) \$37.50 per month on each account for nonresidential gas service, as defined in Section 13 of the Energy Assistance Act, which had 4,000,000 or more therms of gas distributed to it during the previous calendar year.

(b) The Renewable Energy Resources and Coal Technology Development Assistance Charge assessed by electric and gas public utilities shall be considered a charge for public utility service.

(c) Fifty percent of the moneys collected pursuant to this Section shall be deposited in the Renewable Energy Resources Trust Fund by the Department of Revenue. The remaining 50 percent of the moneys

collected pursuant to this Section shall be deposited in the Coal Technology Development Assistance Fund by the Department of Revenue for use under the Illinois Coal Technology Development Assistance Act.

(d) By the 20th day of the month following the month in which the charges imposed by this Section were collected, each utility and alternative retail electric supplier collecting charges pursuant to this Section shall remit to the Department of Revenue for deposit in the Renewable Energy Resources Trust Fund and the Coal Technology Development Assistance Fund all moneys received, except as provided in this subsection, as payment of the charge provided for in this Section on a return prescribed and furnished by the Department of Revenue showing such information as the Department of Revenue may reasonably require. A utility may deduct an amount from collected receipts, not to exceed the amount designated for the Renewable Energy Resources Trust Fund, for expenses incurred to develop, maintain, and administer its net electricity metering pilot program required by Section 16-107.5 of the Public Utilities Act. Such expenses shall include the following, and are subject to Illinois Commerce Commission approval:

(1) expenses incurred to develop and submit a report of results of the pilot programs to the Illinois Commerce Commission;

(2) expenses incurred to install, maintain, and operate metering required to measure customer usage for the purposes of administering the pilot program;

(3) expenses incurred to perform an interconnection study and execute an interconnection agreement with customers in the pilot program;

(4) incremental expenses incurred to provide customers a bill (costs above those that are normally incurred to provide customers a bill in the absence of the pilot program);

(5) to the extent that any credit for energy generated that is paid to the customer exceeds the energy credit stated in utility's tariff filed in compliance with 83 Ill. Adm. Code 430.60, the utility shall be entitled to a credit on the difference between what is paid to the customer and what would have been paid using the utility tariff described above; and

(6) expenses incurred to develop, file, and gain approval of a net electricity metering pilot program from the Illinois Commerce Commission.

(e) The charges imposed by this Section shall only apply to customers of municipal electric or gas utilities and electric or gas cooperatives if the municipal electric or gas utility or electric or gas cooperative makes an affirmative decision to impose the charge. If a municipal electric or gas utility or an electric or gas cooperative makes an affirmative decision to impose the charge provided by this Section, the municipal electric or gas utility or electric or gas cooperative shall inform the Department of Revenue in writing of such decision when it begins to impose the charge. If a municipal electric or gas utility or electric or gas cooperative does not assess this charge, its customers shall not be eligible for the Renewable Energy Resources Program.

(f) The Department of Revenue may establish such rules as it deems necessary to implement this Section. (Source: P.A. 92-690, eff. 7-18-02.)

Section 10. The Public Utilities Act is amended by adding Section 16-107.5 as follows:

(220 ILCS 5/16-107.5 new)

Sec. 16-107.5. Net electricity metering pilot program.

(a) The Legislature finds and declares that a pilot program to provide net energy metering, as defined in this Section, for eligible customers can encourage private investment in renewable energy resources, stimulate economic growth, enhance the continued diversification of Illinois' energy resource mix, and protect the Illinois environment.

(b) As used in this Section, (i) "eligible customer" means a retail residential or business customer that owns and operates a solar or wind electrical generating facility with a capacity of not more than 40 kilowatts that is located on the customer's premises and is intended primarily to offset part or all of the customer's own electrical requirements and (ii) "net energy metering" means the measurement, during the billing period applicable to an eligible customer, of the net amount of electricity delivered by an electric utility to the customer's premises or provided to the electric utility by the customer.

(c) An electric utility shall establish a net electrical energy metering pilot program for its eligible customers. An electric utility shall establish separate pilot programs for its residential customers and its business customers. However, if an electric utility has conducted a net electrical energy metering pilot program for either its residential customers or its business customers, or both, and the pilot program was initiated before the effective date of this amendatory Act of the 93rd General Assembly, the electric public utility need only file the report required under subsection (d).

(d) An electric utility shall report the results of its pilot programs to the Commerce Commission by December 31, 2005. The Commission shall provide a summary and an analysis of the reports to the General

Assembly no later than January 31, 2006.

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 407, 516, 517, 526, 527, 536, 1099 and 1100.

HOUSE BILL 1089. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary II - Criminal Law, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1089 as follows:

on page 6, line 16, by inserting "the date of", after "on"; and

on page 8, by replacing line 11 with the following:

"Sec. 37.5-30. Exemptions from forfeiture.

(a) A property"; and

on page 8, by inserting between lines 13 and 14 the following:

"(5)(A) With respect to a property interest in existence at the time the illegal conduct giving rise to the forfeiture took place,

(i) did not know of the conduct giving rise to forfeiture; or

(ii) upon learning of the conduct giving rise to the forfeiture, did all that reasonably could be expected under the circumstances to terminate such use of the property.

(B)(i) For the purposes of this paragraph (5), ways in which a person may show that he or she did all that reasonably could be expected may include demonstrating that he or she, to the extent permitted by law:

(I) gave timely notice to an appropriate law enforcement agency of information that led the person to know the conduct giving rise to a forfeiture would occur or has occurred; and

(II) in a timely fashion revoked or made a good faith attempt to revoke permission for those engaging in such conduct to use the property or took reasonable actions in consultation with a law enforcement agency to discourage or prevent the illegal use of the property.

(ii) A person is not required by this subparagraph to take steps that the person reasonably believes would be likely to subject any person (other than the person whose conduct gave rise to the forfeiture) to physical danger.

(b) If the court determines, in accordance with this Section, that an innocent owner has a partial interest in property otherwise subject to forfeiture, or a joint tenancy or tenancy by the entirety in that property, the court may enter an appropriate order:

(1) severing the property;

(2) transferring the property to the State with a provision that the State compensate the innocent owner to the extent of his or her ownership interest once a final order of forfeiture has been entered and the property has been reduced to liquid assets; or

(3) permitting the innocent owner to retain the property subject to a lien in favor of the State to the extent of the forfeitable interest in the property.

(c) In this Section, the term "owner":

(1) means a person with an ownership interest in the specific property sought to be forfeited, including a leasehold, lien, mortgage, recorded security interest, or valid assignment of an ownership interest; and

(2) does not include:

(i) a person with only a general unsecured interest in, or claim against, the property or estate of another;

(ii) a bailee unless the bailor is identified and the bailee shows a colorable legitimate interest in the property seized; or

(iii) a nominee who exercises no dominion or control over the property."

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS: 1157, 1175 and 1178.

HOUSE BILL 1193. Having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Human Services, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1193, on page 2, by replacing lines 1 through 9 with the following:

"(d) The Governor shall appoint a Task Force within the Office of Governor of public and private/voluntary sector stakeholders to develop each Plan. Each Task Force shall consist of up to 30 members. Each Task Force shall include a representative of the Governor's office, the Directors of the identified State agencies or their designees, a representative of the State Board of Health, representatives of local health departments, and individuals with expertise who represent a broad array of organizations and constituencies engaged in health improvement, public health, and prevention. The Governor shall designate one governmental member and one public member of each Task Force as co-chairs. Each Task Force shall hold at least 3 public hearings on drafts of a Plan in representative geographic areas of the State. Each Task Force shall be appointed no more than 2 years and no less than one year before the date that a Plan is due to be delivered under subsection (a), and that Task Force expires upon delivery of the Plan. Members of a Task Force shall receive no compensation for their services, but may be reimbursed for their necessary expenses from funds available for that purpose."

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 1209. Having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Develop Disabilities Mental Illness, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1209 on page 1, by replacing line 14 with the following: "Zimring, 119 S. Ct. 2176 (1999). The database shall include individuals with mental illness. Within 30 days after the".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS: 1235, 1268, 1285, 1353, 1360, 1372, 1373 and 1382.

HOUSE BILL 1412. Having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Aging, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1412 on page 2, by replacing lines 3 through 17 with the following:

"Sec. 32. Floating license. An establishment (i) in which 80% of the residents are at least 55 years of age or older, (ii) that is operated as housing for the elderly, and (iii) that meets the construction and

operating standards contained in Section 20 of this Act may request a floating license for any number of individual living units within the establishment up to, but not including, total capacity. An establishment requesting a floating license must specify the number of individual living units within the establishment to be licensed. Living units designated by the establishment as a licensed living unit shall, for the purposes of this Section, be referred to as a licensed living unit. An establishment utilizing a floating license must have staff adequate to meet the scheduled and unscheduled needs of the residents residing in licensed living units within the establishment. All staff providing services to licensed living units must meet the requirements of this Act and its rules. A living unit may only be designated as a licensed unit if the living unit and the living unit's resident meet the requirements of this Act and its rules. All mandatory services must be made available to residents of licensed living units, and residents of licensed living units may receive any optional services permitted under the establishment's license. Establishments may only provide services under this".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL: 1436.

HOUSE BILL 1445. Having been printed, was taken up and read by title a second time. Representative Osterman offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1445 on page 2, line 1, by replacing "15" with "21"; and on page 2, by replacing lines 17 and 18 with the following: "tax increment financing programs; one member appointed by the Director of Revenue; and 6 members appointed by the Governor as follows: (i) 2 residents of Cook County; (ii) 2 residents of any of the following counties: DuPage, Kane, Lake, McHenry, and Will; and (iii) 2 residents of any other counties in the State. All members appointed by the Governor must be either (i) a resident of a tax increment financing district or (ii) a representative of a community organization with an interest in tax increment financing. The members of the Task Force shall".

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 advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS: 479, 481, 483 1457, 1462 and 1534.

HOUSE BILL 1536. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary II - Criminal Law, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1536 as follows: on page 1, line 5, by replacing "and 8" with ", 8, and 10"; and on page 7, by inserting after line 12, the following: "(430 ILCS 65/10) (from Ch. 38, par. 83-10)

Sec. 10. (a) Whenever an application for a Firearm Owner's Identification Card is denied, whenever the Department fails to act on an application within 30 days of its receipt, or whenever such a Card is revoked or seized as provided for in Section 8 of this Act, the aggrieved party may appeal to the Director of the Department of State Police for a hearing upon such denial, revocation or seizure, unless the denial,

revocation, or seizure was based upon a forcible felony, stalking, aggravated stalking, domestic battery, any violation of either the Illinois Controlled Substances Act or the Cannabis Control Act that is classified as a Class 2 or greater felony, ~~or~~ any felony violation of Article 24 of the Criminal Code of 1961, or any adjudication as a delinquent minor for the commission of an offense that if committed by an adult would be a felony, in which case the aggrieved party may petition the circuit court in writing in the county of his or her residence for a hearing upon such denial, revocation, or seizure.

(b) At least 30 days before any hearing in the circuit court, the petitioner shall serve the relevant State's Attorney with a copy of the petition. The State's Attorney may object to the petition and present evidence. At the hearing the court shall determine whether substantial justice has been done. Should the court determine that substantial justice has not been done, the court shall issue an order directing the Department of State Police to issue a Card.

(c) Any person prohibited from possessing a firearm under Sections 24-1.1 or 24-3.1 of the Criminal Code of 1961 or acquiring a Firearm Owner's Identification Card under Section 8 of this Act may apply to the Director of the Department of State Police or petition the circuit court in the county where the petitioner resides, whichever is applicable in accordance with subsection (a) of this Section, requesting relief from such prohibition and the Director or court may grant such relief if it is established by the applicant to the court's or Director's satisfaction that:

(0.05) when in the circuit court, the State's Attorney has been served with a written copy of the petition at least 30 days before any such hearing in the circuit court and at the hearing the State's Attorney was afforded an opportunity to present evidence and object to the petition;

(1) the applicant has not been convicted of a forcible felony under the laws of this State or any other jurisdiction within 20 years of the applicant's application for a Firearm Owner's Identification Card, or at least 20 years have passed since the end of any period of imprisonment imposed in relation to that conviction;

(2) the circumstances regarding a criminal conviction, where applicable, the applicant's criminal history and his reputation are such that the applicant will not be likely to act in a manner dangerous to public safety; and

(3) granting relief would not be contrary to the public interest.

(d) When a minor is adjudicated delinquent for an offense which if committed by an adult would be a felony, the court shall notify the Department of State Police.

(e) The court shall review the denial of an application or the revocation of a Firearm Owner's Identification Card of a person who has been adjudicated delinquent for an offense that if committed by an adult would be a felony if an application for relief has been filed at least 10 years after the adjudication of delinquency and the court determines that the applicant should be granted relief from disability to obtain a Firearm Owner's Identification Card. If the court grants relief, the court shall notify the Department of State Police that the disability has been removed and that the applicant is eligible to obtain a Firearm Owner's Identification Card. (Source: P.A. 92-442, eff. 8-17-01.)"

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS: 1584, 1614, 1629, 2136, 2205, 2235, 2244, 2262 and 2277.

HOUSE BILL 2279. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2279 on page 1, line 5, by replacing "Section 3-31.1" with "Sections 3-31.1 and 5-2"; and

on page 1, immediately below line 14, by inserting the following:

"(110 ILCS 805/5-2) (from Ch. 122, par. 105-2)

Sec. 5-2. Definitions. As used in this Article, unless the context otherwise requires;

"Building purposes" means the preparation of preliminary drawings and sketches, working drawings and specifications, erection, building acquiring, altering, improving or expanding college facilities, including

the acquisition of land therefor, and the inspection and supervision thereof, to be used exclusively for community colleges.

"Facilities" means classroom buildings and equipment, related structures and utilities necessary or appropriate for the uses of a community college, but not including land or buildings intended primarily for staff housing, ~~dormitories~~, or for athletic exhibitions, contests or games for which admission charges are to be made to the general public. (Source: P.A. 78-669.)"

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS: 2299 and 2350.

HOUSE BILL 2525. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary II - Criminal Law, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2525 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by changing Section 12-3.2 as follows:

(720 ILCS 5/12-3.2) (from Ch. 38, par. 12-3.2)

Sec. 12-3.2. Domestic Battery. (a) A person commits domestic battery if he intentionally or knowingly without legal justification by any means:

(1) Causes bodily harm to any family or household member as defined in subsection (3) of Section 112A-3 of the Code of Criminal Procedure of 1963, as amended;

(2) Makes physical contact of an insulting or provoking nature with any family or household member as defined in subsection (3) of Section 112A-3 of the Code of Criminal Procedure of 1963, as amended.

(b) Sentence. Domestic battery is a Class A Misdemeanor. Domestic battery is a Class 4 felony if the defendant has any prior conviction under this Code for domestic battery (Section 12-3.2) or violation of an order of protection (Section 12-30), or any prior conviction under the law of another jurisdiction for an offense which is substantially similar. Domestic battery is a Class 4 felony if the defendant has any prior conviction under this Code for first degree murder (Section 9-1), attempt to commit first degree murder (Section 8-4), aggravated domestic battery (Section 12-3.3), aggravated battery (Section 12-4), heinous battery (Section 12-4.1), aggravated battery with a firearm (Section 12-4.2), aggravated battery of a child (Section 12-4.3), aggravated battery of an unborn child (Section 12-4.4), aggravated battery of a senior citizen (Section 12-4.6), stalking (Section 12-7.3), aggravated stalking (Section 12-7.4), criminal sexual assault (Section 12-13), aggravated criminal sexual assault (12-14), kidnapping (Section 10-1), aggravated kidnapping (Section 10-2), predatory criminal sexual assault of a child (Section 12-14.1), aggravated criminal sexual abuse (Section 12-16), unlawful restraint (Section 10-3), aggravated unlawful restraint (Section 10-3.1), aggravated arson (Section 20-1.1), or aggravated discharge of a firearm (Section 24-1.2), or any prior conviction under the law of another jurisdiction for any offense that is substantially similar to the offenses listed in this Section, when any of these offenses have been committed against a family or household member as defined in Section 112A-3 of the Code of Criminal Procedure of 1963. In addition to any other sentencing alternatives, for any second conviction of violating this Section within 5 years of a previous conviction for violating this Section, the offender shall be mandatorily sentenced to a minimum of 48 consecutive hours of imprisonment. The imprisonment shall not be subject to suspension, nor shall the person be eligible for probation in order to reduce the sentence.

(c) Domestic battery committed in the presence of a child. In addition to any other sentencing alternatives, a defendant who commits, in the presence of a child, a felony domestic battery (enhanced under subsection (b)), aggravated domestic battery (Section 12-3.3), aggravated battery (Section 12-4), unlawful restraint (Section 10-3), or aggravated unlawful restraint (Section 10-3.1) against a family or household member, as defined in Section 112A-3 of the Code of Criminal Procedure of 1963, shall be required to serve a mandatory minimum imprisonment of 10 days or perform 300 hours of community

service, or both. The defendant shall further be liable for the cost of any counseling required for the child at the discretion of the court in accordance with subsection (b) of Section 5-5-6 of the Unified Code of Corrections. For purposes of this Section, "child" means a person under 16 years of age who is the defendant's or victim's child or step-child or who is a minor child residing within the household of the defendant or victim. For purposes of this Section, "in the presence of a child" means in the physical presence of a child or knowing or having reason to know that a child is present and may see or hear an act constituting one of the offenses listed in this subsection. (Source: P.A. 91-112, eff. 10-1-99; 91-262, eff. 1-1-00; 91-928, eff. 6-1-01; 92-16, eff. 6-28-01; 92-827, eff. 8-22-02.)".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL: 1514.

RECALLS

By unanimous consent, on motion of Representative Acevedo, HOUSE BILL 1208 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

By unanimous consent, on motion of Representative Madigan, HOUSE BILL 373 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON SECOND READING

HOUSE BILL 60. Having been printed, was taken up and read by title a second time. Representative Acevedo offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 60 by replacing everything after the enacting clause with the following:

"Section 5. The University of Illinois Act is amended by adding Section 7e-5 as follows:

(110 ILCS 305/7e-5 new)

Sec. 7e-5. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board of Trustees shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) This Section applies only to tuition for a term or semester that begins on or after the effective date of this amendatory Act of the 93rd General Assembly. Any revenue lost by the University in implementing this Section shall be absorbed by the University Income Fund.

Section 10. The Southern Illinois University Management Act is amended by adding Section 8d-5 as

follows:

(110 ILCS 520/8d-5 new)

Sec. 8d-5. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) This Section applies only to tuition for a term or semester that begins on or after the effective date of this amendatory Act of the 93rd General Assembly. Any revenue lost by the University in implementing this Section shall be absorbed by the University Income Fund.

Section 15. The Chicago State University Law is amended by adding Section 5-88 as follows:

(110 ILCS 660/5-88 new)

Sec. 5-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) This Section applies only to tuition for a term or semester that begins on or after the effective date of this amendatory Act of the 93rd General Assembly. Any revenue lost by the University in implementing this Section shall be absorbed by the University Income Fund.

Section 20. The Eastern Illinois University Law is amended by adding Section 10-88 as follows:

(110 ILCS 665/10-88 new)

Sec. 10-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the

individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) This Section applies only to tuition for a term or semester that begins on or after the effective date of this amendatory Act of the 93rd General Assembly. Any revenue lost by the University in implementing this Section shall be absorbed by the University Income Fund.

Section 25. The Governors State University Law is amended by adding Section 15-88 as follows:

(110 ILCS 670/15-88 new)

Sec. 15-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) This Section applies only to tuition for a term or semester that begins on or after the effective date of this amendatory Act of the 93rd General Assembly. Any revenue lost by the University in implementing this Section shall be absorbed by the University Income Fund.

Section 30. The Illinois State University Law is amended by adding Section 20-88 as follows:

(110 ILCS 675/20-88 new)

Sec. 20-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) This Section applies only to tuition for a term or semester that begins on or after the effective date of this amendatory Act of the 93rd General Assembly. Any revenue lost by the University in implementing this Section shall be absorbed by the University Income Fund.

Section 35. The Northeastern Illinois University Law is amended by adding Section 25-88 as follows:

(110 ILCS 680/25-88 new)

Sec. 25-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a

high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) This Section applies only to tuition for a term or semester that begins on or after the effective date of this amendatory Act of the 93rd General Assembly. Any revenue lost by the University in implementing this Section shall be absorbed by the University Income Fund.

Section 40. The Northern Illinois University Law is amended by adding Section 30-88 as follows:

(110 ILCS 685/30-88 new)

Sec. 30-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) This Section applies only to tuition for a term or semester that begins on or after the effective date of this amendatory Act of the 93rd General Assembly. Any revenue lost by the University in implementing this Section shall be absorbed by the University Income Fund.

Section 45. The Western Illinois University Law is amended by adding Section 35-88 as follows:

(110 ILCS 690/35-88 new)

Sec. 35-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) This Section applies only to tuition for a term or semester that begins on or after the effective date of this amendatory Act of the 93rd General Assembly. Any revenue lost by the University in implementing this Section shall be absorbed by the University Income Fund.

Section 50. The Public Community College Act is amended by adding Section 6-4a as follows:

(110 ILCS 805/6-4a new)

Sec. 6-4a. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes, a board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the community college not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the community college with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) This Section applies only to tuition for a term or semester that begins on or after the effective date of this amendatory Act of the 93rd General Assembly.

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

The motion prevailed and the amendment was adopted and ordered printed.

Floor Amendment No. 2 remained in the Committee on Rules.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 339. Having been printed, was taken up and read by title a second time.

Floor Amendment No. 1 remained in the Committee on Rules.

There being no further amendments, the bill was advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS: 1279 and 1280.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were printed and laid upon the Members' desks. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Acevedo, HOUSE BILL 60 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: 112, Yeas; 4, Nays; 1, Answering Present.

(ROLL CALL 2)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 86, 89, 90, 94, 97, 98, 99 103, 104, 105, 106, 107, 108, 109, 110 and 111 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.
The motion prevailed and the Agreed Resolutions were adopted.

HOUSE RESOLUTION 100 was taken up for consideration.
Representative Cross moved the adoption of the agreed resolution.
The motion prevailed and the Agreed Resolution was adopted.

At the hour of 2:50 o'clock p.m., Representative Currie moved that the House do now adjourn until Thursday, March 6, 2003, at 1:00 o'clock p.m.

The motion prevailed.
And the House stood adjourned.

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
QUORUM ROLL CALL FOR ATTENDANCE

March 05, 2003

0 YEAS

0 NAYS

117 PRESENT

P Acevedo	P Delgado	P Lang	P Parke
P Aguilar	P Dunkin	P Leitch	P Phelps
P Bailey	P Dunn	P Lindner	P Pihos
P Bassi	P Eddy	P Lyons, Eileen	P Poe
P Beaubien	P Feigenholtz	P Lyons, Joseph	P Reitz
P Bellock	P Flider	P Mathias	P Rita
P Berrios	P Flowers	P Mautino	P Rose
P Biggins	P Forby	P May	P Ryg
P Black	P Franks	P McAuliffe	P Sacia
P Boland	P Fritchey	P McCarthy	P Saviano
P Bost	P Froehlich	P McGuire	P Schmitz
P Bradley	P Giles	P McKeon	P Scully
P Brady	P Graham	P Mendoza	P Slone
P Brauer	P Granberg	P Meyer	P Smith
P Brosnahan	P Hamos	P Miller	P Sommer
P Brunsvold	P Hannig	P Millner	P Soto
P Burke	P Hartke	P Mitchell, Bill	P Stephens
P Capparelli	P Hassert	P Mitchell, Jerry	P Sullivan
P Chapa LaVia	P Hoffman	P Moffitt	P Tenhouse
P Churchill	P Holbrook	P Molaro	P Turner
P Collins	P Howard	E Morrow	P Wait
P Colvin	P Hultgren	P Mulligan	P Washington
P Coulson	P Jakobsson	P Munson	P Watson
P Cross	P Jefferson	P Myers	P Winters
P Cultra	P Jones	P Nekritz	P Wirsing
P Currie	P Joyce	P Novak	P Yarbrough
P Daniels	P Kelly	P O'Brien	P Younge
P Davis, Monique	P Kosel	P Osmond	P Mr. Speaker
P Davis, Steve	P Krause	P Osterman	
P Davis, Will	P Kurtz	P Pankau	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 60
HIGH ED-IN STATE TUITION
THIRD READING
PASSED

March 05, 2003

112 YEAS

4 NAYS

1 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Parke
Y Aguilar	Y Dunkin	Y Leitch	Y Phelps
Y Bailey	Y Dunn	Y Lindner	Y Pihos
Y Bassi	Y Eddy	Y Lyons, Eileen	Y Poe
Y Beaubien	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Bellock	Y Flider	Y Mathias	Y Rita
Y Berrios	Y Flowers	Y Mautino	Y Rose
N Biggins	Y Forby	Y May	Y Ryg
N Black	N Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	P McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	Y McKeon	Y Scully
Y Brady	Y Graham	Y Mendoza	Y Slone
Y Brauer	Y Granberg	Y Meyer	Y Smith
Y Brosnahan	Y Hamos	Y Miller	Y Sommer
Y Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	Y Mitchell, Bill	N Stephens
Y Capparelli	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Chapa LaVia	Y Hoffman	Y Moffitt	Y Tenhouse
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	E Morrow	Y Wait
Y Colvin	Y Hultgren	Y Mulligan	Y Washington
Y Coulson	Y Jakobsson	Y Munson	Y Watson
Y Cross	Y Jefferson	Y Myers	Y Winters
Y Cultra	Y Jones	Y Nekritz	Y Wirsing
Y Currie	Y Joyce	Y Novak	Y Yarbrough
Y Daniels	Y Kelly	Y O'Brien	Y Younge
Y Davis, Monique	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Steve	Y Krause	Y Osterman	
Y Davis, Will	Y Kurtz	Y Pankau	

E - Denotes Excused Absence