

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-THIRD GENERAL ASSEMBLY**

**35TH LEGISLATIVE DAY**

**WEDNESDAY, MARCH 26, 2003**

**11:00 O'CLOCK A.M.**

**HOUSE OF REPRESENTATIVES**  
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The House met pursuant to adjournment.  
 Speaker Madigan in the chair.  
 Prayer by Father Michael Contas of the St. Andrews Church in Chicago.  
 Representative Bellock 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 McKeon was excused from attendance.

**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:

- Consumer Protection: HOUSE AMENDMENT No. 1 to HOUSE BILL 3407.
- Executive: HOUSE AMENDMENT No. 2 to HOUSE BILL 3618.
- Human Services: HOUSE AMENDMENT No. 1 to HOUSE BILL 3509.
- Judiciary I - Civil Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 2356: HOUSE AMENDMENT No. 3 to HOUSE BILL 2391.
- Local Government: HOUSE AMENDMENT No. 1 to HOUSE BILL 2658.
- Revenue: HOUSE AMENDMENT No. 1 to HOUSE BILL 1952.
- Transportation & Motor Vehicles: HOUSE AMENDMENT No. 1 to HOUSE BILL 710; HOUSE AMENDMENT No. 2 to HOUSE BILL 1338.

**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. 2 to HOUSE BILL 223.
- Amendment No. 1 to HOUSE BILL 2185.
- Amendment No. 1 to HOUSE BILL 2412.
- Amendment No. 2 to HOUSE BILL 2607.
- Amendment No. 1 to HOUSE BILL 2608.
- Amendment No. 1 to HOUSE BILL 3095.
- Amendment No. 1 to HOUSE BILL 3316.
- Amendment No. 1 to HOUSE BILL 3325.
- Amendment No. 1 to HOUSE BILL 3452.

The committee roll call vote on the foregoing Legislative Measures is as follows:  
 4, Yeas; 0, Nays; 0, Answering Present.

- |                                  |   |
|----------------------------------|---|
| Y Currie,Barbara(D), Chairperson | Y Black,William(R)                          |
| A Hannig,Gary(D)                 | Y Hassert,Brent(R), Republican Spokesperson |
| Y Turner,Arthur(D)               |   |

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:  
 HOUSE JOINT RESOLUTION 28.

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 Black,William(R)                          |
| Y Hannig,Gary(D)                 | Y Hassert,Brent(R), Republican Spokesperson |



Y Turner,Arthur(D)

**COMMITTEE ON RULES  
REASSIGNMENTS**

Representative Currie, from the Committee on Rules, reassigned the following legislation:  
AMENDMENT NO. 1 TO HOUSE BILL 3618 was recalled from the Committee on Health Care Availability & Access and reassigned to the Committee on Executive.

**MOTIONS  
SUBMITTED**

Representative Acevedo submitted the following written motion, which was placed on the order of Motions:

**MOTION**

Pursuant to Rule 60(b), I move to table Amendment 1 to HOUSE BILL 1208.

Representative Mulligan submitted the following written motion, which was placed on the order of Motions:

**MOTION**

Pursuant to Rule 60(b), I move to table HOUSE BILL 2928.

Representative Mulligan submitted the following written motion, which was placed on the order of Motions:

**MOTION**

Pursuant to Rule 60(b), I move to table HOUSE BILL 2935.

**FISCAL NOTES SUPPLIED**

Fiscal Notes have been supplied for HOUSE BILLS 75, 1324, 1352, 2501, 2971, 3048, 3452, 3060 as amended, 3493, as amended and 3554, as amended.

**HOME RULE NOTE SUPPLIED**

A Home Rule Note has been supplied for HOUSE BILL 2356.

**STATE MANDATES FISCAL NOTE SUPPLIED**

A State Mandates Fiscal Note has been supplied for HOUSE BILL 2356.

**PENSION NOTE SUPPLIED**

A Pension Note has been supplied for HOUSE BILL 2356, as amended.

**JUDICIAL NOTES SUPPLIED**

Judicial Notes have been supplied for HOUSE BILLS 2356, as amended and 2532.

**REQUEST FOR FISCAL NOTE**

Representative Black requested that Fiscal Notes be supplied for HOUSE BILLS 244, as amended, and 2784, as amended.

Representative Feigenholtz requested that a Fiscal Note be supplied for SENATE BILL 880.

**REQUEST FOR STATE MANDATES FISCAL NOTE**

Representative Feigenholtz requested that a State Mandates Fiscal Note be supplied for SENATE BILL 880.

**REQUEST FOR BALANCED BUDGET NOTE**

Representative Feigenholtz requested that a Balanced Budget Note be supplied for SENATE BILL 880.

**REQUEST FOR CORRECTIONAL NOTE**

Representative Feigenholtz requested that a Correctional Note be supplied for SENATE BILL 880.

**REQUEST FOR HOME RULE NOTE**

Representative Feigenholtz requested that a Home Rule Note be supplied for SENATE BILL 880.

**REQUEST FOR JUDICIAL NOTE**

Representative Black requested that a Judicial Note be supplied for HOUSE BILL 2784, as amended.

Representative Feigenholtz requested that a Judicial Note be supplied for SENATE BILL 880.

**REQUEST FOR STATE DEBT IMPACT NOTE**

Representative Feigenholtz requested that a State Debt Impact Note be supplied for SENATE BILL 880.

**MESSAGES FROM THE SENATE**

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

## SENATE BILL NO. 4

A bill for AN ACT regarding taxes.

## SENATE BILL NO. 58

A bill for AN ACT in relation to vehicles.

## SENATE BILL NO. 133

A bill for AN ACT concerning enterprise zones.

## SENATE BILL NO. 179

A bill for AN ACT in relation to economic development.

## SENATE BILL NO. 185

A bill for AN ACT concerning State designations.

## SENATE BILL NO. 212

A bill for AN ACT concerning civil procedure.

## SENATE BILL NO. 216

A bill for AN ACT in relation to civil procedure.

## SENATE BILL NO. 229

A bill for AN ACT concerning libraries.

## SENATE BILL NO. 372

A bill for AN ACT relating to education.

## SENATE BILL NO. 466

A bill for AN ACT regarding disabled persons.

## SENATE BILL NO. 505

A bill for AN ACT concerning taxes.

## SENATE BILL NO. 607

A bill for AN ACT in relation to taxes.

## SENATE BILL NO. 703

A bill for AN ACT in relation to governmental ethics.

## SENATE BILL NO. 1101

A bill for AN ACT in relation to taxes.

## SENATE BILL NO. 1521

A bill for AN ACT concerning recreational trails.

Passed by the Senate, March 25, 2003.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 4, 58, 212, 216, 229, 372, 433, 466, 479, 485, 505, 607, 703, 1101 and 1521 were ordered printed and to a First Reading.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

## SENATE BILL NO. 1525

A bill for AN ACT in relation to gambling.

## SENATE BILL NO. 1757

A bill for AN ACT concerning budget stabilization.

Passed by the Senate, March 25, 2003.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 1525 and 1757 were ordered printed and to a First Reading.

A message from the Senate by  
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 1

A bill for AN ACT concerning schools.

SENATE BILL NO. 18

A bill for AN ACT in relation to taxes.

SENATE BILL NO. 22

A bill for AN ACT in relation to schools.

SENATE BILL NO. 46

A bill for AN ACT concerning taxes.

SENATE BILL NO. 61

A bill for AN ACT concerning language assistance services.

SENATE BILL NO. 75

A bill for AN ACT concerning the courts.

SENATE BILL NO. 90

A bill for AN ACT concerning employment.

SENATE BILL NO. 118

A bill for AN ACT in relation to family law.

SENATE BILL NO. 125

A bill for AN ACT in relation to criminal law.

SENATE BILL NO. 130

A bill for AN ACT concerning the children's health insurance program.

SENATE BILL NO. 167

A bill for AN ACT in relation to parenting.

SENATE BILL NO. 207

A bill for AN ACT concerning schools.

SENATE BILL NO. 211

A bill for AN ACT in relation to criminal law.

SENATE BILL NO. 240

A bill for AN ACT concerning home repair fraud.

SENATE BILL NO. 242

A bill for AN ACT in relation to criminal law.

SENATE BILL NO. 252

A bill for AN ACT concerning the Department of Human Services.

SENATE BILL NO. 265

A bill for AN ACT in relation to criminal law.

SENATE BILL NO. 272

A bill for AN ACT in relation to vehicles.

SENATE BILL NO. 291

A bill for AN ACT in relation to sheriffs.

SENATE BILL NO. 306

A bill for AN ACT in relation to public aid.

SENATE BILL NO. 330

A bill for AN ACT in relation to vehicles.

SENATE BILL NO. 361

A bill for AN ACT concerning environmental safety.

SENATE BILL NO. 390

A bill for AN ACT concerning schools.

SENATE BILL NO. 410

A bill for AN ACT in relation to alcohol.

SENATE BILL NO. 424

A bill for AN ACT in relation to criminal law.

Passed by the Senate, March 26, 2003.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 1, 18, 22, 46, 61, 75, 90, 118, 125, 130, 167, 207, 211, 240, 242, 252, 265, 272, 291, 306, 330, 361, 390, 410 and 424 were ordered printed and to a First Reading.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 332

A bill for AN ACT in relation to the regulation of professions.

SENATE BILL NO. 568

A bill for AN ACT in relation to vehicles.

SENATE BILL NO. 601

A bill for AN ACT concerning insurance.

SENATE BILL NO. 633

A bill for AN ACT in relation to aging.

SENATE BILL NO. 689

A bill for AN ACT in relation to gambling.

SENATE BILL NO. 808

A bill for AN ACT in relation to health.

SENATE BILL NO. 886

A bill for AN ACT concerning cable television.

SENATE BILL NO. 897

A bill for AN ACT concerning technology development.

SENATE BILL NO. 901

A bill for AN ACT in relation to vehicles.

SENATE BILL NO. 1044

A bill for AN ACT in relation to taxation.

SENATE BILL NO. 1066

A bill for AN ACT in relation to energy.

SENATE BILL NO. 1149

A bill for AN ACT relation to vehicles.

SENATE BILL NO. 1204

A bill for AN ACT concerning public bodies.

SENATE BILL NO. 1330

A bill for AN ACT relating to public utilities.

SENATE BILL NO. 1336

A bill for AN ACT concerning public construction.

SENATE BILL NO. 1342

A bill for AN ACT in relation to criminal law.

SENATE BILL NO. 1364

A bill for AN ACT in relation to public aid.

SENATE BILL NO. 1373

A bill for AN ACT concerning property taxes.

SENATE BILL NO. 1403

A bill for AN ACT relating to schools.

SENATE BILL NO. 1408

A bill for AN ACT concerning transportation.

SENATE BILL NO. 1412

A bill for AN ACT concerning anatomical gifts.

SENATE BILL NO. 1415

A bill for AN ACT concerning judicial elections.

- SENATE BILL NO. 1431  
A bill for AN ACT in relation to property.
  - SENATE BILL NO. 1466  
A bill for AN ACT concerning partnerships.
  - SENATE BILL NO. 1500  
A bill for AN ACT concerning certain financial institutions.
  - SENATE BILL NO. 1523  
A bill for AN ACT concerning the Deaf and Hard of Hearing Commission.
  - SENATE BILL NO. 1546  
A bill for AN ACT in relation to municipalities.
  - SENATE BILL NO. 1601  
A bill for AN ACT concerning finance.
- Passed by the Senate, March 26, 2003.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 332, 568, 601, 633, 689, 808, 886, 897, 901, 1044, 1066, 1149, 1204, 1330, 1336, 1342, 1364, 1373, 1403, 1408, 1412, 1415, 1431, 1466, 1500, 1523, 1546 and 1601 were ordered printed and to a First Reading.

**REPORTS FROM STANDING COMMITTEES**

Representative Collins, Chairperson, from the Committee on Juvenile Justice Reform 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 2545.

The committee roll call vote on Amendment No. 1 to HOUSE BILL 2545 is as follows:  
7, Yeas; 0, Nays; 0, Answering Present.

- |                                      |   |
|--------------------------------------|---|
| Y Collins, Annazette(D), Chairperson | A Aguilar, Frank(R)                         |
| A Bellock, Patricia(R)               | Y Graham, Deborah(D)                        |
| Y Hamos, Julie(D), Vice-Chairperson  | Y Jones, Lovana(D)                          |
| Y Lindner, Patricia(R)               | Y Lyons, Eileen(R), Republican Spokesperson |
| Y Yarbrough, Karen(D)                |   |

Representative Mautino, Chairperson, from the Committee on Insurance 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 1648.  
Amendment No. 2 to HOUSE BILL 3298.

The committee roll call vote on Amendment No. 1 to HOUSE BILL 1648 and Amendment No. 2 to HOUSE BILL 3298 is as follows:  
10, Yeas; 0, Nays; 0, Answering Present.

- |                                  |                     |
|----------------------------------|---------------------|
| Y Mautino, Frank(D), Chairperson | Y Berrios, Maria(D) |
| A Bradley, Richard(D)            | A Brady, Dan(R)     |

Y Colvin,Marlow(D)	A Dunkin,Kenneth(D)
Y Dunn,Joe(R)	Y Mitchell,Bill(R)
Y Osmond,JoAnn(R)	Y Pankau,Carole(R)
A Parke,Terry(R), Republican Spokesperson	Y Phelps,Brandon(D)
Y Rita,Robert(D)	Y Yarbrough,Karen(D), Vice-Chairperson

Representative Franks, Chairperson, from the Committee on State Government Administration 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 244.

The committee roll call vote on Amendment No.1 to HOUSE BILL 244 is as follows:  
11, Yeas; 0, Nays; 0, Answering Present.

Y Franks,Jack(D), Chairperson	Y Brady,Dan(R)
Y Brauer,Rich(R)	Y Brunsvold,Joel(D)
Y Chapa LaVia,Linda(D)	Y Jakobsson,Naomi(D)
Y Lindner,Patricia(R)	Y Myers,Richard(R), Republican Spokesperson
Y Rose,Chapin(R) (Dunn)	Y Smith,Michael(D), Vice-Chairperson
Y Washington,Eddie(D) (Acevedo)	

Representative Giles, Chairperson, from the Committee on Elementary & Secondary Education 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 2104.

The committee roll call vote on Amendment No.1 to HOUSE BILL 2104 is as follows:  
13, Yeas; 0, Nays; 0, Answering Present.

Y Giles,Calvin(D), Chairperson	Y Bassi,Suzanne(R)
Y Collins,Annazette(D)	Y Colvin,Marlow(D)
A Davis,Monique(D), Vice-Chairperson	Y Eddy,Roger(R)
Y Forby,Gary(D)	Y Joyce,Kevin(D)
Y Kosel,Renee(R), Republican Spokesperson	A Krause,Carolyn(R)
Y Miller,David(D)	Y Mitchell,Jerry(R)
Y Moffitt,Donald(R)	Y Mulligan,Rosemary(R)
A Osterman,Harry(D)	A Smith,Michael(D)
Y Watson,Jim(R)	A Yarbrough,Karen(D)

Representative Fritchey, Chairperson, from the Committee on Judiciary I - Civil Law 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. 2 to HOUSE BILL 2088.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Standard Debate: HOUSE BILL 2784.

The committee roll call vote on Amendment No.2 to HOUSE BILL 2088 is as follows:  
12, Yeas; 4, Nays; 1, Answering Present.

N Fritchey,John(D), Chairperson	Y Bailey,Patricia(D)
Y Berrios,Maria(D)	N Brosnahan,James(D)
Y Cultra,Shane(R)	Y Froehlich,Paul(R)
A Hamos,Julie(D) (Dunkin)	N Hoffman,Jay(D)
Y Hultgren,Randall(R), Republican Spokesperson	N Lang,Lou(D)
Y Mathias,Sidney(R)	Y May,Karen(D)
Y Nekritz,Elaine(D)	Y Osmond,JoAnn(R)
Y Rose,Chapin(R)	Y Sacia,Jim(R)
P Scully,George(D), Vice-Chairperson	Y Wait,Ronald(R)

The committee roll call vote on House Bill 2784 is as follows:  
10, Yeas; 8, Nays; 0, Answering Present.

Y Fritchey,John(D), Chairperson	Y Bailey,Patricia(D)
Y Berrios,Maria(D)	Y Brosnahan,James(D)
N Cultra,Shane(R)	N Froehlich,Paul(R)
Y Hamos,Julie(D)	Y Hoffman,Jay(D)
N Hultgren,Randall(R), Republican Spokesperson	Y Lang,Lou(D)
N Mathias,Sidney(R)	Y May,Karen(D)
Y Nekritz,Elaine(D)	N Osmond,JoAnn(R)
N Rose,Chapin(R)	N Sacia,Jim(R)
Y Scully,George(D), Vice-Chairperson	N Wait,Ronald(R)

Representative Daniels, Chairperson, from the Committee on Develop Disabilities Mental Illness to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 3512.

That the Floor Amendment be reported “recommends be adopted”:  
Amendment No. 1 to HOUSE BILL 1662.

The committee roll call vote on House Bill 3512 is as follows:  
9, Yeas; 0, Nays; 0, Answering Present.

Y Daniels,Lee(R), Chairperson	Y Bellock,Patricia(R), Republican Spokesperson
Y Brosnahan,James(D), Vice-Chairperson (May)	Y Churchill,Robert(R)
Y Froehlich,Paul(R)	Y Jakobsson,Naomi(D)
Y Kurtz,Rosemary(R)	Y Ryg,Kathleen(D)
Y Washington,Eddie(D)	

The committee roll call vote on Amendment No. 1 to HOUSE BILL 1662 is as follows:  
5, Yeas; 1, Nays; 1, Answering Present.

Y Daniels,Lee(R), Chairperson	Y Bellock,Patricia(R), Republican Spokesperson
Y Brosnahan,James(D), Vice-Chairperson	Y Churchill,Robert(R)
Y Froehlich,Paul(R)	P Jakobsson,Naomi(D)



A Kurtz,Rosemary(R)  
N Washington,Eddie(D)

A Ryg,Kathleen(D)

Representative Delgado, Chairperson, from the Committee on Judiciary II - Criminal Law 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 506.

The committee roll call vote on Amendment No. 1 to HOUSE BILL 506 is as follows:  
10, Yeas; 1, Nays; 1, Answering Present.

Y O'Brien,Mary(D), Chairperson (Yarbrough)	Y Bailey,Patricia(D)
A Bradley,Richard(D)	N Collins,Annazette(D)
Y Delgado,William(D), Vice-Chairperson	Y Howard,Constance(D)
P Jones,Lovana(D)	Y Lindner,Patricia(R), Republican Spokesperson
Y Lyons,Eileen(R)	Y Millner,John(R) (Beaubien)
Y Rose,Chapin(R)	Y Sacia,Jim(R)
Y Wait,Ronald(R)	

Representative Bradley, Chairperson, from the Committee on Personnel & Pensions 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. 3 to HOUSE BILL 373.

The committee roll call vote on Amendment No. 3 to HOUSE BILL 373 is as follows:  
6, Yeas; 0, Nays; 0, Answering Present.

Y Bradley,Richard(D), Chairperson	Y Brauer,Rich(R) (Bost)
A Colvin,Marlow(D)	Y Leitch,David(R)
Y McCarthy,Kevin(D)	Y Poe,Raymond(R), Republican Spokesperson
Y Reitz,Dan(D), Vice-Chairperson	A Schmitz,Timothy(R)
A Smith,Michael(D)	

Representative Reitz, Chairperson, from the Committee on Agriculture & Conservation 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 2943.

The committee roll call vote on Amendment No. 1 to HOUSE BILL 2943 is as follows:  
11, Yeas; 0, Nays; 0, Answering Present.

Y Reitz,Dan(D), Chairperson	Y Brauer,Rich(R)
A Brunsvold,Joel(D)	A Cultra,Shane(R)
Y Eddy,Roger(R)	Y Flider,Robert(D)
Y Forby,Gary(D), Vice-Chairperson	Y Hartke,Charles(D)

A Mautino, Frank(D)  
Y Myers, Richard(R)  
Y Phelps, Brandon(D)  
A Smith, Michael(D)

Y Moffitt, Donald(R), Republican Spokesperson  
A O'Brien, Mary(D)  
Y Sacia, Jim(R)  
Y Winters, Dave(R)

### **CHANGE OF SPONSORSHIP**

Representative Smith asked and obtained unanimous consent to be removed as chief sponsor and Representative Brunsvold asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 120.

Representative Cross asked and obtained unanimous consent to be removed as chief sponsor and Representative Hassert asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 1729.

Representative Cross asked and obtained unanimous consent to be removed as chief sponsor and Representative Mulligan asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 1870.

Representative Cross asked and obtained unanimous consent to be removed as chief sponsor and Representative Hultgren asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 1952.

Representative Cross asked and obtained unanimous consent to be removed as chief sponsor and Representative Black asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 2118.

Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Forby asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 3407.

### **SENATE BILLS ON FIRST READING**

Having been printed, the following bill was taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 4, 40, 46, 58, 61, 70, 75, 90, 118, 125, 133, 157, 185, 192, 211, 212, 229, 252, 265, 278, 384, 385, 386, 387, 390, 402, 466, 679, 880, 901, 1101, 1124, 1154, 1199, 1211, 1342, 1366, 1368, 1369, 1401, 1415, 1458, 1498, 1601 and 1757.

### **AGREED RESOLUTIONS**

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

#### **HOUSE RESOLUTION 146**

Offered by Representative Kelly:

WHEREAS, There is a tremendous increase in the need for transportation services, particularly for the older populations; persons 85 and over are the fastest growing segment of the American population; twenty percent of the Jewish community is over age 85; to address this need, the United Jewish Communities and other organizations formed a Senior Transportation Task Force; and

WHEREAS, Within the reauthorization of the Transportation Equity Act for the 21st Century, the United States Congress should significantly increase funding levels for the Federal Transit Administration's Section 5310, which is the major transit program for seniors, based on the dramatic increase in the number

of seniors in our population; and

WHEREAS, On Wednesday, February 26, 2003, the United Jewish Communities and several Jewish Federations and social service agencies joined together to sponsor a national call-in day for senior transportation; members of these communities called their congressmen and congresswomen in order to express the importance of senior transportation issues and to ask that their representatives and senators do everything they can to work toward the reauthorization of the Transportation Equity Act for the 21st Century; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the coalition of the United Jewish Communities, Jewish Federations, and Jewish social service agencies on the National Call-In Day for Senior Transportation that was held on February 26, 2003, and we support their efforts on behalf of senior transportation; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the United Jewish Communities and the Senior Transportation Task Force with our best wishes.

#### HOUSE RESOLUTION 148

Offered by Representatives Madigan, Novak, O'Brien and Reitz:

WHEREAS, The members of the House of Representatives would like to congratulate our long-time colleague Joel Brunsvold as he retires from his position as State Representative for the 72nd Representative District; and

WHEREAS, Representative Brunsvold was born on February 26, 1942 in Mason City, Iowa; he married Barbara Bashaw in 1964 and has two sons, Timothy and Theodore; and

WHEREAS, Joel Brunsvold graduated from Rock Island High School in 1960; he attended Blackhawk College, Western Illinois University, and Newton College; he received a Bachelor of Arts in 1964 from Augustana College; and

WHEREAS, Joel Brunsvold taught in the Sherrard Community Unit District 200 from September 1969 until February 1983; and

WHEREAS, He was first elected to the Illinois House of Representatives in November of 1982; he has held the positions of Assistant Majority Leader and Democratic Caucus Chairman; during his tenure in the House, he served as chairman of Elementary and Secondary Education committee and as chairman of the Cities and Villages, Constitutional Affairs, and Agricultural and Conservation committees; he also served on the House committees for Environment and Energy, Insurance, Judiciary II, and Registration and Regulation; and he was appointed Vice Chairman to the Governor's Council on Health and Physical Fitness and for the Illinois Prairie State Games; and

WHEREAS, Prior to his legislative service, Joel Brunsvold served two terms as mayor of the Village of Milan and was a trustee for the Village; he was also appointed to the Bi-State Metropolitan Planning Commission; and

WHEREAS, He is Chairman of the Illinois Legislative Sportsmen's Caucus and the Illinois Democratic Sportsmen's Alliance; in addition, he belongs to the Milan Rotary, Pheasants Forever, and Ducks Unlimited; and

WHEREAS, Representative Brunsvold has received numerous awards including but not limited to being named Outstanding Legislator of the Year by the Illinois State Rifle Association, the Illinois Health Care Association, and the Safari Club International; he has received the Defender of Freedom Award from the National Rifle Association and has also been recognized for his outstanding efforts on behalf of education; he is an honorary member of the Fire Fighters Association; he has received a presidential citation from the Illinois Association of Health and Physical Education, and has the appreciation of the people of Rock Island County for his leadership in providing their enhanced 9-1-1 emergency phone system; and

WHEREAS, It is with great pleasure this body has learned that Governor Rod Blagojevich announced the appointment of Joel Brunsvold as the new director of the Department of Natural Resources; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we thank our good friend Joel Brunsvold for his hard work and dedication to the people of the 72nd Representative District and to the State and wish him well in his new position; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Representative Joel Brunsvold as an expression of our respect and esteem.

#### HOUSE RESOLUTION 149

Offered by Representative Kosel:

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Bonnie M. Hollaway as she retires from her position as President of Orland School District 135 Board of Education after eight years of service; and

WHEREAS, Bonnie Hollaway was elected to the board on November 7, 1995; she served as Vice President for one year and as President since November of 2000; during her tenure on the board, she chaired the Education, Policy, Negotiations, and Ethics committees, served on the Finance, Building, and Planning committees, and was District 135's liaison to the village board; and

WHEREAS, Through the leadership of Bonnie Hollaway, District 135 has seen many notable goals attained such as planning and constructing two new schools and remodeling all of the district facilities; she has been instrumental in the development of a long-range plan for student achievement, as well as in the evaluation and restructuring of all district curriculums to align them with State standards and bring consistency of instruction to all of the district's 10 schools; and

WHEREAS, The Board of Education, administrators, staff, and parents of District 135 will honor Mrs. Bonnie Hollaway at a meeting to be held on April 7, 2003; and

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Bonnie Hollaway on her retirement from the Orland School District 135 Board of Education and wish her good health and happiness in all of her future endeavors; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Bonnie M. Hollaway as an expression of our respect and esteem.

#### HOUSE RESOLUTION 150

Offered by Representative Kosel:

WHEREAS, The members of the House of Representatives wish to congratulate the Mokena Lions Club on the occasion of its 50th anniversary; and

WHEREAS, The Mokena Lions Club was officially chartered on January 31, 1953; the club is known for its services to the blind and hearing-impaired; it has also aided education, recreational, and social activities; and

WHEREAS, Members of the Lions Club provide eyeglasses and hearing aids and deliver food baskets to needy families for Easter, Thanksgiving, and Christmas; they pass out flags during the July Fourth parade, offer scholarships, and serve pancakes; they've helped local Scout troops and sporting teams and donated to the local fire department, library, schools, and parks; and

WHEREAS, Lions Club members are service-minded people who are committed to improving the civic, social, and moral welfare of their community; the club currently has 90 members; and

WHEREAS, Lions Club International has 1.4 million members in 44,500 clubs in 187 countries; their motto is "We serve."; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Mokena Lions Club on the occasion of its 50th anniversary, and we commend the members of the club for their commitment to serve the community; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Mokena Lions Club as a token of our respect and esteem.

#### HOUSE RESOLUTION 151

Offered by Representative Kosel:

WHEREAS, Education is one of the most noble careers one can pursue and is vital to the future of Illinois; those who serve in this field deserve the gratitude of all of the citizens of this State; and

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Dr. Peter Yuska on the occasion of his retirement after 34 years of service in Orland School District 135; and

WHEREAS, Dr. Yuska began his career in 1969 as a teacher at Orland Junior High School; he was named assistant principal for Orland Junior High School and High Point School in 1972; and

WHEREAS, Since 1976, Dr. Yuska has served as principal at Doctor, Jerling, Liberty, and Orland Junior High Schools; and since 1998, he has led the school district as superintendent; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Dr. Peter Yuska on the occasion of his retirement on June 30, 2003, and we thank him for his faithful service to the students, teachers and citizens of Orland School District 135; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Dr. Peter Yuska as token of our respect and esteem and with our best wishes for a happy and relaxing retirement.

#### HOUSE RESOLUTION 152

Offered by Representative Kosel:

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Paul Jacobowski on the occasion of his retirement after eight years of service on the Orland School District 135 Board of Education; and

WHEREAS, Mr. Jacobowski served as Board President for the 1999-2000 school year; during his eight years on the board, he has chaired the finance, policy, and ethics committees; he also served on the building and education committees and was District 135's representative to the State and national school board associations; and

WHEREAS, Many notable achievements have been marked during Mr. Jacobowski's tenure on the board; among them are the planning and construction of two new schools, and remodeling of all the district facilities; he, along with the rest of the board, was instrumental in the development of a long-range plan for student achievement, as well as in the evaluation and restructuring of all district curriculums to align them with State standards and bring consistency of instruction to all of the district's ten schools; and

WHEREAS, Mr. Jacobowski exemplifies the teamwork of the Board of Education and the administration in allocating the district's resources to reduce a budget deficit over the years while enhancing academic programs at the same time; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Paul Jacobowski on the occasion of his retirement from the Orland School District 135 Board of Education on April 7, 2003, and we commend him for his service to the board; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Paul Jacobowski as a token of our respect and esteem.

#### HOUSE RESOLUTION 153

Offered by Representative Myers:

WHEREAS, The members of the House of Representatives wish to congratulate the Hancock County Health Department and Home Health Agency on the occasion of its 25th anniversary on Thursday, March 27, 2003; and

WHEREAS, In 1977, a tax referendum was passed by the residents of Hancock County that enabled the Hancock County Health Department to be established; and

WHEREAS, In February of 1978, the Hancock County Health Department and Home Health Agency opened its doors for the first time in the Hancock county courthouse with two employees; some of the

services available at that time were Home Health, WIC, and immunizations; space was so tight that the women's restroom was used for the purpose of immunizations, check-ups, and just a few clothing items for the needy; and

WHEREAS, In 1986 the organization moved to 73 South Adams Street, a 2 story building across from the courthouse; the services expanded to include family case management, family planning, a food pantry, larger clothing capabilities, and a medical equipment loan program; and

WHEREAS, In May of 2002, the Hancock County Health Department and Home Health Agency moved to a new building at 671 Wabash Avenue in Carthage; a wide variety of services are offered by the 27 current employees, such as family planning, environmental health, health education, and various wellness clinics; the building is on one floor and is completely handicapped accessible; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Hancock County Health Department and Home Health Agency on the occasion of its 25th anniversary, and we commend the agency for its work with the citizens of Hancock county; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Hancock County Health Department and Home Health Agency as a token of our respect and esteem.

#### HOUSE RESOLUTION 154

Offered by Representative Myers:

WHEREAS, The Henderson County Health Department in Gladstone is proudly celebrating its 25th anniversary in conjunction with National Public Health week the first week in April; and

WHEREAS, The development of the Henderson County Health Department was the project of a group of dedicated Henderson county citizens who had the foresight to see a need for preventive health programs in the county; the resolution to bring the department to life was signed on March 7, 1978; and

WHEREAS, There were five core programs put in place by the end of the first year which included: administration, maternal health and family planning, child health, chronic disease, and communicable disease; and

WHEREAS, Throughout the following years many new health programs have been added including home health; school nursing, vision, and hearing programs; environmental health programs; and programs like W.I.C., that provide nutritious foods and nutrition education to eligible citizens; and

WHEREAS, In 1990, the Senior Citizens organization joined the Health Department bringing with them chore/housekeeping, information and assistance, outreach, home delivered meals, congregate meals, and the community care program; in 1996, citizen transportation was incorporated into the Health Department; and

WHEREAS, The Health Department also provides community-based services to Henderson county which include the dental sealant program, tobacco education in grades K-7, smoking cessation classes for adults, Heart Smart for Teens, and after school programs; and

WHEREAS, On April 10th an open house will be held at the Henderson County Health Department in Gladstone to commemorate the 25th anniversary of the Henderson County Health Department and Public Health Week; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Henderson County Health Department on its 25th anniversary of service to the residents of Henderson county; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Henderson County Health Department as an expression of our respect and esteem.

#### HOUSE RESOLUTION 155

Offered by Representative Jones:

WHEREAS, The members of the House of Representatives wish to congratulate Reverend Otto T. "Butch" Houston, III as he is elevated to the office of Bishop in the 2nd District of the Metropolitan Spiritual Churches of Christ, Inc. on Sunday, April 27, 2003; and

WHEREAS, Reverend Houston was elected Pastor of the First Church of Deliverance on March 17, 1996; he was installed as Pastor on May 28, 1996; and

WHEREAS, During his seven year tenure as Pastor of First Church of Deliverance, Reverend Houston's biggest accomplishment has been bringing the church completely out of debt; in addition, he led the complete renovation of property which was donated to the church; he brought about major improvements on several facilities, the installation of security gates, and new lighting and pavement; he directed the efforts to completely renovate the community center, including the day care center, the dining room, and the third floor; and

WHEREAS, Reverend Houston has initiated many new programs at First Church of Deliverance including The Armor Bearers, the Rev. Otto T. Houston Visionary Group, the Travel Committee, the Shadow Program, the Power Hour, the Spiritual Get-A-Way for the choir's anniversary, and ministries for HIV/substance abuse as well as marriage (solidarity) and singles; and

WHEREAS, Reverend Houston has presided over several Founder's Day dinners and services; he initiated All in One which is a sit down congregational communion, Million Dollar Sundays for special building fund donations, and a Men's Day Celebration every fifth Sunday; and he oversaw the installation of the state of the art OttoMax Theater on the third floor of the community center; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Reverend Otto T. "Butch" Houston, III for his accomplishments as Pastor of the First Church of Deliverance, and upon his elevation to the office of Bishop of the 2nd District, Metropolitan Spiritual Churches of Christ, Inc. on Sunday, April 27, 2003; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Reverend Otto T. "Butch" Houston, III as a token of our respect and esteem.

#### HOUSE RESOLUTION 156

Offered by Representative May:

WHEREAS, The members of the House of Representatives wish to honor the memory of Karen Lou Hamity formerly of Highland Park who passed away on August 27, 2002; and

WHEREAS, Karen Lou Hamity was born on September 29, 1949; she was a graduate of Yale University and received her law degree from Northwestern University; at the time of her passing, she was employed by the Kaplan Foundation; she was married to Ludwig Kolman and she was the mother of Noah, Lily, and Chloe; and

WHEREAS, Ms. Hamity was the recipient of the 2002 Highland Park Humanitarian Award; she received the award posthumously; and

WHEREAS, Ms. Hamity was very involved in the Highland Park Schools; she created the Art Appreciation Program at Ravinia Elementary School and helped design the Imagination Station that encouraged children to enjoy publishing their literary works; and

WHEREAS, Ms. Hamity became involved as a mentor in the writing lab at Highland Park High School in 1992; she worked with the Patron of the Arts program and chaperoned at Grad nights; she set up a Prevention Program which involved sending out mailings to the school community and bringing in speakers; and

WHEREAS, Ms. Hamity worked with Latino children; she counseled children about healthy choices, drove them to dental appointments, took them out for coffee, and brought them into her home; and

WHEREAS, Ms. Hamity was instrumental in Parent University; she co-chaired this program by bringing in speakers, organizing, and supervising; she served on the committee to Define the Gifted, making certain there were adequate programs available to the large population of students who qualified; and

WHEREAS, Ms. Hamity will be remembered as a leader and a team player; she exemplified good citizenship in her relentless tasks of correcting injustice in the schools and her community; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we honor the memory of Karen Lou Hamity for her selfless devotion to students and her community; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Karen Lou Hamity as a token of our respect and esteem for her accomplishments.

HOUSE RESOLUTION 157

Offered by Representative Kosel:

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Bonnie M. Hollaway as she retires from her position as President of Orland School District 135 Board of Education after eight years of service; and

WHEREAS, Bonnie Hollaway was elected to the board on November 7, 1995; she served as Vice President for one year and as President since November of 2000; during her tenure on the board, she chaired the Education, Policy, Negotiations, and Ethics Committees, served on the Finance, Building, and Planning Committees, and was District 135's liaison to the village board; and

WHEREAS, Through the leadership of Bonnie Hollaway, District 135 has seen many notable goals attained such as planning and constructing two new schools and remodeling all of the district facilities; she has been instrumental in the development of a long-range plan for student achievement, as well as in the evaluation and restructuring of all district curriculums to align them with State standards and bring consistency of instruction to all of the district's 10 schools; and

WHEREAS, The Board of Education, administrators, staff, and parents of District 135 will honor Mrs. Bonnie Hollaway at a meeting to be held on April 7, 2003; and

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Bonnie Hollaway on her retirement from the Orland School District 135 Board of Education and wish her good health and happiness in all of her future endeavors; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Bonnie M. Hollaway as an expression of our respect and esteem.

HOUSE RESOLUTION 158

Offered by Representative Kosel:

WHEREAS, The members of the House of Representatives wish to congratulate the Mokena Lions Club on the occasion of its 50th anniversary; and

WHEREAS, The Mokena Lions Club was officially chartered on January 31, 1953; the club is known for its services to the blind and hearing-impaired; it has also aided education, recreational, and social activities; and

WHEREAS, Members of the Lions Club provide eyeglasses and hearing aids and deliver food baskets to needy families for Easter, Thanksgiving, and Christmas; they pass out flags during the July Fourth parade, offer scholarships, and serve pancakes; they've helped local Scout troops and sporting teams and donated to the local fire department, library, schools, and parks; and

WHEREAS, Lions Club members are service-minded people who are committed to improving the civic, social, and moral welfare of their community; the club currently has 90 members; and

WHEREAS, Lions Club International has 1.4 million members in 44,500 clubs in 187 countries; their motto is "We serve."; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Mokena Lions Club on the occasion of its 50th anniversary, and we commend the members of the club for their commitment to serve the community; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Mokena Lions Club as a token of our respect and esteem.

HOUSE RESOLUTION 159

Offered by Representative Kosel:



WHEREAS, Education is one of the most noble careers one can pursue and is vital to the future of Illinois; those who serve in this field deserve the gratitude of all of the citizens of this State; and

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Dr. Peter Yuska on the occasion of his retirement after 34 years of service in Orland School District 135; and

WHEREAS, Dr. Yuska began his career in 1969 as a teacher at Orland Junior High School; he was named Assistant Principal for Orland Junior High School and High Point School in 1972; and

WHEREAS, Since 1976, Dr. Yuska has served as Principal at Park, Doctor, Jerling, Liberty, and Orland Junior High Schools; and since 1998, he has led the school district as Superintendent; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Dr. Peter Yuska on the occasion of his retirement on June 30, 2003, and we thank him for his faithful service to the students, teachers and citizens of Orland School District 135; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Dr. Peter Yuska as a token of our respect and esteem and with our best wishes for a happy and relaxing retirement.

#### HOUSE RESOLUTION 160

Offered by Representative Kosel:

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Paul Jacobowski on the occasion of his retirement after eight years of service on the Orland School District 135 Board of Education; and

WHEREAS, Mr. Jacobowski served as Board President for the 1999-2000 school year; during his eight years on the board, he has chaired the Finance, Policy, and Ethics Committees; he also served on the Building and Education Committees and was District 135's representative to the state and national school board associations; and

WHEREAS, Many notable achievements have been marked during Mr. Jacobowski's tenure on the board; among them are the planning and construction of two new schools, and remodeling of all the district facilities; he, along with the rest of the board, was instrumental in the development of a long-range plan for student achievement, as well as in the evaluation and restructuring of all district curriculums to align them with State standards and bring consistency of instruction to all of the district's ten schools; and

WHEREAS, Mr. Jacobowski exemplifies the teamwork of the Board of Education and the administration in allocating the district's resources to reduce a budget deficit over the years while enhancing academic programs at the same time; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Paul Jacobowski on the occasion of his retirement from the Orland School District 135 Board of Education on April 7, 2003, and we commend him for his service to the board; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Paul Jacobowski as a token of our respect and esteem.

#### HOUSE BILLS ON THIRD READING

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

On motion of Representative Schmitz, HOUSE BILL 92 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:

117, Yeas; 0, Nays; 0, 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.

On motion of Representative Black, HOUSE BILL 3488 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: 82, Yeas; 32, Nays; 3, Answering Present.

(ROLL CALL 3)

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.

On motion of Representative Novak, HOUSE BILL 370 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: 91, Yeas; 25, Nays; 1, Answering Present.

(ROLL CALL 4)

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.

On motion of Representative Washington, HOUSE BILL 277 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; 2, Nays; 3, Answering Present.

(ROLL CALL 5)

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.

### HOUSE BILLS ON SECOND READING

HOUSE BILL 2104. Having been printed, was taken up and read by title a second time.

Representative Kosel offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2104 by replacing everything after the enacting clause with the following:

"(105 ILCS 5/7-2c rep.)

Section 5. The School Code is amended by repealing Section 7-2c. Section 99. Effective date. This Act takes effect upon becoming law."

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

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

HOUSE BILL 3048. Having been printed, was taken up and read by title a second time.

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

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3048 on page 1, line 31, by replacing "must participate in" with "and all bidder's subcontractors must participate in applicable".

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 1352. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Housing & Urban Development, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1352 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Human Rights Act is amended by changing Sections 1-102, 1-103, and 3-102 as follows:

(775 ILCS 5/1-102) (from Ch. 68, par. 1-102)

Sec. 1-102. Declaration of Policy. It is the public policy of this State:

(A) Freedom from Unlawful Discrimination. To secure for all individuals within Illinois the freedom from discrimination against any individual because of his or her race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap, military status, or unfavorable discharge from military service in connection with employment, real estate transactions, access to financial credit, and the availability of public accommodations.

(B) Freedom from Sexual Harassment-Employment and Higher Education. To prevent sexual harassment in employment and sexual harassment in higher education.

(C) Freedom from Discrimination Based on Citizenship Status-Employment. To prevent discrimination based on citizenship status in employment.

(D) Freedom from Discrimination Based on Familial Status or Source of Income-Real Estate Transactions. To prevent discrimination based on familial status or source of income in real estate transactions.

(E) Public Health, Welfare and Safety. To promote the public health, welfare and safety by protecting the interest of all people in Illinois in maintaining personal dignity, in realizing their full productive capacities, and in furthering their interests, rights and privileges as citizens of this State.

(F) Implementation of Constitutional Guarantees. To secure and guarantee the rights established by Sections 17, 18 and 19 of Article I of the Illinois Constitution of 1970.

(G) Equal Opportunity, Affirmative Action. To establish Equal Opportunity and Affirmative Action as the policies of this State in all of its decisions, programs and activities, and to assure that all State departments, boards, commissions and instrumentalities rigorously take affirmative action to provide equality of opportunity and eliminate the effects of past discrimination in the internal affairs of State government and in their relations with the public.

(H) Unfounded Charges. To protect citizens of this State against unfounded charges of unlawful discrimination, sexual harassment in employment and sexual harassment in higher education, and discrimination based on citizenship status in employment. (Source: P.A. 87-579; 88-178.)

(775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

Sec. 1-103. General Definitions. When used in this Act, unless the context requires otherwise, the term:

(A) Age. "Age" means the chronological age of a person who is at least 40 years old, except with regard to any practice described in Section 2-102, insofar as that practice concerns training or apprenticeship programs. In the case of training or apprenticeship programs, for the purposes of Section 2-102, "age" means the chronological age of a person who is 18 but not yet 40 years old.

(B) Aggrieved Party. "Aggrieved party" means a person who is alleged or proved to have been injured by a civil rights violation or believes he or she will be injured by a civil rights violation under Article 3 that is about to occur.

(C) Charge. "Charge" means an allegation filed with the Department by an aggrieved party or initiated by the Department under its authority.

(D) Civil Rights Violation. "Civil rights violation" includes and shall be limited to only those specific acts set forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104, 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this Act.

(E) Commission. "Commission" means the Human Rights Commission created by this Act.

(F) Complaint. "Complaint" means the formal pleading filed by the Department with the Commission following an investigation and finding of substantial evidence of a civil rights violation.

(G) Complainant. "Complainant" means a person including the Department who files a charge of civil rights violation with the Department or the Commission.

(H) Department. "Department" means the Department of Human Rights created by this Act.

(I) Handicap. "Handicap" means a determinable physical or mental characteristic of a person, including, but not limited to, a determinable physical characteristic which necessitates the person's use of a guide, hearing or support dog, the history of such characteristic, or the perception of such characteristic by the person complained against, which may result from disease, injury, congenital condition of birth or functional disorder and which characteristic:

(1) For purposes of Article 2 is unrelated to the person's ability to perform the duties of a particular job or position and, pursuant to Section 2-104 of this Act, a person's illegal use of drugs or alcohol is not a handicap;

(2) For purposes of Article 3, is unrelated to the person's ability to acquire, rent or maintain a housing accommodation;

(3) For purposes of Article 4, is unrelated to a person's ability to repay;

(4) For purposes of Article 5, is unrelated to a person's ability to utilize and benefit from a place of public accommodation.

(J) Marital Status. "Marital status" means the legal status of being married, single, separated, divorced or widowed.

(J-1) Military Status. "Military status" means a person's status on active duty in the armed forces of the United States.

(K) National Origin. "National origin" means the place in which a person or one of his or her ancestors was born.

(L) Person. "Person" includes one or more individuals, partnerships, associations or organizations, labor organizations, labor unions, joint apprenticeship committees, or union labor associations, corporations, the State of Illinois and its instrumentalities, political subdivisions, units of local government, legal representatives, trustees in bankruptcy or receivers.

(M) Public Contract. "Public contract" includes every contract to which the State, any of its political subdivisions or any municipal corporation is a party.

(N) Religion. "Religion" includes all aspects of religious observance and practice, as well as belief, except that with respect to employers, for the purposes of Article 2, "religion" has the meaning ascribed to it in paragraph (F) of Section 2-101.

(O) Sex. "Sex" means the status of being male or female.

(O-5) Source of Income. "Source of income" means any lawful income, subsidy, or benefit with which an individual supports himself or herself and his or her dependents, including, but not limited to, child support, maintenance, and any federal, State, or local public assistance, medical assistance, or rental assistance program.

(P) Unfavorable Military Discharge. "Unfavorable military discharge" includes discharges from the Armed Forces of the United States, their Reserve components or any National Guard or Naval Militia which are classified as RE-3 or the equivalent thereof, but does not include those characterized as RE-4 or "Dishonorable".

(Q) Unlawful Discrimination. "Unlawful discrimination" means discrimination against a person because of his or her race, color, religion, national origin, ancestry, age, sex, marital status, handicap, military status, or unfavorable discharge from military service as those terms are defined in this Section. (Source: P.A. 88-178; 88-180; 88-670, eff. 12-2-94.)

(775 ILCS 5/3-102) (from Ch. 68, par. 3-102)

Sec. 3-102. Civil Rights Violations; Real Estate Transactions) It is a civil rights violation for an owner or any other person engaging in a real estate transaction, or for a real estate broker or salesman, because of unlawful discrimination or familial status or source of income, to

(A) Transaction. Refuse to engage in a real estate transaction with a person or to discriminate in making available such a transaction;

(B) Terms. Alter the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith;

(C) Offer. Refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person;

(D) Negotiation. Refuse to negotiate for a real estate transaction with a person;

(E) Representations. Represent to a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or to fail to bring a property listing to his or her attention, or to refuse to permit him or her to inspect real property;

(F) Publication of Intent. Print, circulate, post, mail, publish or cause to be so published a written or oral statement, advertisement or sign, or to use a form of application for a real estate transaction, or to make a

record or inquiry in connection with a prospective real estate transaction, which expresses any limitation founded upon, or indicates, directly or indirectly, an intent to engage in unlawful discrimination;

(G) Listings. Offer, solicit, accept, use or retain a listing of real property with knowledge that unlawful discrimination or discrimination on the basis of familial status in a real estate transaction is intended. (Source: P.A. 86-910.)".

Representative Yarbrough offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 1352, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 2, line 5, before the period, by inserting "while recognizing the need for mixed-income housing"; and

on page 6, between lines 26 and 27, by inserting the following:

"Nothing in this Section, or in any municipal or county ordinance described in Section 7-108 of this Act, however, prohibits the consideration of source of income in connection with any housing development project in which 25% or more of the units either (i) are owned by a public housing authority or (ii) receive rental subsidies authorized under Section 8 of the United States Housing Act of 1937 or receive any other local, State, or federal rental subsidy or benefit.

And on that motion, a vote was taken resulting as follows:

76, Yeas; 36, Nays; 2, Answering Present.

(ROLL CALL 6)

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

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

### HOUSE BILLS ON THIRD READING

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

On motion of Representative Eileen Lyons, HOUSE BILL 1373 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:

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

(ROLL CALL 7)

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.

On motion of Representative Brunsvold, HOUSE BILL 2890 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:

104, Yeas; 13, Nays; 0, Answering Present.

(ROLL CALL 8)

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.

On motion of Representative Dunkin, HOUSE BILL 3620 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:

96, Yeas; 21, Nays; 0, Answering Present.

(ROLL CALL 9)

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.

On motion of Representative Feigenholtz, HOUSE BILL 3589 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: 60, Yeas; 56, Nays; 1, Answering Present.

(ROLL CALL 10)

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.

On motion of Representative Berrios, HOUSE BILL 548 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 11)

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.

On motion of Representative Fritchey, HOUSE BILL 1400 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 12)

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.

On motion of Representative Jefferson, HOUSE BILL 1088 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: 116, Yeas; 1, Nays; 0, Answering Present.

(ROLL CALL 13)

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.

On motion of Representative Graham, HOUSE BILL 2329 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: 79, Yeas; 19, Nays; 19, Answering Present.

(ROLL CALL 14)

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.

On motion of Representative Yarbrough, HOUSE BILL 318 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: 68, Yeas; 45, Nays; 3, Answering Present.

(ROLL CALL 15)

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.

On motion of Representative O'Brien, HOUSE BILL 1195 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: 89, Yeas; 21, Nays; 7, Answering Present.

(ROLL CALL 16)

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.

On motion of Representative Smith, HOUSE BILL 2216 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: 115, Yeas; 0, Nays; 2, Answering Present.

(ROLL CALL 17)

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.

On motion of Representative Slone, HOUSE BILL 1251 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: 88, Yeas; 29, Nays; 0, Answering Present.

(ROLL CALL 18)

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.

On motion of Representative Schmitz, HOUSE BILL 93 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 19)

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.

On motion of Representative Watson, HOUSE BILL 121 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 20)

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.

### **HOUSE BILLS ON SECOND READING**

HOUSE BILL 2996. Having been printed, was taken up and read by title a second time.

Representative Pihos offered the following amendment and moved its adoption:

#### **AMENDMENT NO. 1**

AMENDMENT NO. 1. Amend House Bill 2996 by replacing everything after the enacting clause with

the following:

"(215 ILCS 106/97 rep.)

Section 5. The Children's Health Insurance Program Act is amended by repealing Section 97.

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

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

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

### RECALLS

By unanimous consent, on motion of Representative Washington, HOUSE BILL 2577 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

### HOUSE BILLS ON SECOND READING

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 465.

HOUSE BILL 3298. Having been printed, was taken up and read by title a second time.

Representative Mautino offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 3298 by replacing everything after the enacting clause with the following:

"Section 5. The Comprehensive Health Insurance Plan Act is amended by changing Sections 2, 4, 7, and 15 as follows:

(215 ILCS 105/2) (from Ch. 73, par. 1302)

Sec. 2. Definitions. As used in this Act, unless the context otherwise requires:

"Plan administrator" means the insurer or third party administrator designated under Section 5 of this Act.

"Benefits plan" means the coverage to be offered by the Plan to eligible persons and federally eligible individuals pursuant to this Act.

"Board" means the Illinois Comprehensive Health Insurance Board.

"Church plan" has the same meaning given that term in the federal Health Insurance Portability and Accountability Act of 1996.

"Continuation coverage" means continuation of coverage under a group health plan or other health insurance coverage for former employees or dependents of former employees that would otherwise have terminated under the terms of that coverage pursuant to any continuation provisions under federal or State law, including the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, Sections 367.2 and 367e of the Illinois Insurance Code, or any other similar requirement in another State.

"Covered person" means a person who is and continues to remain eligible for Plan coverage and is covered under one of the benefit plans offered by the Plan.

"Creditable coverage" means, with respect to a federally eligible individual, coverage of the individual under any of the following:

- (A) A group health plan.
- (B) Health insurance coverage (including group health insurance coverage).
- (C) Medicare.
- (D) Medical assistance.
- (E) Chapter 55 of title 10, United States Code.
- (F) A medical care program of the Indian Health Service or of a tribal organization.
- (G) A state health benefits risk pool.
- (H) A health plan offered under Chapter 89 of title 5, United States Code.
- (I) A public health plan (as defined in regulations consistent with Section 104 of the Health Care



Portability and Accountability Act of 1996 that may be promulgated by the Secretary of the U.S. Department of Health and Human Services).

(J) A health benefit plan under Section 5(e) of the Peace Corps Act (22 U.S.C. 2504(e)).

(K) Any other qualifying coverage required by the federal Health Insurance Portability and Accountability Act of 1996, as it may be amended, or regulations under that Act.

"Creditable coverage" does not include coverage consisting solely of coverage of excepted benefits, as defined in Section 2791(c) of title XXVII of the Public Health Service Act (42 U.S.C. 300 gg-91), nor does it include any period of coverage under any of items (A) through (K) that occurred before a break of more than 90 days or, if the individual has been certified as an eligible person pursuant to the federal Trade Adjustment Act of 2002, a break of more than 63 days during all of which the individual was not covered under any of items (A) through (K) above. Any period that an individual is in a waiting period for any coverage under a group health plan (or for group health insurance coverage) or is in an affiliation period under the terms of health insurance coverage offered by a health maintenance organization shall not be taken into account in determining if there has been a break of more than 90 days in any creditable coverage.

"Department" means the Illinois Department of Insurance.

"Dependent" means an Illinois resident: who is a spouse; or who is claimed as a dependent by the principal insured for purposes of filing a federal income tax return and resides in the principal insured's household, and is a resident unmarried child under the age of 19 years; or who is an unmarried child who also is a full-time student under the age of 23 years and who is financially dependent upon the principal insured; or who is a child of any age and who is disabled and financially dependent upon the principal insured.

"Direct Illinois premiums" means, for Illinois business, an insurer's direct premium income for the kinds of business described in clause (b) of Class 1 or clause (a) of Class 2 of Section 4 of the Illinois Insurance Code, and direct premium income of a health maintenance organization or a voluntary health services plan, except it shall not include credit health insurance as defined in Article IX 1/2 of the Illinois Insurance Code.

"Director" means the Director of the Illinois Department of Insurance.

"Eligible person" means a resident of this State who qualifies for Plan coverage under Section 7 of this Act.

"Employee" means a resident of this State who is employed by an employer or has entered into the employment of or works under contract or service of an employer including the officers, managers and employees of subsidiary or affiliated corporations and the individual proprietors, partners and employees of affiliated individuals and firms when the business of the subsidiary or affiliated corporations, firms or individuals is controlled by a common employer through stock ownership, contract, or otherwise.

"Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee, for which one or more persons is gainfully employed.

"Family" coverage means the coverage provided by the Plan for the covered person and his or her eligible dependents who also are covered persons.

"Federally eligible individual" means an individual resident of this State:

(1)(A) for whom, as of the date on which the individual seeks Plan coverage under Section 15 of this Act, the aggregate of the periods of creditable coverage is 18 or more months or, if the individual has been certified as an eligible person pursuant to the federal Trade Adjustment Act of 2002, 3 or more months, and (B) whose most recent prior creditable coverage was under group health insurance coverage offered by a health insurance issuer, a group health plan, a governmental plan, or a church plan (or health insurance coverage offered in connection with any such plans) or any other type of creditable coverage that may be required by the federal Health Insurance Portability and Accountability Act of 1996, as it may be amended, or the regulations under that Act;

(2) who is not eligible for coverage under (A) a group health plan, (B) part A or part B of Medicare due to age, or (C) medical assistance, and does not have other health insurance coverage;

(3) with respect to whom the most recent coverage within the coverage period described in paragraph (1)(A) of this definition was not terminated based upon a factor relating to nonpayment of premiums or fraud;

(4) if the individual, other than an individual who has been certified as an eligible person pursuant to the federal Trade Adjustment Act of 2002, had been offered the option of continuation coverage under a COBRA continuation provision or under a similar State program, who elected such coverage; and

(5) who, if the individual elected such continuation coverage, has exhausted such continuation coverage under such provision or program.

An individual who has been certified as an eligible person pursuant to the federal Trade Adjustment Act of 2002 shall not be required to elect continuation coverage under a COBRA continuation provision or under a similar state program.

"Group health insurance coverage" means, in connection with a group health plan, health insurance coverage offered in connection with that plan.

"Group health plan" has the same meaning given that term in the federal Health Insurance Portability and Accountability Act of 1996.

"Governmental plan" has the same meaning given that term in the federal Health Insurance Portability and Accountability Act of 1996.

"Health insurance coverage" means benefits consisting of medical care (provided directly, through insurance or reimbursement, or otherwise and including items and services paid for as medical care) under any hospital and medical expense-incurred policy, certificate, or contract provided by an insurer, non-profit health care service plan contract, health maintenance organization or other subscriber contract, or any other health care plan or arrangement that pays for or furnishes medical or health care services whether by insurance or otherwise. Health insurance coverage shall not include short term, accident only, disability income, hospital confinement or fixed indemnity, dental only, vision only, limited benefit, or credit insurance, coverage issued as a supplement to liability insurance, insurance arising out of a workers' compensation or similar law, automobile medical-payment insurance, or insurance under which benefits are payable with or without regard to fault and which is statutorily required to be contained in any liability insurance policy or equivalent self-insurance.

"Health insurance issuer" means an insurance company, insurance service, or insurance organization (including a health maintenance organization and a voluntary health services plan) that is authorized to transact health insurance business in this State. Such term does not include a group health plan.

"Health Maintenance Organization" means an organization as defined in the Health Maintenance Organization Act.

"Hospice" means a program as defined in and licensed under the Hospice Program Licensing Act.

"Hospital" means a duly licensed institution as defined in the Hospital Licensing Act, an institution that meets all comparable conditions and requirements in effect in the state in which it is located, or the University of Illinois Hospital as defined in the University of Illinois Hospital Act.

"Individual health insurance coverage" means health insurance coverage offered to individuals in the individual market, but does not include short-term, limited-duration insurance.

"Insured" means any individual resident of this State who is eligible to receive benefits from any insurer (including health insurance coverage offered in connection with a group health plan) or health insurance issuer as defined in this Section.

"Insurer" means any insurance company authorized to transact health insurance business in this State and any corporation that provides medical services and is organized under the Voluntary Health Services Plans Act or the Health Maintenance Organization Act.

"Medical assistance" means the State medical assistance or medical assistance no grant (MANG) programs provided under Title XIX of the Social Security Act and Articles V (Medical Assistance) and VI (General Assistance) of the Illinois Public Aid Code (or any successor program) or under any similar program of health care benefits in a state other than Illinois.

"Medically necessary" means that a service, drug, or supply is necessary and appropriate for the diagnosis or treatment of an illness or injury in accord with generally accepted standards of medical practice at the time the service, drug, or supply is provided. When specifically applied to a confinement it further means that the diagnosis or treatment of the covered person's medical symptoms or condition cannot be safely provided to that person as an outpatient. A service, drug, or supply shall not be medically necessary if it: (i) is investigational, experimental, or for research purposes; or (ii) is provided solely for the convenience of the patient, the patient's family, physician, hospital, or any other provider; or (iii) exceeds in scope, duration, or intensity that level of care that is needed to provide safe, adequate, and appropriate diagnosis or treatment; or (iv) could have been omitted without adversely affecting the covered person's condition or the quality of medical care; or (v) involves the use of a medical device, drug, or substance not formally approved by the United States Food and Drug Administration.

"Medical care" means the ordinary and usual professional services rendered by a physician or other specified provider during a professional visit for treatment of an illness or injury.

"Medicare" means coverage under both Part A and Part B of Title XVIII of the Social Security Act, 42 U.S.C. Sec. 1395, et seq.

"Minimum premium plan" means an arrangement whereby a specified amount of health care claims is

self-funded, but the insurance company assumes the risk that claims will exceed that amount.

"Participating transplant center" means a hospital designated by the Board as a preferred or exclusive provider of services for one or more specified human organ or tissue transplants for which the hospital has signed an agreement with the Board to accept a transplant payment allowance for all expenses related to the transplant during a transplant benefit period.

"Physician" means a person licensed to practice medicine pursuant to the Medical Practice Act of 1987.

"Plan" means the Comprehensive Health Insurance Plan established by this Act.

"Plan of operation" means the plan of operation of the Plan, including articles, bylaws and operating rules, adopted by the board pursuant to this Act.

"Provider" means any hospital, skilled nursing facility, hospice, home health agency, physician, registered pharmacist acting within the scope of that registration, or any other person or entity licensed in Illinois to furnish medical care.

"Qualified high risk pool" has the same meaning given that term in the federal Health Insurance Portability and Accountability Act of 1996.

"Resident" means a person who is and continues to be legally domiciled and physically residing on a permanent and full-time basis in a place of permanent habitation in this State that remains that person's principal residence and from which that person is absent only for temporary or transitory purpose.

"Skilled nursing facility" means a facility or that portion of a facility that is licensed by the Illinois Department of Public Health under the Nursing Home Care Act or a comparable licensing authority in another state to provide skilled nursing care.

"Stop-loss coverage" means an arrangement whereby an insurer insures against the risk that any one claim will exceed a specific dollar amount or that the entire loss of a self-insurance plan will exceed a specific amount.

"Third party administrator" means an administrator as defined in Section 511.101 of the Illinois Insurance Code who is licensed under Article XXXI 1/4 of that Code. (Source: P.A. 91-357, eff. 7-29-99; 91-735, eff. 6-2-00; 92-153, eff. 7-25-01.)

(215 ILCS 105/4) (from Ch. 73, par. 1304)

Sec. 4. Powers and authority of the board. The board shall have the general powers and authority granted under the laws of this State to insurance companies licensed to transact health and accident insurance and in addition thereto, the specific authority to:

a. Enter into contracts as are necessary or proper to carry out the provisions and purposes of this Act, including the authority, with the approval of the Director, to enter into contracts with similar plans of other states for the joint performance of common administrative functions, or with persons or other organizations for the performance of administrative functions including, without limitation, utilization review and quality assurance programs, or with health maintenance organizations or preferred provider organizations for the provision of health care services.

b. Sue or be sued, including taking any legal actions necessary or proper.

c. Take such legal action as necessary to:

(1) avoid the payment of improper claims against the plan or the coverage provided by or through the plan;

(2) to recover any amounts erroneously or improperly paid by the plan;

(3) to recover any amounts paid by the plan as a result of a mistake of fact or law; or

(4) to recover or collect any other amounts, including assessments, that are due or owed the Plan or have been billed on its or the Plan's behalf.

d. Establish appropriate rates, rate schedules, rate adjustments, expense allowances, agents' referral fees, claim reserves, and formulas and any other actuarial function appropriate to the operation of the plan. Rates and rate schedules may be adjusted for appropriate risk factors such as age and area variation in claim costs and shall take into consideration appropriate risk factors in accordance with established actuarial and underwriting practices.

e. Issue policies of insurance in accordance with the requirements of this Act.

f. Appoint appropriate legal, actuarial and other committees as necessary to provide technical assistance in the operation of the plan, policy and other contract design, and any other function within the authority of the plan.

g. Borrow money to effect the purposes of the Illinois Comprehensive Health Insurance Plan. Any notes or other evidence of indebtedness of the plan not in default shall be legal investments for insurers and may be carried as admitted assets.

h. Establish rules, conditions and procedures for reinsuring risks under this Act.

i. Employ and fix the compensation of employees. Such employees may be paid on a warrant issued by the State Treasurer pursuant to a payroll voucher certified by the Board and drawn by the Comptroller against appropriations or trust funds held by the State Treasurer.

j. Enter into intergovernmental cooperation agreements with other agencies or entities of State government for the purpose of sharing the cost of providing health care services that are otherwise authorized by this Act for children who are both plan participants and eligible for financial assistance from the Division of Specialized Care for Children of the University of Illinois.

k. Establish conditions and procedures under which the plan may, if funds permit, discount or subsidize premium rates that are paid directly by senior citizens, as defined by the Board, and other plan participants, who are retired or unemployed and meet other qualifications.

l. Establish and maintain the Plan Fund authorized in Section 3 of this Act, which shall be divided into separate accounts, as follows:

(1) accounts to fund the administrative, claim, and other expenses of the Plan associated with eligible persons who qualify for Plan coverage under Section 7 of this Act, which shall consist of:

(A) premiums paid on behalf of covered persons;

(B) appropriated funds and other revenues collected or received by the Board;

(C) reserves for future losses maintained by the Board; and

(D) interest earnings from investment of the funds in the Plan Fund or any of its accounts other than the funds in the account established under item 2 of this subsection;

(2) an account, to be denominated the federally eligible individuals account, to fund the administrative, claim, and other expenses of the Plan associated with federally eligible individuals who qualify for Plan coverage under Section 15 of this Act, which shall consist of:

(A) premiums paid on behalf of covered persons;

(B) assessments and other revenues collected or received by the Board;

(C) reserves for future losses maintained by the Board; ~~and~~

(D) interest earnings from investment of the federally eligible individuals account funds; and

(E) grants provided pursuant to the federal Trade Adjustment Act of 2002; and

(3) such other accounts as may be appropriate.

m. Charge and collect assessments paid by insurers pursuant to Section 12 of this Act and recover any assessments for, on behalf of, or against those insurers. (Source: P.A. 90-30, eff. 7-1-97; 91-357, eff. 7-29-99.)

(215 ILCS 105/7) (from Ch. 73, par. 1307)

Sec. 7. Eligibility. a. Except as provided in subsection (e) of this Section or in Section 15 of this Act, any person who is either a citizen of the United States or an alien lawfully admitted for permanent residence and who has been for a period of at least 180 days and continues to be a resident of this State shall be eligible for Plan coverage under this Section if evidence is provided of:

(1) A notice of rejection or refusal to issue substantially similar individual health insurance coverage for health reasons by a health insurance issuer; or

(2) A refusal by a health insurance issuer to issue individual health insurance coverage except at a rate exceeding the applicable Plan rate for which the person is responsible.

A rejection or refusal by a group health plan or health insurance issuer offering only stop-loss or excess of loss insurance or contracts, agreements, or other arrangements for reinsurance coverage with respect to the applicant shall not be sufficient evidence under this subsection.

b. The board shall promulgate a list of medical or health conditions for which a person who is either a citizen of the United States or an alien lawfully admitted for permanent residence and a resident of this State would be eligible for Plan coverage without applying for health insurance coverage pursuant to subsection a. of this Section. Persons who can demonstrate the existence or history of any medical or health conditions on the list promulgated by the board shall not be required to provide the evidence specified in subsection a. of this Section. The list shall be effective on the first day of the operation of the Plan and may be amended from time to time as appropriate.

c. Family members of the same household who each are covered persons are eligible for optional family coverage under the Plan.

d. For persons qualifying for coverage in accordance with Section 7 of this Act, the board shall, if it determines that such appropriations as are made pursuant to Section 12 of this Act are insufficient to allow the board to accept all of the eligible persons which it projects will apply for enrollment under the Plan, limit or close enrollment to ensure that the Plan is not over-subscribed and that it has sufficient resources to meet its obligations to existing enrollees. The board shall not limit or close enrollment for federally eligible

individuals.

e. A person shall not be eligible for coverage under the Plan if:

(1) He or she has or obtains other coverage under a group health plan or health insurance coverage substantially similar to or better than a Plan policy as an insured or covered dependent or would be eligible to have that coverage if he or she elected to obtain it. Persons otherwise eligible for Plan coverage may, however, solely for the purpose of having coverage for a pre-existing condition, maintain other coverage only while satisfying any pre-existing condition waiting period under a Plan policy or a subsequent replacement policy of a Plan policy.

(1.1) His or her prior coverage under a group health plan or health insurance coverage, provided or arranged by an employer of more than 10 employees was discontinued for any reason without the entire group or plan being discontinued and not replaced, provided he or she remains an employee, or dependent thereof, of the same employer.

(2) He or she is a recipient of or is approved to receive medical assistance, except that a person may continue to receive medical assistance through the medical assistance no grant program, but only while satisfying the requirements for a preexisting condition under Section 8, subsection f. of this Act. Payment of premiums pursuant to this Act shall be allocable to the person's spenddown for purposes of the medical assistance no grant program, but that person shall not be eligible for any Plan benefits while that person remains eligible for medical assistance. If the person continues to receive or be approved to receive medical assistance through the medical assistance no grant program at or after the time that requirements for a preexisting condition are satisfied, the person shall not be eligible for coverage under the Plan. In that circumstance, coverage under the plan shall terminate as of the expiration of the preexisting condition limitation period. Under all other circumstances, coverage under the Plan shall automatically terminate as of the effective date of any medical assistance.

(3) Except as provided in Section 15, the person has previously participated in the Plan and voluntarily terminated Plan coverage, unless 12 months have elapsed since the person's latest voluntary termination of coverage.

(4) The person fails to pay the required premium under the covered person's terms of enrollment and participation, in which event the liability of the Plan shall be limited to benefits incurred under the Plan for the time period for which premiums had been paid and the covered person remained eligible for Plan coverage.

(5) The Plan has paid a total of \$1,000,000 in benefits on behalf of the covered person.

(6) The person is a resident of a public institution.

(7) The person's premium is paid for or reimbursed under any government sponsored program or by any government agency or health care provider, except as an otherwise qualifying full-time employee, or dependent of such employee, of a government agency or health care provider or, except when a person's premium is paid by the U.S. Treasury Department pursuant to the federal Trade Adjustment Act of 2002.

(8) The person has or later receives other benefits or funds from any settlement, judgement, or award resulting from any accident or injury, regardless of the date of the accident or injury, or any other circumstances creating a legal liability for damages due that person by a third party, whether the settlement, judgment, or award is in the form of a contract, agreement, or trust on behalf of a minor or otherwise and whether the settlement, judgment, or award is payable to the person, his or her dependent, estate, personal representative, or guardian in a lump sum or over time, so long as there continues to be benefits or assets remaining from those sources in an amount in excess of \$100,000.

(9) Within the 5 years prior to the date a person's Plan application is received by the Board, the person's coverage under any health care benefit program as defined in 18 U.S.C. 24, including any public or private plan or contract under which any medical benefit, item, or service is provided, was terminated as a result of any act or practice that constitutes fraud under State or federal law or as a result of an intentional misrepresentation of material fact; or if that person knowingly and willfully obtained or attempted to obtain, or fraudulently aided or attempted to aid any other person in obtaining, any coverage or benefits under the Plan to which that person was not entitled.

f. The board or the administrator shall require verification of residency and may require any additional information or documentation, or statements under oath, when necessary to determine residency upon initial application and for the entire term of the policy.

g. Coverage shall cease (i) on the date a person is no longer a resident of Illinois, (ii) on the date a person requests coverage to end, (iii) upon the death of the covered person, (iv) on the date State law requires cancellation of the policy, or (v) at the Plan's option, 30 days after the Plan makes any inquiry

concerning a person's eligibility or place of residence to which the person does not reply.

h. Except under the conditions set forth in subsection g of this Section, the coverage of any person who ceases to meet the eligibility requirements of this Section shall be terminated at the end of the current policy period for which the necessary premiums have been paid. (Source: P.A. 90-30, eff. 7-1-97; 91-639, eff. 8-20-99; 91-735, eff. 6-2-00.)

(215 ILCS 105/15)

Sec. 15. Alternative portable coverage for federally eligible individuals. (a) Notwithstanding the requirements of subsection a. of Section 7 and except as otherwise provided in this Section, any federally eligible individual for whom a Plan application, and such enclosures and supporting documentation as the Board may require, is received by the Board within 90 days after the termination of prior creditable coverage shall qualify to enroll in the Plan under the portability provisions of this Section. A federally eligible person who has been certified as an eligible person pursuant to the federal Trade Adjustment Act of 2002 and whose Plan application and enclosures and supporting documentation as the Board may require is received by the Board within 63 days after the termination of previous creditable coverage shall qualify to enroll in the Plan under the portability provisions of this Section.

(b) Any federally eligible individual seeking Plan coverage under this Section must submit with his or her application evidence, including acceptable written certification of previous creditable coverage, that will establish to the Board's satisfaction, that he or she meets all of the requirements to be a federally eligible individual and is currently and permanently residing in this State (as of the date his or her application was received by the Board).

(c) Except as otherwise provided in this Section, a period of creditable coverage shall not be counted, with respect to qualifying an applicant for Plan coverage as a federally eligible individual under this Section, if after such period and before the application for Plan coverage was received by the Board, there was at least a 90 day period during all of which the individual was not covered under any creditable coverage. For a federally eligible person who has been certified as an eligible person pursuant to the federal Trade Adjustment Act of 2002, a period of creditable coverage shall not be counted, with respect to qualifying an applicant for Plan coverage as a federally eligible individual under this Section, if after such period and before the application for Plan coverage was received by the Board, there was at least a 63 day period during all of which the individual was not covered under any creditable coverage.

(d) Any federally eligible individual who the Board determines qualifies for Plan coverage under this Section shall be offered his or her choice of enrolling in one of alternative portability health benefit plans which the Board is authorized under this Section to establish for these federally eligible individuals and their dependents.

(e) The Board shall offer a choice of health care coverages consistent with major medical coverage under the alternative health benefit plans authorized by this Section to every federally eligible individual. The coverages to be offered under the plans, the schedule of benefits, deductibles, co-payments, exclusions, and other limitations shall be approved by the Board. One optional form of coverage shall be comparable to comprehensive health insurance coverage offered in the individual market in this State or a standard option of coverage available under the group or individual health insurance laws of the State. The standard benefit plan that is authorized by Section 8 of this Act may be used for this purpose. The Board may also offer a preferred provider option and such other options as the Board determines may be appropriate for these federally eligible individuals who qualify for Plan coverage pursuant to this Section.

(f) Notwithstanding the requirements of subsection f. of Section 8, any plan coverage that is issued to federally eligible individuals who qualify for the Plan pursuant to the portability provisions of this Section shall not be subject to any preexisting conditions exclusion, waiting period, or other similar limitation on coverage.

(g) Federally eligible individuals who qualify and enroll in the Plan pursuant to this Section shall be required to pay such premium rates as the Board shall establish and approve in accordance with the requirements of Section 7.1 of this Act.

(h) A federally eligible individual who qualifies and enrolls in the Plan pursuant to this Section must satisfy on an ongoing basis all of the other eligibility requirements of this Act to the extent not inconsistent with the federal Health Insurance Portability and Accountability Act of 1996 in order to maintain continued eligibility for coverage under the Plan. (Source: P.A. 92-153, eff. 7-25-01.)

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

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

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

HOUSE BILL 3060. Having been recalled on March 19, 2003, and held on the order of Second Reading, the same was again taken up.

Representative Ryg offered the following amendment and moved its adoption.

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3060 on page 1 by inserting immediately after line 3 the following:

"Section 3. The Department of Insurance Law of the Civil Administrative Code of Illinois is amended by adding Section 1405-35 as follows:

(20 ILCS 1405/1045-35 new)

Sec. 1405-35. Brain injury coverage study.

(a) The Department of Insurance shall conduct an analysis and study of costs and benefits derived from the implementation of the coverage requirements for treatment of brain injuries established under Section 356z.4 of the Illinois Insurance Code. The study shall cover the years 2004, 2005, and 2006. The study shall include an analysis of the effect of the coverage requirements on the cost of insurance and health care, the results of the treatments to patients, any improvements in the care of patients, and any improvements in the quality of life of patients.

(b) The Department shall report the results of its study to the General Assembly and the Governor on or before March 1, 2007."; and

on page 3 by inserting immediately below line 24 the following:

"(d) This Section is inoperative after December 31, 2007.".

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 again 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 2376 and 1507.

### HOUSE BILLS ON THIRD READING

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

On motion of Representative Mathias, HOUSE BILL 300 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: 75, Yeas; 36, Nays; 4, Answering Present.

(ROLL CALL 21)

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.

### HOUSE BILLS ON SECOND READING

HOUSE BILL 1208. Having been recalled on March 5, 2003, and held on the order of Second Reading, the same was again taken up.

Representative Acevedo offered the following amendment and moved its adoption.

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1208 as follows:  
on page 2, line 31, by replacing the period with the following:

"  
" (7) Objects, home made or manufactured, disguised as objects that have uses, other than as drug paraphernalia as described in this subsection (d), but are intended by the manufacturer, maker, or user of those objects to be used as drug paraphernalia or in which a reasonable person would believe would be used as drug paraphernalia."

The motion prevailed and the amendment was adopted.

On the Motion of Representative Acevedo, then ordered that Amendment No. 1 was ordered to lie on the table.

The motion prevailed.

Representative Brady offered the following amendment and moved its adoption.

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 1208 as follows:  
on page 1, line 5, by changing "Section 2" to "Sections 2 and 4"; and  
on page 1, line 22, by changing "peculiar to" to "associated with peculiar to"; and  
on page 1, line 31 by changing "peculiar to" to "associated with peculiar to"; and  
on page 2, line 5, by changing "peculiar to" to "associated with peculiar to"; and  
on page 2, line 9, by changing "peculiar to" to "associated with peculiar to"; and  
on page 2, line 13, by changing "peculiar to" to "associated with peculiar to"; and  
on page 2, line 15, by changing "peculiar to" to "associated with peculiar to"; and  
on page 2, line 31, by replacing the period with the following:

"  
" (7) Objects, home made or manufactured, which may have uses, other than as drug paraphernalia as described in this subsection (d), but are intended by the manufacturer, maker, or user of those objects to be used as drug paraphernalia or which a reasonable person would believe would be used as drug paraphernalia."; and

on page 2, by inserting between lines 32 and 33 the following:

"(720 ILCS 600/4) (from Ch. 56 1/2, par. 2104)

Sec. 4. Exemptions. This Act shall not apply to:

(a) Items marketed for use in the preparation, compounding, packaging, labeling, or other use of cannabis or a controlled substance as an incident to lawful research, teaching, or chemical analysis and not for sale.

(b) Items marketed for, or historically and customarily used in connection with, the planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, or inhaling of tobacco or any other lawful substance.

Items exempt under this subsection include, but are not limited to, garden hoes, rakes, sickles, baggies, tobacco pipes, and cigarette-rolling papers.

(c) Items listed in Section 2 of this Act which are marketed for decorative purposes, when such items have been rendered completely inoperable or incapable of being used for any illicit purpose prohibited by this Act.

In determining whether or not a particular item is exempt under this subsection, the trier of fact should consider, in addition to all other logically relevant factors, the following:

- (1) the general, usual, customary, and historical use to which the item involved has been put;
- (2) expert evidence concerning the ordinary or customary use of the item and the effect of any peculiarity in the design or engineering of the device upon its functioning;
- (3) any written instructions accompanying the delivery of the item concerning the purposes or uses to which the item can or may be put;
- (4) any oral instructions provided by the seller of the item at the time and place of sale or commercial delivery;
- (5) any national or local advertising concerning the design, purpose or use of the item involved, and the entire context in which such advertising occurs;
- (6) the manner, place and circumstances in which the item was displayed for sale, as well as any item or items displayed for sale or otherwise exhibited upon the premises where the sale was made;



(7) whether the owner or anyone in control of the object is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;

(8) the existence and scope of legitimate uses for the object in the community.

(d) Objects used for ingesting, inhaling, or otherwise introducing into the body cannabis or a controlled substance or objects, home made or manufactured, that may have uses, other than as drug paraphernalia, but are intended by the manufacturer, maker, or user of those objects to be used as drug paraphernalia or which a reasonable person would believe would be used as drug paraphernalia are not exempt under this Act. (Source: P.A. 91-357, eff. 7-29-99)."

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

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 176. Having been printed, was taken up and read by title a second time.

Representative Bellock offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 176, on page 1, immediately below line 16, by inserting the following:

"For the purposes of this Section, "companion animal" does not include livestock or animals from shelters other than no-kill shelters."

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.

HOUSE BILL 3479. Having been printed, was taken up and read by title a second time.

Representative Flider offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3479 as follows:

on page 1, lines 7, 14, and 23, by replacing "Sale" each time it appears with "Provision"; and on page 1, lines 8, 15, and 24, by replacing "sell, directly or indirectly," each time it appears with "provide"; and

on page 2, lines 4, 13, and 22, by replacing "Sale" each time it appears with "Provision"; and on page 2, lines 5, 14, and 23, by replacing "sell, directly or indirectly," each time it appears with "provide"; and

on page 3, lines 3, 12, and 21, by replacing "Sale" each time it appears with "Provision"; and on page 3, lines 4, 13, and 22, by replacing "sell, directly or indirectly," each time it appears with "provide"; and

on page 4, lines 2, 11, and 20, by replacing "Sale" each time it appears with "Provision"; and on page 4, lines 3, 12, and 21, by replacing "sell, directly or indirectly," each time it appears with "provide".

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.

HOUSE BILL 2498. 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 2498 as follows:

by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Sections 3-6-3 and 5-4-1 as follows:

(730 ILCS 5/3-6-3) (from Ch. 38, par. 1003-6-3)  
Sec. 3-6-3. Rules and Regulations for Early Release.

(a) (1) The Department of Corrections shall prescribe rules and regulations for the early release on account of good conduct of persons committed to the Department which shall be subject to review by the Prisoner Review Board.

(2) The rules and regulations on early release shall provide, with respect to offenses committed on or after June 19, 1998, the following:

(i) that a prisoner who is serving a term of imprisonment for first degree murder or for the offense of terrorism shall receive no good conduct credit and shall serve the entire sentence imposed by the court;

(ii) that a prisoner serving a sentence for attempt to commit first degree murder, solicitation of murder, solicitation of murder for hire, intentional homicide of an unborn child, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, aggravated kidnapping, aggravated battery with a firearm, heinous battery, aggravated battery of a senior citizen, or aggravated battery of a child shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment; and

(iii) that a prisoner serving a sentence for home invasion, armed robbery, aggravated vehicular hijacking, aggravated discharge of a firearm, or armed violence with a category I weapon or category II weapon, when the court has made and entered a finding, pursuant to subsection (c-1) of Section 5-4-1 of this Code, that the conduct leading to conviction for the enumerated offense resulted in great bodily harm to a victim, shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment.

(2.1) For all offenses, other than those enumerated in subdivision (a)(2) committed on or after June 19, 1998, and other than the offense of reckless homicide as defined in subsection (e) of Section 9-3 of the Criminal Code of 1961 committed on or after January 1, 1999, the rules and regulations shall provide that a prisoner who is serving a term of imprisonment shall receive one day of good conduct credit for each day of his or her sentence of imprisonment or recommitment under Section 3-3-9. Each day of good conduct credit shall reduce by one day the prisoner's period of imprisonment or recommitment under Section 3-3-9.

(2.2) A prisoner serving a term of natural life imprisonment or a prisoner who has been sentenced to death shall receive no good conduct credit.

(2.3) The rules and regulations on early release shall provide that a prisoner who is serving a sentence for reckless homicide as defined in subsection (e) of Section 9-3 of the Criminal Code of 1961 committed on or after January 1, 1999 shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment.

(2.4) The rules and regulations on early release shall provide with respect to the offenses of aggravated battery with a machine gun or a firearm equipped with any device or attachment designed or used for silencing the report of a firearm or aggravated discharge of a machine gun or a firearm equipped with any device or attachment designed or used for silencing the report of a firearm, committed on or after the effective date of this amendatory Act of 1999, that a prisoner serving a sentence for any of these offenses shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment.

(2.5) The rules and regulations on early release shall provide that a prisoner who is serving a sentence for aggravated arson committed on or after the effective date of this amendatory Act of the 93rd General Assembly shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment.

(3) The rules and regulations shall also provide that the Director may award up to 180 days additional good conduct credit for meritorious service in specific instances as the Director deems proper; except that no more than 90 days of good conduct credit for meritorious service shall be awarded to any prisoner who is serving a sentence for conviction of first degree murder, reckless homicide while under the influence of alcohol or any other drug, aggravated kidnapping, kidnapping, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, deviate sexual assault, aggravated criminal sexual abuse, aggravated indecent liberties with a child, indecent liberties with a child, child pornography, heinous battery, aggravated battery of a spouse, aggravated battery of a spouse with a firearm, stalking, aggravated stalking, aggravated battery of a child, endangering the life or health of a child, cruelty to a child, or narcotic racketeering. Notwithstanding the foregoing, good conduct credit for meritorious service shall not be awarded on a sentence of imprisonment imposed for

conviction of: (i) one of the offenses enumerated in subdivision (a)(2) when the offense is committed on or after June 19, 1998, (ii) reckless homicide as defined in subsection (e) of Section 9-3 of the Criminal Code of 1961 when the offense is committed on or after January 1, 1999, (iii) one of the offenses enumerated in subdivision (a)(2.4) when the offense is committed on or after the effective date of this amendatory Act of 1999, or (iv) aggravated arson when the offense is committed on or after the effective date of this amendatory Act of the 93rd General Assembly.

(4) The rules and regulations shall also provide that the good conduct credit accumulated and retained under paragraph (2.1) of subsection (a) of this Section by any inmate during specific periods of time in which such inmate is engaged full-time in substance abuse programs, correctional industry assignments, or educational programs provided by the Department under this paragraph (4) and satisfactorily completes the assigned program as determined by the standards of the Department, shall be multiplied by a factor of 1.25 for program participation before August 11, 1993 and 1.50 for program participation on or after that date. However, no inmate shall be eligible for the additional good conduct credit under this paragraph (4) while assigned to a boot camp, mental health unit, or electronic detention, or if convicted of an offense enumerated in paragraph (a)(2) of this Section that is committed on or after June 19, 1998, or if convicted of reckless homicide as defined in subsection (e) of Section 9-3 of the Criminal Code of 1961 if the offense is committed on or after January 1, 1999, or if convicted of an offense enumerated in paragraph (a)(2.4) of this Section that is committed on or after the effective date of this amendatory Act of 1999, or first degree murder, a Class X felony, criminal sexual assault, felony criminal sexual abuse, aggravated criminal sexual abuse, aggravated battery with a firearm, or any predecessor or successor offenses with the same or substantially the same elements, or any inchoate offenses relating to the foregoing offenses. No inmate shall be eligible for the additional good conduct credit under this paragraph (4) who (i) has previously received increased good conduct credit under this paragraph (4) and has subsequently been convicted of a felony, or (ii) has previously served more than one prior sentence of imprisonment for a felony in an adult correctional facility.

Educational, vocational, substance abuse and correctional industry programs under which good conduct credit may be increased under this paragraph (4) shall be evaluated by the Department on the basis of documented standards. The Department shall report the results of these evaluations to the Governor and the General Assembly by September 30th of each year. The reports shall include data relating to the recidivism rate among program participants.

Availability of these programs shall be subject to the limits of fiscal resources appropriated by the General Assembly for these purposes. Eligible inmates who are denied immediate admission shall be placed on a waiting list under criteria established by the Department. The inability of any inmate to become engaged in any such programs by reason of insufficient program resources or for any other reason established under the rules and regulations of the Department shall not be deemed a cause of action under which the Department or any employee or agent of the Department shall be liable for damages to the inmate.

(4.5) The rules and regulations on early release shall also provide that a prisoner who is serving a sentence for a crime committed as a result of the use of, abuse of, or addiction to alcohol or a controlled substance and committed on or after the effective date of this Amendatory Act of the 93rd General Assembly shall receive no good conduct credit until he or she participates in and completes a substance abuse treatment program. Good conduct credit awarded under clauses (2), (3), and (4) of this subsection (a) for crimes committed on or after the effective date of this amendatory Act of the 93rd General Assembly is subject to the provisions of this clause (4.5). If the prisoner completes a substance abuse treatment program, the Department may award good conduct credit for the time spent in treatment. Availability of substance abuse treatment shall be subject to the limits of fiscal resources appropriated by the General Assembly for these purposes. If treatment is not available, the prisoner shall be placed on a waiting list under criteria established by the Department. The Department may require a prisoner placed on a waiting list to attend a substance abuse education class or attend substance abuse self-help meetings. A prisoner may not lose good conduct credit as a result of being placed on a waiting list. A prisoner placed on a waiting list remains eligible for increased good conduct credit for participation in an educational, vocational, or correctional industry program under clause (4) of subsection (a) of this Section.

(5) Whenever the Department is to release any inmate earlier than it otherwise would because of a grant of good conduct credit for meritorious service given at any time during the term, the Department shall give reasonable advance notice of the impending release to the State's Attorney of the county where the prosecution of the inmate took place.

(b) Whenever a person is or has been committed under several convictions, with separate sentences, the sentences shall be construed under Section 5-8-4 in granting and forfeiting of good time.

(c) The Department shall prescribe rules and regulations for revoking good conduct credit, or suspending or reducing the rate of accumulation of good conduct credit for specific rule violations, during imprisonment. These rules and regulations shall provide that no inmate may be penalized more than one year of good conduct credit for any one infraction.

When the Department seeks to revoke, suspend or reduce the rate of accumulation of any good conduct credits for an alleged infraction of its rules, it shall bring charges therefor against the prisoner sought to be so deprived of good conduct credits before the Prisoner Review Board as provided in subparagraph (a)(4) of Section 3-3-2 of this Code, if the amount of credit at issue exceeds 30 days or when during any 12 month period, the cumulative amount of credit revoked exceeds 30 days except where the infraction is committed or discovered within 60 days of scheduled release. In those cases, the Department of Corrections may revoke up to 30 days of good conduct credit. The Board may subsequently approve the revocation of additional good conduct credit, if the Department seeks to revoke good conduct credit in excess of 30 days. However, the Board shall not be empowered to review the Department's decision with respect to the loss of 30 days of good conduct credit within any calendar year for any prisoner or to increase any penalty beyond the length requested by the Department.

The Director of the Department of Corrections, in appropriate cases, may restore up to 30 days good conduct credits which have been revoked, suspended or reduced. Any restoration of good conduct credits in excess of 30 days shall be subject to review by the Prisoner Review Board. However, the Board may not restore good conduct credit in excess of the amount requested by the Director.

Nothing contained in this Section shall prohibit the Prisoner Review Board from ordering, pursuant to Section 3-3-9(a)(3)(i)(B), that a prisoner serve up to one year of the sentence imposed by the court that was not served due to the accumulation of good conduct credit.

(d) If a lawsuit is filed by a prisoner in an Illinois or federal court against the State, the Department of Corrections, or the Prisoner Review Board, or against any of their officers or employees, and the court makes a specific finding that a pleading, motion, or other paper filed by the prisoner is frivolous, the Department of Corrections shall conduct a hearing to revoke up to 180 days of good conduct credit by bringing charges against the prisoner sought to be deprived of the good conduct credits before the Prisoner Review Board as provided in subparagraph (a)(8) of Section 3-3-2 of this Code. If the prisoner has not accumulated 180 days of good conduct credit at the time of the finding, then the Prisoner Review Board may revoke all good conduct credit accumulated by the prisoner.

For purposes of this subsection (d):

(1) "Frivolous" means that a pleading, motion, or other filing which purports to be a legal document filed by a prisoner in his or her lawsuit meets any or all of the following criteria:

(A) it lacks an arguable basis either in law or in fact;

(B) it is being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;

(C) the claims, defenses, and other legal contentions therein are not warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;

(D) the allegations and other factual contentions do not have evidentiary support or, if specifically so identified, are not likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; or

(E) the denials of factual contentions are not warranted on the evidence, or if specifically so identified, are not reasonably based on a lack of information or belief.

(2) "Lawsuit" means a petition for post-conviction relief under Article 122 of the Code of Criminal Procedure of 1963, a motion pursuant to Section 116-3 of the Code of Criminal Procedure of 1963, a habeas corpus action under Article X of the Code of Civil Procedure or under federal law (28 U.S.C. 2254), a petition for claim under the Court of Claims Act or an action under the federal Civil Rights Act (42 U.S.C. 1983).

(e) Nothing in this amendatory Act of 1998 affects the validity of Public Act 89-404. (Source: P.A. 91-121, eff. 7-15-99; 91-357, eff. 7-29-99; 92-176, eff. 7-27-01; 92-854, eff. 12-5-02.)

(730 ILCS 5/5-4-1) (from Ch. 38, par. 1005-4-1)

Sec. 5-4-1. Sentencing Hearing. (a) Except when the death penalty is sought under hearing procedures otherwise specified, after a determination of guilt, a hearing shall be held to impose the sentence. However, prior to the imposition of sentence on an individual being sentenced for an offense

based upon a charge for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance, the individual must undergo a professional evaluation to determine if an alcohol or other drug abuse problem exists and the extent of such a problem. Programs conducting these evaluations shall be licensed by the Department of Human Services. However, if the individual is not a resident of Illinois, the court may, in its discretion, accept an evaluation from a program in the state of such individual's residence. The court may in its sentencing order approve an eligible defendant for placement in a Department of Corrections impact incarceration program as provided in Section 5-8-1.1 or 5-8-1.3. At the hearing the court shall:

- (1) consider the evidence, if any, received upon the trial;
- (2) consider any presentence reports;
- (3) consider the financial impact of incarceration based on the financial impact statement filed with the clerk of the court by the Department of Corrections;
- (4) consider evidence and information offered by the parties in aggravation and mitigation;
- (5) hear arguments as to sentencing alternatives;
- (6) afford the defendant the opportunity to make a statement in his own behalf;

(7) afford the victim of a violent crime or a violation of Section 11-501 of the Illinois Vehicle Code, or a similar provision of a local ordinance, or a qualified individual affected by a violation of Section 405, 405.1, 405.2, or 407 of the Illinois Controlled Substances Act, committed by the defendant the opportunity to make a statement concerning the impact on the victim and to offer evidence in aggravation or mitigation; provided that the statement and evidence offered in aggravation or mitigation must first be prepared in writing in conjunction with the State's Attorney before it may be presented orally at the hearing. Any sworn testimony offered by the victim is subject to the defendant's right to cross-examine. All statements and evidence offered under this paragraph (7) shall become part of the record of the court. For the purpose of this paragraph (7), "qualified individual" means any person who (i) lived or worked within the territorial jurisdiction where the offense took place when the offense took place; and (ii) is familiar with various public places within the territorial jurisdiction where the offense took place when the offense took place. For the purposes of this paragraph (7), "qualified individual" includes any peace officer, or any member of any duly organized State, county, or municipal peace unit assigned to the territorial jurisdiction where the offense took place when the offense took place; and

(8) in cases of reckless homicide afford the victim's spouse, guardians, parents or other immediate family members an opportunity to make oral statements.

(b) All sentences shall be imposed by the judge based upon his independent assessment of the elements specified above and any agreement as to sentence reached by the parties. The judge who presided at the trial or the judge who accepted the plea of guilty shall impose the sentence unless he is no longer sitting as a judge in that court. Where the judge does not impose sentence at the same time on all defendants who are convicted as a result of being involved in the same offense, the defendant or the State's Attorney may advise the sentencing court of the disposition of any other defendants who have been sentenced.

(c) In imposing a sentence for a violent crime or for an offense of operating or being in physical control of a vehicle while under the influence of alcohol, any other drug or any combination thereof, or a similar provision of a local ordinance, when such offense resulted in the personal injury to someone other than the defendant, the trial judge shall specify on the record the particular evidence, information, factors in mitigation and aggravation or other reasons that led to his sentencing determination. The full verbatim record of the sentencing hearing shall be filed with the clerk of the court and shall be a public record.

(c-1) In imposing a sentence for the offense of aggravated kidnapping for ransom, home invasion, armed robbery, aggravated vehicular hijacking, aggravated discharge of a firearm, or armed violence with a category I weapon or category II weapon, the trial judge shall make a finding as to whether the conduct leading to conviction for the offense resulted in great bodily harm to a victim, and shall enter that finding and the basis for that finding in the record.

(c-2) If the defendant is sentenced to prison, other than when a sentence of natural life imprisonment or a sentence of death is imposed, at the time the sentence is imposed the judge shall state on the record in open court the approximate period of time the defendant will serve in custody according to the then current statutory rules and regulations for early release found in Section 3-6-3 and other related provisions of this Code. This statement is intended solely to inform the public, has no legal effect on the defendant's actual release, and may not be relied on by the defendant on appeal.

The judge's statement, to be given after pronouncing the sentence, other than when the sentence is imposed for one of the offenses enumerated in paragraph (a)(3) of Section 3-6-3, shall include the following:

"The purpose of this statement is to inform the public of the actual period of time this defendant is likely to spend in prison as a result of this sentence. The actual period of prison time served is determined by the statutes of Illinois as applied to this sentence by the Illinois Department of Corrections and the Illinois Prisoner Review Board. In this case, assuming the defendant receives all of his or her good conduct credit, the period of estimated actual custody is ... years and ... months, less up to 180 days additional good conduct credit for meritorious service. If the defendant, because of his or her own misconduct or failure to comply with the institutional regulations, does not receive those credits, the actual time served in prison will be longer. The defendant may also receive an additional one-half day good conduct credit for each day of participation in vocational, industry, substance abuse, and educational programs as provided for by Illinois statute."

When the sentence is imposed for one of the offenses enumerated in paragraph (a)(3) of Section 3-6-3, other than when the sentence is imposed for one of the offenses enumerated in paragraph (a)(2) of Section 3-6-3 committed on or after June 19, 1998, and other than when the sentence is imposed for reckless homicide as defined in subsection (e) of Section 9-3 of the Criminal Code of 1961 if the offense was committed on or after January 1, 1999, and other than when the sentence is imposed for aggravated arson if the offense was committed on or after the effective date of this amendatory Act of the 93rd General Assembly, the judge's statement, to be given after pronouncing the sentence, shall include the following:

"The purpose of this statement is to inform the public of the actual period of time this defendant is likely to spend in prison as a result of this sentence. The actual period of prison time served is determined by the statutes of Illinois as applied to this sentence by the Illinois Department of Corrections and the Illinois Prisoner Review Board. In this case, assuming the defendant receives all of his or her good conduct credit, the period of estimated actual custody is ... years and ... months, less up to 90 days additional good conduct credit for meritorious service. If the defendant, because of his or her own misconduct or failure to comply with the institutional regulations, does not receive those credits, the actual time served in prison will be longer. The defendant may also receive an additional one-half day good conduct credit for each day of participation in vocational, industry, substance abuse, and educational programs as provided for by Illinois statute."

When the sentence is imposed for one of the offenses enumerated in paragraph (a)(2) of Section 3-6-3, other than first degree murder, and the offense was committed on or after June 19, 1998, and when the sentence is imposed for reckless homicide as defined in subsection (e) of Section 9-3 of the Criminal Code of 1961 if the offense was committed on or after January 1, 1999, and when the sentence is imposed for aggravated arson if the offense was committed on or after the effective date of this amendatory Act of the 93rd General Assembly, the judge's statement, to be given after pronouncing the sentence, shall include the following:

"The purpose of this statement is to inform the public of the actual period of time this defendant is likely to spend in prison as a result of this sentence. The actual period of prison time served is determined by the statutes of Illinois as applied to this sentence by the Illinois Department of Corrections and the Illinois Prisoner Review Board. In this case, the defendant is entitled to no more than 4 1/2 days of good conduct credit for each month of his or her sentence of imprisonment. Therefore, this defendant will serve at least 85% of his or her sentence. Assuming the defendant receives 4 1/2 days credit for each month of his or her sentence, the period of estimated actual custody is ... years and ... months. If the defendant, because of his or her own misconduct or failure to comply with the institutional regulations receives lesser credit, the actual time served in prison will be longer."

When a sentence of imprisonment is imposed for first degree murder and the offense was committed on or after June 19, 1998, the judge's statement, to be given after pronouncing the sentence, shall include the following:

"The purpose of this statement is to inform the public of the actual period of time this defendant is likely to spend in prison as a result of this sentence. The actual period of prison time served is determined by the statutes of Illinois as applied to this sentence by the Illinois Department of Corrections and the Illinois Prisoner Review Board. In this case, the defendant is not entitled to good conduct credit. Therefore, this defendant will serve 100% of his or her sentence."

When the sentence is imposed for any offense that results in incarceration in a Department of Corrections facility committed as a result of the use of, abuse of, or addiction to alcohol or a controlled substance and committed on or after the effective date of this amendatory Act of the 93rd General Assembly, the judge's statement, in addition to any other judge's statement required under this Section, to be given after pronouncing the sentence, shall include the following:

"The purpose of this statement is to inform the public of the actual period of time this defendant is likely

to spend in prison as a result of this sentence. The actual period of prison time served is determined by the statutes of Illinois as applied to this sentence by the Illinois Department of Corrections and the Illinois Prisoner Review Board. In this case, the defendant shall receive no good conduct credit until he or she participates in and completes a substance abuse treatment program."

(d) When the defendant is committed to the Department of Corrections, the State's Attorney shall and counsel for the defendant may file a statement with the clerk of the court to be transmitted to the department, agency or institution to which the defendant is committed to furnish such department, agency or institution with the facts and circumstances of the offense for which the person was committed together with all other factual information accessible to them in regard to the person prior to his commitment relative to his habits, associates, disposition and reputation and any other facts and circumstances which may aid such department, agency or institution during its custody of such person. The clerk shall within 10 days after receiving any such statements transmit a copy to such department, agency or institution and a copy to the other party, provided, however, that this shall not be cause for delay in conveying the person to the department, agency or institution to which he has been committed.

(e) The clerk of the court shall transmit to the department, agency or institution, if any, to which the defendant is committed, the following:

- (1) the sentence imposed;
- (2) any statement by the court of the basis for imposing the sentence;
- (3) any presentence reports;
- (4) the number of days, if any, which the defendant has been in custody and for which he is entitled to credit against the sentence, which information shall be provided to the clerk by the sheriff;
- (4.1) any finding of great bodily harm made by the court with respect to an offense enumerated in subsection (c-1);
- (5) all statements filed under subsection (d) of this Section;
- (6) any medical or mental health records or summaries of the defendant;
- (7) the municipality where the arrest of the offender or the commission of the offense has occurred, where such municipality has a population of more than 25,000 persons;
- (8) all statements made and evidence offered under paragraph (7) of subsection (a) of this Section; and
- (9) all additional matters which the court directs the clerk to transmit.

(Source: P.A. 91-357, eff. 7-29-99; 91-899, eff. 1-1-01; 92-176, eff. 7-27-01; 92-806, eff. 1-1-03; revised 9-18-02.) Section 99. Effective date. This Act takes effect September 1, 2003."

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 2779.

HOUSE BILL 310. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 310 on page 1, line 17, by replacing "third party employers" with the following:

"a third party employer if the Department has received a complaint indicating that the third party employer may have contracted with a day and temporary labor service agency that is not registered under this Act"; and

on page 2, line 1, by inserting after "witnesses" the following:

": however, proprietary lists of a day and temporary labor service agency are not subject to subpoena"; and

on page 2, by replacing lines 7 and 8 with the following:

"day or temporary laborers with any day and temporary labor service agency not registered under".

Representative Mendoza offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 310 on page 2, line 9 by inserting after the period the

following:

"Upon request, the Department shall provide to a third party employer a list of entities registered as day and temporary labor service agencies. The Department shall provide on the Internet a list of entities registered as day and temporary labor service agencies."

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

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 2489. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2489 on page 1 by replacing lines 8 through 15 with the following:

"Sec. 13-519. Fire alarm; discontinuance of service. When a telecommunications carrier initiates a discontinuance of service on a known emergency system or fire alarm system that is required by the local authority to be a dedicated phone line circuit to the central dispatch of the fire department or fire protection district or, if applicable, the police department, the telecommunications carrier shall also transmit a copy of the written notice of discontinuance to that local authority."

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 BILLS ON THIRD READING

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

On motion of Representative Fritchey, HOUSE BILL 259 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: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 22)

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.

On motion of Representative Bost, HOUSE BILL 2450 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 23)

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.

On motion of Representative Coulson, HOUSE BILL 13 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: 115, Yeas; 1, Nays; 0, Answering Present.

(ROLL CALL 24)

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.



On motion of Representative Rose, HOUSE BILL 3386 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 25)

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.

On motion of Representative Moffitt, HOUSE BILL 115 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 26)

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.

On motion of Representative Winters, HOUSE BILL 1161 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: 93, Yeas; 19, Nays; 0, Answering Present.

(ROLL CALL 27)

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.

#### **DISTRIBUTION OF SUPPLEMENTAL CALENDAR**

Supplemental Calendar No. 1 was distributed to the Members at 2:49 o'clock p.m..

#### **HOUSE BILLS ON THIRD READING**

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

On motion of Representative Colvin, HOUSE BILL 1165 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: 110, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 28)

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.

On motion of Representative Capparelli, HOUSE BILL 2425 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 29)

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.

On motion of Representative Joseph Lyons, HOUSE BILL 3440 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: 114, Yeas; 0, Nays; 2, Answering Present.

(ROLL CALL 30)

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.

On motion of Representative Lang, HOUSE BILL 20 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: 85, Yeas; 6, Nays; 25, Answering Present.

(ROLL CALL 31)

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.

On motion of Representative Younge, HOUSE BILL 2601 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: 79, Yeas; 32, Nays; 5, Answering Present.

(ROLL CALL 32)

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.

On motion of Representative Molaro, HOUSE BILL 1364 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: 91, Yeas; 24, Nays; 1, Answering Present.

(ROLL CALL 33)

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.

On motion of Representative Hamos, HOUSE BILL 1468 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the negative by the following vote: 47, Yeas; 59, Nays; 9, Answering Present.

(ROLL CALL 34)

This bill, having failed to receive the votes of a constitutional majority of the Members elected, was declared lost.

On motion of O'Brien, HOUSE BILL 2318 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; 3, Nays; 0, Answering Present.

(ROLL CALL 35)

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.

**HOUSE BILLS ON SECOND READING**

HOUSE BILL 191. 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 191 as follows:  
by replacing everything after the enacting clause with the following:

"Section 5. The Rights of Crime Victims and Witnesses Act is amended by changing Section 4.5 as follows:

(725 ILCS 120/4.5)

Sec. 4.5. Procedures to implement the rights of crime victims. To afford crime victims their rights, law enforcement, prosecutors, judges and corrections will provide information, as appropriate of the following procedures:

(a) At the request of the crime victim, law enforcement authorities investigating the case shall provide notice of the status of the investigation, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation, until such time as the alleged assailant is apprehended or the investigation is closed.

(b) The office of the State's Attorney:

(1) shall provide notice of the filing of information, the return of an indictment by which a prosecution for any violent crime is commenced, or the filing of a petition to adjudicate a minor as a delinquent for a violent crime;

(2) shall provide notice of the date, time, and place of trial;

(3) or victim advocate personnel shall provide information of social services and financial assistance available for victims of crime, including information of how to apply for these services and assistance;

(4) shall assist in having any stolen or other personal property held by law enforcement authorities for evidentiary or other purposes returned as expeditiously as possible, pursuant to the procedures set out in Section 115-9 of the Code of Criminal Procedure of 1963;

(5) or victim advocate personnel shall provide appropriate employer intercession services to ensure that employers of victims will cooperate with the criminal justice system in order to minimize an employee's loss of pay and other benefits resulting from court appearances;

(6) shall provide information whenever possible, of a secure waiting area during court proceedings that does not require victims to be in close proximity to defendant or juveniles accused of a violent crime, and their families and friends;

(7) shall provide notice to the crime victim of the right to have a translator present at all court proceedings;

(8) in the case of the death of a person, which death occurred in the same transaction or occurrence in which acts occurred for which a defendant is charged with an offense, shall notify the spouse, parent, child or sibling of the decedent of the date of the trial of the person or persons allegedly responsible for the death;

(9) shall inform the victim of the right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice, and the right to retain an attorney, at the victim's own expense, who, upon written notice filed with the clerk of the court and State's Attorney, is to receive copies of all notices, motions and court orders filed thereafter in the case, in the same manner as if the victim were a named party in the case; and

(10) at the sentencing hearing shall make a good faith attempt to explain the minimum amount of time during which the defendant may actually be physically imprisoned. The Office of the State's Attorney shall further notify the crime victim of the right to request from the Prisoner Review Board information concerning the release of the defendant under subparagraph (d)(1) of this Section; and

(11) shall request restitution at sentencing and shall consider restitution in any plea negotiation, as provided by law.

(c) At the written request of the crime victim, the office of the State's Attorney shall:

(1) provide notice a reasonable time in advance of the following court proceedings: preliminary hearing, any hearing the effect of which may be the release of defendant from custody, or to alter the

conditions of bond and the sentencing hearing. The crime victim shall also be notified of the cancellation of the court proceeding in sufficient time, wherever possible, to prevent an unnecessary appearance in court;

(2) provide notice within a reasonable time after receipt of notice from the custodian, of the release of the defendant on bail or personal recognizance or the release from detention of a minor who has been detained for a violent crime;

(3) explain in nontechnical language the details of any plea or verdict of a defendant, or any adjudication of a juvenile as a delinquent for a violent crime;

(4) where practical, consult with the crime victim before the Office of the State's Attorney makes an offer of a plea bargain to the defendant or enters into negotiations with the defendant concerning a possible plea agreement, and shall consider the written victim impact statement, if prepared prior to entering into a plea agreement;

(5) provide notice of the ultimate disposition of the cases arising from an indictment or an information, or a petition to have a juvenile adjudicated as a delinquent for a violent crime;

(6) provide notice of any appeal taken by the defendant and information on how to contact the appropriate agency handling the appeal;

(7) provide notice of any request for post-conviction review filed by the defendant under Article 122 of the Code of Criminal Procedure of 1963, and of the date, time and place of any hearing concerning the petition. Whenever possible, notice of the hearing shall be given in advance;

(8) forward a copy of any statement presented under Section 6 to the Prisoner Review Board to be considered by the Board in making its determination under subsection (b) of Section 3-3-8 of the Unified Code of Corrections.

(d) (1) The Prisoner Review Board shall inform a victim or any other concerned citizen, upon written request, of the prisoner's release on parole, mandatory supervised release, electronic detention, work release or by the custodian of the discharge of any individual who was adjudicated a delinquent for a violent crime from State custody and by the sheriff of the appropriate county of any such person's final discharge from county custody. The Prisoner Review Board, upon written request, shall provide to a victim or any other concerned citizen a recent photograph of any person convicted of a felony, upon his or her release from custody. The Prisoner Review Board, upon written request, shall inform a victim or any other concerned citizen when feasible at least 7 days prior to the prisoner's release on furlough of the times and dates of such furlough. Upon written request by the victim or any other concerned citizen, the State's Attorney shall notify the person once of the times and dates of release of a prisoner sentenced to periodic imprisonment. Notification shall be based on the most recent information as to victim's or other concerned citizen's residence or other location available to the notifying authority. For purposes of this paragraph (1) of subsection (d), "concerned citizen" includes relatives of the victim, friends of the victim, witnesses to the crime, or any other person associated with the victim or prisoner.

(2) When the defendant has been committed to the Department of Human Services pursuant to Section 5-2-4 or any other provision of the Unified Code of Corrections, the victim may request to be notified by the releasing authority of the defendant's discharge from State custody.

(3) In the event of an escape from State custody, the Department of Corrections immediately shall notify the Prisoner Review Board of the escape and the Prisoner Review Board shall notify the victim. The notification shall be based upon the most recent information as to the victim's residence or other location available to the Board. When no such information is available, the Board shall make all reasonable efforts to obtain the information and make the notification. When the escapee is apprehended, the Department of Corrections immediately shall notify the Prisoner Review Board and the Board shall notify the victim.

(4) The victim of the crime for which the prisoner has been sentenced shall receive reasonable written notice not less than 15 days prior to the parole hearing and may submit, in writing, on film, videotape or other electronic means or in the form of a recording or in person at the parole hearing, information for consideration by the Prisoner Review Board. The victim shall be notified within 7 days after the prisoner has been granted parole and shall be informed of the right to inspect the registry of parole decisions, established under subsection (g) of Section 3-3-5 of the Unified Code of Corrections. The provisions of this paragraph (4) are subject to the Open Parole Hearings Act.

(5) If a statement is presented under Section 6, the Prisoner Review Board shall inform the victim of any order of discharge entered by the Board pursuant to Section 3-3-8 of the Unified Code of Corrections.

(6) At the written request of the victim of the crime for which the prisoner was sentenced, the

Prisoner Review Board shall notify the victim of the death of the prisoner if the prisoner died while on parole or mandatory supervised release.

(7) When a defendant who has been committed to the Department of Corrections or the Department of Human Services is released or discharged and subsequently committed to the Department of Human Services as a sexually violent person and the victim had requested to be notified by the releasing authority of the defendant's discharge from State custody, the releasing authority shall provide to the Department of Human Services such information that would allow the Department of Human Services to contact the victim.

(d-5) If the prisoner has filed a petition for executive clemency under Section 3-3-13 of the Unified Code of Corrections, the Prisoner Review Board shall give written notice and forward a copy of the petition to the victim of the crime for which the prisoner has been sentenced and upon written request notify any other concerned citizen as defined in paragraph (1) of this Section at least 15 days before the executive clemency hearing of the date of the hearing. The victim and any other concerned citizen may submit, in writing, on film, videotape, or other electronic means or in the form of a recording or in person at the parole hearing relevant information for consideration by the Prisoner Review Board.

The victim may waive the 15-day written notice requirement. In the case of an emergency where 15 days written notice is not practicable, the 15-day written notice requirement may be waived by the Board or the Governor.

If the Board of Governor waives the 15-day written notice requirement, the reason for such waiver must be clearly stated on the record at the hearing and must be included in the Board's Report to the Governor. The fact that the Governor's term in office or the term of any member of the Board is expiring shall not be, in and of itself, cause to waive the 15-day written notice requirement.

(e) The officials named in this Section may satisfy some or all of their obligations to provide notices and other information through participation in a statewide victim and witness notification system established by the Attorney General under Section 8.5 of this Act. (Source: P.A. 90-14, eff. 7-1-97; 90-793, eff. 8-14-98; 91-237, eff. 1-1-00; 91-693, eff. 4-13-00.)

Section 10. The Unified Code of Corrections is amended by changing Section 3-3-13 as follows:

(730 ILCS 5/3-3-13) (from Ch. 38, par. 1003-3-13)

Sec. 3-3-13. Procedure for Executive Clemency. (a) Petitions seeking pardon, commutation, or reprieve shall be addressed to the Governor and filed with the Prisoner Review Board. The petition shall be in writing and signed by the person under conviction or by a person on his behalf. It shall contain a brief history of the case, the reasons for seeking executive clemency, and other relevant information the Board may require.

(a-5) After a petition has been denied by the Governor, the Board may not accept a repeat petition for executive clemency for the same person until one full year has elapsed from the date of the denial. The Chairman of the Board may waive the one-year requirement if the petitioner offers in writing new information that was unavailable to the petitioner at the time of the filing of the prior petition and which the Chairman determines to be significant. The Chairman also may waive the one-year waiting period if the petitioner can show that a change in circumstances of a compelling humanitarian nature has arisen since the denial of the prior petition.

(b) Notice of the proposed application shall be given by the Board to the committing court and the state's attorney of the county where the conviction was had.

(c) The Board shall, if requested and upon due notice, give a hearing to each application, allowing representation by counsel, if desired, after which it shall ~~confidentially~~ advise the Governor by a written report of its recommendations which shall be determined by majority vote. The Board shall also advise the Governor by a written report of its recommendations determined by majority vote in any case in which no hearing is requested. The written report of the Board shall contain a statement outlining the sentence that would be in effect if a commutation is granted for a person sentenced to death. The Board shall meet to consider such petitions no less than 4 times each year. The hearing shall be sufficiently comprehensive to ensure that the interests of the victim, the defendant, and the People of the State of Illinois are protected. Regardless of whether a hearing is requested, the Board must issue its written report advising the Governor of its recommendations no later than 120 days after the filing of a petition seeking a pardon, commutation, or reprieve.

(c-5) In making its recommendations on a petition seeking a pardon, commutation, or reprieve, the Board shall consider, but not be limited to:

(1) any material transmitted to the Department by the clerk of the committing court under Section 5-4-1 or Section 5-10 of the Juvenile Court Act or Section 5-750 of the Juvenile Court Act of 1987;

(2) a report, if submitted, under Section 3-8-2 or 3-10-2;

(3) any report by the Department and any report by the chief administrative officer of the institution or facility;

(4) any parole progress report;

(5) any medical and psychological report, if requested by the Board;

(6) in addition to any live testimony submitted, any material in writing or on film, video tape, or other electronic means in the form of a recording submitted by the person whose petition for executive clemency is being considered; and

(7) in addition to any live testimony submitted, any material in writing or on film, video tape, or other electronic means in the form of a recording or testimony submitted by the State's Attorney, the victim, or a concerned citizen pursuant to the Rights of Crime Victims and Witnesses Act.

(c-6) The prosecuting State's Attorney's office shall receive reasonable written notice not less than 15 days prior to the executive clemency hearing and may submit relevant information in writing, or on film, video tape or other electronic means or in the form of a recording to the Board for its consideration. The State's Attorney may waive the 15-day written notice requirement. In the case of an emergency where 15 days' written notice is not practicable, the 15-day written notice requirement may also be waived by either the Board or the Governor.

(c-7) The victim of the crime for which the prisoner has been sentenced shall receive notice of an executive clemency hearing as provided in subsection (d-5) of Section 4.5 of the Rights of Crime Victims and Witnesses Act.

Any recording considered under the provisions of clause (c-5)(6), (c-5)(7), or (c-6) of this Section shall be in the form designated by the Board. The recording shall be either visual or aural. Every voice on the recording and person present shall be identified and the recording shall contain either a visual or aural statement of the person submitting the recording, the date of the recording and the name of the person whose petition for executive clemency is being considered. The recordings, if retained by the Board shall be deemed to be submitted at any subsequent hearing on executive clemency or if the State's Attorney submits in writing a declaration clearly identifying the recording as representing the present position of the victim or State's Attorney regarding the issues to be considered at the executive clemency hearing.

Application for executive clemency under this Section may not be commenced on behalf of a person who has been sentenced to death without the written consent of the defendant, unless the defendant, because of a mental or physical condition, is incapable of asserting his or her own claim.

(d) The Governor shall decide each application and communicate his decision to the Board which shall notify the petitioner.

In the event a petitioner who has been convicted of a Class X felony is granted a release, after the Governor has communicated such decision to the Board, the Board shall give written notice to the Sheriff of the county from which the offender was sentenced if such sheriff has requested that such notice be given on a continuing basis. In cases where arrest of the offender or the commission of the offense took place in any municipality with a population of more than 10,000 persons, the Board shall also give written notice to the proper law enforcement agency for said municipality which has requested notice on a continuing basis.

(e) No action may be taken by the Governor in the absence of a report by the Board, unless (1) the Governor finds that action is required in the absence of a report due to the existence of exigent circumstances, or (2) the Board has failed to issue a report within 120 days of the filing of the petition, as required by subsection (c) of this Section. Any exigent circumstances relied upon by the Governor shall be identified in the Governor's order granting clemency. The fact that the Governor's term in office is ending shall not, in and of itself, qualify as an exigent circumstance for purposes of this Section. Nothing in this Section shall be construed to limit the power of the Governor under the constitution to grant a reprieve, commutation of sentence, or pardon. (Source: P.A. 89-112, eff. 7-7-95; 89-684, eff. 6-1-97.)

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.

#### HOUSE BILLS ON THIRD READING

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

On motion of Representative Sacia, HOUSE BILL 353 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: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 36)

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.

### RESOLUTIONS

Having been reported out of the Committee on Executive on March 26, 2003, HOUSE RESOLUTION 37 was taken up for consideration.

Representative Howard moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

### RECALLS

By unanimous consent, on motion of Representative Wait, HOUSE BILL 1547 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 14. 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 14 as follows:

on page 1, lines 9 and 10 and lines 14 and 15, by replacing "who services or repairs a computer" each time it appears with "whose principal business is to service or repair computers"; and on page 2, line 20, by replacing "that provides" with "whose principal business is to provide".

Representative Franks offered the following amendment and moved its adoption:

#### AMENDMENT NO. 3

AMENDMENT NO. 3. Amend House Bill 14, AS AMENDED, as follows:

by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by changing Section 11-20.2 as follows:

(720 ILCS 5/11-20.2) (from Ch. 38, par. 11-20.2)

Sec. 11-20.2. Images of child pornography. (a) Any commercial film and photographic print processor or person whose principal business is to service or repair computers who has knowledge of or observes, within the scope of his or her professional capacity or employment, any film, photograph, videotape, negative, or slide, or computer image which depicts a child whom the processor or person whose principal business is to service or repair computers determines ~~knows or reasonably should know~~ to be under the age of 18 where such child is:

- (i) actually or by simulation engaged in any act of sexual intercourse with any person or animal; or
- (ii) actually or by simulation engaged in any act of sexual contact involving the sex organs of the child and the mouth, anus, or sex organs of another person or animal; or which involves the mouth, anus or sex organs of the child and the sex organs of another person or animal; or
- (iii) actually or by simulation engaged in any act of masturbation; or
- (iv) actually or by simulation portrayed as being the object of, or otherwise engaged in, any act of lewd

fondling, touching, or caressing involving another person or animal; or

(v) actually or by simulation engaged in any act of excretion or urination within a sexual context; or

(vi) actually or by simulation portrayed or depicted as bound, fettered, or subject to sadistic, masochistic, or sadomasochistic abuse in any sexual context; shall report such instance to an appropriate State, local, or federal law enforcement agency or to a federal law enforcement agency as defined under 18 U.S.C. 2252. For the purposes of this Section, actual notice shall mean written or electronic notification received by the appropriate department of the Interactive computer service provider a peace officer immediately or as soon as possible. Failure to make such report is ~~shall be a petty business~~ offense with a fine of \$1,000.

(a-5) A commercial computer technician, management information technician, or Interactive computer service employee shall be forever held harmless from any civil liability for his or her reasonable compliance with the provisions of the Section, except for willful and wanton behavior.

(b) In this Section:

"Computer" has the meaning ascribed to it in Section 16D-2 of this Code.

"Internet" means the international computer network of both federal and non-federal interoperable packet switched data networks, and also includes, but is not limited to, a World Wide Web page, newsgroup, message board, mailing list, or chat area on any interactive computer service or system or other online service.

"Interactive computer service" means any service whose principal business is to provide or enable computer access via the Internet by multiple users to a computer server or similar device used for storage of graphic, video, or images. (Source: P.A. 84-1280)."

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

There being no further amendments, the foregoing Amendments numbered 1 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 85. 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 85 by replacing everything after the enacting clause with the following:

"Section 5. The Elder Abuse and Neglect Act is amended by changing Sections 2, 3.5, 4, and 7 as follows:

(320 ILCS 20/2) (from Ch. 23, par. 6602)

Sec. 2. Definitions. As used in this Act, unless the context requires otherwise:

(a) "Abuse" means causing any physical, mental or sexual injury to an eligible adult, including exploitation of such adult's financial resources.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse or neglect for the sole reason that he or she is being furnished with or relies upon treatment by spiritual means through prayer alone, in accordance with the tenets and practices of a recognized church or religious denomination.

Nothing in this Act shall be construed to mean that an eligible adult is a victim of abuse because of health care services provided or not provided by licensed health care professionals.

(a-5) "Abuser" means a person who abuses, neglects, or financially exploits an eligible adult.

(a-7) "Caregiver" means a person who either as a result of a family relationship, voluntarily, or in exchange for compensation has assumed responsibility for all or a portion of the care of an eligible adult who needs assistance with activities of daily living.

(b) "Department" means the Department on Aging of the State of Illinois.

(c) "Director" means the Director of the Department.

(d) "Domestic living situation" means a residence where the eligible adult lives alone or with his or her family or a caregiver, or others, or a board and care home or other community-based unlicensed facility, but is not:

(1) A licensed facility as defined in Section 1-113 of the Nursing Home Care Act;

(2) A "life care facility" as defined in the Life Care Facilities Act;

(3) A home, institution, or other place operated by the federal government or agency thereof or by the State of Illinois;



(4) A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness through the maintenance and operation of organized facilities therefor, which is required to be licensed under the Hospital Licensing Act;

(5) A "community living facility" as defined in the Community Living Facilities Licensing Act;

(6) A "community residential alternative" as defined in the Community Residential Alternatives Licensing Act; and

(7) A "community-integrated living arrangement" as defined in the Community-Integrated Living Arrangements Licensure and Certification Act.

(e) "Eligible adult" means a person 60 years of age or older who resides in a domestic living situation and is, or is alleged to be, abused, neglected, or financially exploited by another individual.

(f) "Emergency" means a situation in which an eligible adult is living in conditions presenting a risk of death or physical, mental or sexual injury and the provider agency has reason to believe the eligible adult is unable to consent to services which would alleviate that risk.

(f-5) "Mandated reporter" means any of the following persons while engaged in carrying out their professional duties:

(1) a professional or professional's delegate while engaged in: (i) social services, (ii) law enforcement, (iii) education, (iv) the care of an eligible adult or eligible adults, or (v) any of the occupations required to be licensed under the Clinical Psychologist Licensing Act, the Clinical Social Work and Social Work Practice Act, the Illinois Dental Practice Act, the Dietetic and Nutrition Services Practice Act, the Marriage and Family Therapy Licensing Act, the Medical Practice Act of 1987, the Naprapathic Practice Act, the Nursing and Advanced Practice Nursing Act, the Nursing Home Administrators Licensing and Disciplinary Act, the Illinois Occupational Therapy Practice Act, the Illinois Optometric Practice Act of 1987, the Pharmacy Practice Act of 1987, the Illinois Physical Therapy Act, the Physician Assistant Practice Act of 1987, the Podiatric Medical Practice Act of 1987, the Respiratory Care Practice Act, the Professional Counselor and Clinical Professional Counselor Licensing Act, the Illinois Speech-Language Pathology and Audiology Practice Act, the Veterinary Medicine and Surgery Practice Act of 1994, and the Illinois Public Accounting Act;

(2) an employee of a vocational rehabilitation facility prescribed or supervised by the Department of Human Services;

(3) an administrator, employee, or person providing services in or through an unlicensed community based facility;

(4) a Christian Science Practitioner;

(5) field personnel of the Department of Public Aid, Department of Public Health, and Department of Human Services, and any county or municipal health department;

(6) personnel of the Department of Human Services, the Guardianship and Advocacy Commission, the State Fire Marshal, local fire departments, the Department on Aging and its subsidiary Area Agencies on Aging and provider agencies, and the Office of State Long Term Care Ombudsman;

(7) any employee of the State of Illinois not otherwise specified herein who is involved in providing services to eligible adults, including professionals providing medical or rehabilitation services and all other persons having direct contact with eligible adults; ~~or~~

(8) a person who performs the duties of a coroner or medical examiner; or

(9) a person who performs the duties of a paramedic or an emergency medical technician.

(g) "Neglect" means another individual's failure to provide an eligible adult with or willful withholding from an eligible adult the necessities of life including, but not limited to, food, clothing, shelter or medical care. This subsection does not create any new affirmative duty to provide support to eligible adults. Nothing in this Act shall be construed to mean that an eligible adult is a victim of neglect because of health care services provided or not provided by licensed health care professionals.

(h) "Provider agency" means any public or nonprofit agency in a planning and service area appointed by the regional administrative agency with prior approval by the Department on Aging to receive and assess reports of alleged or suspected abuse, neglect, or financial exploitation.

(i) "Regional administrative agency" means any public or nonprofit agency in a planning and service area so designated by the Department, provided that the designated Area Agency on Aging shall be designated the regional administrative agency if it so requests. The Department shall assume the functions of the regional administrative agency for any planning and service area where another agency is not so designated.

(j) "Substantiated case" means a reported case of alleged or suspected abuse, neglect, or financial exploitation in which a provider agency, after assessment, determines that there is reason to believe abuse,

neglect, or financial exploitation has occurred. (Source: P.A. 91-259, eff. 1-1-00; 91-357, eff. 7-29-99; 91-533, eff. 8-13-99; 92-16, eff. 6-28-01.)

(320 ILCS 20/3.5)

Sec. 3.5. Other Responsibilities. The Department shall also be responsible for the following activities, contingent upon adequate funding:

(a) promotion of a wide range of endeavors for the purpose of preventing elder abuse, neglect, and financial exploitation in both domestic and institutional settings, including, but not limited to, promotion of public and professional education to increase awareness of elder abuse, neglect, and financial exploitation, to increase reports, and to improve response by various legal, financial, social, and health systems;

(b) coordination of efforts with other agencies, councils, and like entities, to include but not be limited to, the Office of the Attorney General, the State Police, the Illinois Law Enforcement Training Standards Board, the State Triad, the Criminal Justice Information Authority, the Departments of Public Health, Public Aid, and Human Services, the Family Violence Coordinating Council, the Violence Prevention Authority, and other entities which may impact awareness of, and response to, elder abuse, neglect, and financial exploitation;

(c) collection and analysis of data;

(d) monitoring of the performance of regional administrative agencies and elder abuse provider agencies; ~~and~~

(e) promotion of prevention activities;-

(f) establishment and coordination of an aggressive training program about the unique nature of elder abuse cases with other agencies, councils, and like entities, including but not limited to the Office of the Attorney General, the State Police, the Illinois Law Enforcement Training Standards Board, the State Triad, the Criminal Justice Information Authority, the Departments of Public Health, Public Aid, and Human Services, the Family Violence Coordinating Council, the Illinois Violence Prevention Authority, and other entities that may impact awareness of, and response to, elder abuse, neglect, and financial exploitation;

(g) solicitation of financial institutions for the purpose of making information available to the general public warning of financial exploitation of the elderly and related financial fraud or abuse, including such information and warnings available through signage or other written materials provided by the Department on the premises of such financial institutions, provided that the manner of displaying or distributing such information is subject to the sole discretion of each financial institution; and

(h) coordination of efforts with utility companies to send notices in utility bills which explain elder rights regarding telemarketing home repair frauds. (Source: P.A. 92-16, eff. 6-28-01.)

(320 ILCS 20/4) (from Ch. 23, par. 6604)

Sec. 4. Reports of abuse or neglect. (a) Any person who suspects the abuse, neglect, or financial exploitation of an eligible adult may report this suspicion to an agency designated to receive such reports under this Act or to the Department.

(a-5) If any mandated reporter has reason to believe that an eligible adult, who because of dysfunction is unable to seek assistance for himself or herself, has, within the previous 12 months, been subjected to abuse, neglect, or financial exploitation, the mandated reporter shall, within 24 hours after developing such belief, report this suspicion to an agency designated to receive such reports under this Act or to the Department. Whenever a mandated reporter is required to report under this Act in his or her capacity as a member of the staff of a medical or other public or private institution, facility, board and care home, or agency, he or she shall make a report to an agency designated to receive such reports under this Act or to the Department in accordance with the provisions of this Act and may also notify the person in charge of the institution, facility, board and care home, or agency or his or her designated agent that the report has been made. Under no circumstances shall any person in charge of such institution, facility, board and care home, or agency, or his or her designated agent to whom the notification has been made, exercise any control, restraint, modification, or other change in the report or the forwarding of the report to an agency designated to receive such reports under this Act or to the Department. The privileged quality of communication between any professional person required to report and his or her patient or client shall not apply to situations involving abused, neglected, or financially exploited eligible adults and shall not constitute grounds for failure to report as required by this Act.

(a-7) A person making a report under this Act in the belief that it is in the alleged victim's best interest shall be immune from criminal or civil liability or professional disciplinary action on account of making the report, notwithstanding any requirements concerning the confidentiality of information with respect to such eligible adult which might otherwise be applicable.

(a-9) Law enforcement officers shall continue to report incidents of alleged abuse pursuant to the

Illinois Domestic Violence Act of 1986, notwithstanding any requirements under this Act.

(b) Any person, institution or agency participating in the making of a report, providing information or records related to a report, assessment, or services, or participating in the investigation of a report under this Act in good faith, or taking photographs or x-rays as a result of an authorized assessment, shall have immunity from any civil, criminal or other liability in any civil, criminal or other proceeding brought in consequence of making such report or assessment or on account of submitting or otherwise disclosing such photographs or x-rays to any agency designated to receive reports of alleged or suspected abuse or neglect. Any person, institution or agency authorized by the Department to provide assessment, intervention, or administrative services under this Act shall, in the good faith performance of those services, have immunity from any civil, criminal or other liability in any civil, criminal, or other proceeding brought as a consequence of the performance of those services. For the purposes of any civil, criminal, or other proceeding, the good faith of any person required to report, permitted to report, or participating in an investigation of a report of alleged or suspected abuse, neglect, or financial exploitation shall be presumed.

(c) The identity of a person making a report of alleged or suspected abuse or neglect under this Act may be disclosed by the Department or other agency provided for in this Act only with such person's written consent or by court order.

(d) The Department shall by rule establish a system for filing and compiling reports made under this Act.

(e) Any physician who willfully fails to report as required by this Act shall be referred to the Illinois State Medical Disciplinary Board for action in accordance with subdivision (A)(22) of Section 22 of the Medical Practice Act of 1987. Any dentist or dental hygienist who willfully fails to report as required by this Act shall be referred to the Department of Professional Regulation for action in accordance with paragraph 19 of Section 23 of the Illinois Dental Practice Act. Any other mandated reporter required by this Act to report suspected abuse, neglect, or financial exploitation who willfully fails to report the same is guilty of a Class A misdemeanor. (Source: P.A. 90-628, eff. 1-1-99.)

(320 ILCS 20/7) (from Ch. 23, par. 6607)

Sec. 7. Review. All services provided to an eligible adult shall be reviewed by the provider agency on at least a quarterly basis for up to 2 years ~~one year~~ to determine whether the service care plan should be continued or modified. (Source: P.A. 90-628, eff. 1-1-99.)"

Representative Lang offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 85, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 9, line 29, by replacing "2 years ~~one year~~" with "one year"; and on page 9, line 31, after "modified" by inserting ", except that the Department on Aging, upon review, may grant a waiver to extend the service care plan for up to an additional one year period".

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 held on the order of Second 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 1480.

HOUSE BILL 1529. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Housing & Urban Development, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1529 on page 1, line 18, by changing "24" to "12"; and on page 1, by replacing lines 21 through 24 with the following:

"(A) a period of unemployment of 12 or more consecutive months or the income received within the 12 months prior to employment is less than 10 hours of work per week at the established minimum wage; or"; and

on page 1, line 25, by changing "24" to "12"; and

on page 1, line 29, by changing "24" to "12"; and

by replacing line 31 on page 1 and line 1 on page 2 with the following:  
"increased earnings, during or within 6 months after receiving assistance under a State".

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 2147. 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 2147 on page 2, by replacing lines 16 through 19 with the following:

"Sec. 25.2. Criminal penalty. A person who knowingly enters false, incomplete, or intentionally misleading information on an application for a position subject to this Act; who knowingly gives a false, incomplete, or intentionally misleading answer to any question on an application for employment; who knowingly submits false, incomplete, or intentionally misleading documents in connection with an application for employment; or who knowingly provides false, incomplete, or intentionally misleading information during an interview for a position subject to this Act is guilty of a Class 2 felony."

Representative Feigenholtz offered the following amendment and moved its adoption:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend House Bill 2147, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Health Care Worker Background Check Act is amended by changing Section 25 and adding Section 25.2 as follows:

(225 ILCS 46/25)

Sec. 25. Persons ineligible to be hired by health care employers. (a) After January 1, 1996, or January 1, 1997, as applicable, no health care employer shall knowingly hire, employ, or retain any individual in a position with duties involving direct access to care for clients, patients, or residents, who has been convicted of committing or attempting to commit one or more of the offenses defined in Sections 8-1.1, 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.1, 9-3.2, 9-3.3, 10-1, 10-2, 10-3, 10-3.1, 10-4, 10-5, 10-7, 11-6, 11-9.1, 11-19.2, 11-20.1, 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-7.4, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-19, 12-21, 12-21.6, 12-32, 12-33, 16-1, 16-1.3, 16A-3, 17-3, 18-1, 18-2, 18-3, 18-4, 18-5, 19-1, 19-3, 19-4, 20-1, 20-1.1, 24-1, 24-1.2, 24-1.5, or 33A-2 of the Criminal Code of 1961; those provided in Section 4 of the Wrongs to Children Act; those provided in Section 53 of the Criminal Jurisprudence Act; those defined in Section 5, 5.1, 5.2, 7, or 9 of the Cannabis Control Act; or those defined in Sections 401, 401.1, 404, 405, 405.1, 407, or 407.1 of the Illinois Controlled Substances Act, unless the applicant or employee obtains a waiver pursuant to Section 40.

(b) A health care employer shall not hire, employ, or retain any individual in a position with duties involving direct access to care of clients, patients, or residents if the health care employer becomes aware that the individual has been convicted in another state of committing or attempting to commit an offense that has the same or similar elements as an offense listed in subsection (a), as verified by court records, records from a state agency, or an FBI criminal history record check. This shall not be construed to mean that a health care employer has an obligation to conduct a criminal history records check in other states in which an employee has resided. (Source: P.A. 90-441, eff. 1-1-98; 91-598, eff. 1-1-00.)

(225 ILCS 46/25.2 new)

Sec. 25.2. Criminal penalty. A person who knowingly enters false, incomplete, or intentionally misleading information on an application for a position subject to this Act; who knowingly gives a false, incomplete, or intentionally misleading answer to any question on an application for employment; who knowingly submits false, incomplete, or intentionally misleading documents in connection with an application for employment; or who knowingly provides false, incomplete, or intentionally misleading information during an interview for a position subject to this Act is guilty of a Class A misdemeanor."

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

There being no further amendments, the foregoing Amendments numbered 1 and 3 were 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 held on the order of Second Reading: HOUSE BILL 2185.

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 2251.

HOUSE BILL 85. Having been read by title a second time on March 26, 2003, and held on the order of Second Reading, the same was again taken up.

Representative Lang offered the following amendment and moved its adoption.

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 85, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 9, line 29, by replacing "2 years one year" with "one year"; and on page 9, line 31, after "modified" by inserting "except that the Department on Aging, upon review, may grant a waiver to extend the service care plan for up to an additional one year period".

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

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.

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 2526 and 2536.

HOUSE BILL 2545. Having been printed, was taken up and read by title a second time.

Representative Currie offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2545 by replacing everything after the enacting clause with the following:

"Section 5. The Probation and Probation Officers Act is amended by adding Section 16.1 as follows:  
(730 ILCS 110/16.1 new)

Sec. 16.1. Redeploy Illinois Program.

(a) The purpose of this Section is to encourage the deinstitutionalization of juvenile offenders establishing pilot projects in counties or groups of counties that reallocate State funds from juvenile correctional confinement to local jurisdictions, which will establish a continuum of local, community-based sanctions and treatment alternatives for juvenile offenders who would be incarcerated if those local services and sanctions did not exist. The allotment of funds will be based on a formula that rewards local jurisdictions for the establishment or expansion of local alternatives to incarceration, and requires them to pay for utilization of incarceration as a sanction. This redeployment of funds shall be made in a manner consistent with the Juvenile Court Act of 1987 and the following purposes and policies:

(1) The juvenile justice system should protect the community, impose accountability to victims and communities for violations of law, and equip juvenile offenders with competencies to live responsibly and productively.

(2) Juveniles should be treated in the least restrictive manner possible while maintaining the safety of the community.

(3) A continuum of services and sanctions from least restrictive to most restrictive should be available in every community.

(4) There should be local responsibility and authority for planning, organizing, and coordinating service resources in the community. People in the community can best choose a range of services which reflect community values and meet the needs of their own youth.

(5) Juveniles who pose a threat to the community or themselves need special care, including secure settings. Such services as detention, long-term incarceration, or residential treatment are too costly to provide in each community and should be coordinated and provided on a regional or Statewide basis.

(6) The roles of State and local government in creating and maintaining services to youth in the juvenile justice system should be clearly defined. The role of the State is to fund services, set standards of care, train service providers, and monitor the integration and coordination of services. The role of local government should be to oversee the provision of services.

(b) Each county or circuit participating in the pilot program must create a local plan demonstrating how it will reduce the county or circuit's utilization of secure confinement of juvenile offenders in the Illinois Department of Corrections or county detention centers by the creation or expansion of individualized services or programs that may include but are not limited to the following:

(1) Assessment and evaluation services to provide the juvenile justice system with accurate individualized case information on each juvenile offender including mental health, substance abuse, educational, and family information;

(2) Direct services to individual juvenile offenders including educational, vocational, mental health, substance abuse, supervision, and service coordination; and

(3) Programs that seek to restore the offender to the community, such as victim offender panels, teen courts, competency building, enhanced accountability measures, restitution, and community service. The local plan must be directed in such a manner as to emphasize an individualized approach to providing services to juvenile offenders in an integrated community based system including probation as the broker of services. The plan must also detail the reduction in utilization of secure confinement. The local plan shall be limited to services and shall not include costs for:

(i) capital expenditures;

(ii) renovations or remodeling;

(iii) personnel costs for probation.

The local plan shall be submitted to the Department of Human Services.

(c) A county or group of counties may develop an agreement with the Department of Human Services to reduce their number of commitments of juvenile offenders, excluding minors sentenced based upon a finding of guilt of first degree murder, to the Department of Corrections, and then use the savings to develop local programming for youth who would otherwise have been committed to the Department of Corrections. The county or group of counties shall agree to limit their commitments to 75% of the level of commitments from the average number of juvenile commitments for the past 3 years, and will receive the savings to redeploy for local programming for juveniles who would otherwise be held in confinement. The agreement shall set forth the following:

(1) a Statement of the number and type of juvenile offenders from the county who were held in secure confinement by the Illinois Department of Corrections or in county detention the previous year, and an explanation of which, and how many, of these offenders might be served through the proposed Redeploy Illinois Program for which the funds shall be used;

(2) a Statement of the service needs of currently confined juveniles;

(3) a Statement of the type of services and programs to provide for the individual needs of the juvenile offenders, and the research or evidence base that qualifies those services and programs as proven or promising practices;

(4) a budget indicating the costs of each service or program to be funded under the plan;

(5) a summary of contracts and service agreements indicating the treatment goals and number of juvenile offenders to be served by each service provider; and

(6) a Statement indicating that the Redeploy Illinois Program will not duplicate existing services and programs. Funds for this plan shall not supplant existing county funded programs.

(d) The Department of Human Services shall forward Redeploy Illinois Program allocations to the State Treasurer as provided in Section 15 of this Act. Each county shall receive, maintain, and appropriate those funds in a separate line item account of the probation department budget. In addition, the Department of Human Services shall, upon approval of the annual plan, forward 20% of the approved Redeploy Illinois Program allocations to the State Treasurer to be deposited in the line item account. Subsequent allocations shall be made to the county on a monthly basis. It shall be the responsibility of the county through the probation budget and in accordance with county policy and procedure to make payments for the Redeploy Illinois Program. At the end of the State of Illinois fiscal year, the county shall promptly return any uncommitted and unused funds from this account.

(e) The Department of Human Services shall be responsible for the following:

(1) Reviewing each Redeploy Illinois Program plan for compliance with standards established for such plans. A plan may be approved as submitted, approved with modifications, or rejected. No plan shall be considered for approval if the circuit or county is not in full compliance with all regulations,

standards and guidelines pertaining to the delivery of basic probation services as established by the Supreme Court.

(2) Monitoring on a continual basis and evaluating annually both the program and its fiscal activities in all counties receiving an allocation under the Redeploy Illinois Program. Any program or service that has not met the goals and objectives of its contract or service agreement shall be subject to denial for funding in subsequent years. The Department of Human Services shall evaluate the effectiveness of the Redeploy Illinois Program in each circuit or county. In determining the future funding for the Redeploy Illinois Program under this Act, the evaluation shall include, as a primary indicator of success, a decreased number of confinement days for the county's juvenile offenders.

(f) Any Redeploy Illinois Program allocations not applied for and approved by the Department of Human Services shall be available for redistribution to approved plans for the remainder of that fiscal year. Any county that invests local moneys in the Redeploy Illinois Program shall be given first consideration for any redistribution of allocations. Jurisdictions participating in Redeploy Illinois that exceed their agreed upon level of commitments to the Department of Corrections shall reimburse the Department of Corrections for each commitment above the agreed upon level.

(g) Implementation of Redeploy Illinois.

(1) Planning Phase.

(i) Redeploy Illinois Oversight Board. The Department of Human Services shall convene an inter-agency oversight board to develop plans for a pilot Redeploy Illinois Program. The Board shall include, but not be limited to, designees from the Department of Corrections, the Administrative Office of the Illinois Courts, the Illinois Juvenile Justice Commission, the Illinois Criminal Justice Information Authority, the Department of Children and Family Services, and the State Board of Education. Other designees may include government as well as private organizations, as determined necessary by the Department of Human Services. The Chair of the Oversight Board shall be appointed by the Governor.

(ii) Responsibilities of the Redeploy Illinois Oversight Board. The Oversight Board shall:

(A) Identify jurisdictions to be included in the initial pilot program of Redeploy Illinois.

(B) Develop a formula for reimbursement of local jurisdictions for local and community-based services utilized in lieu of commitment to the Department of Corrections, as well as for any charges for local jurisdictions for commitments above the agreed upon limit in the approved plan.

(C) Identify resources sufficient to support the administration and evaluation of Redeploy Illinois.

(D) Develop a process and identify resources to support on-going monitoring and evaluation of Redeploy Illinois.

(E) Develop a process and identify resources to support training on Redeploy Illinois.

(F) Report to the Governor and the General Assembly on an annual basis on the progress of Redeploy Illinois.

(iii) Length of Planning Phase. The planning phase may last up to, but may in no event last longer than, July 1, 2004.

(2) Pilot Phase. In the second phase of the Redeploy Illinois program, the Department of Human Services shall implement several pilot programs of Redeploy Illinois in counties or groups of counties as identified by the Oversight Board. Annual review of the Redeploy Illinois program by the Oversight Board shall include recommendations for future sites for Redeploy Illinois.

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

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was 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 2816 and 2956.

HOUSE BILL 3022. 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 3022 by replacing everything after the enacting clause with

the following:

"Section 5. The Illinois Public Aid Code is amended by changing Sections 9A-3, 9A-5, 9A-7, 9A-8, and 9A-9 as follows:

(305 ILCS 5/9A-3) (from Ch. 23, par. 9A-3)

Sec. 9A-3. Establishment of Program and Level of Services. (a) The Illinois Department shall establish and maintain a program to provide recipients with services consistent with the purposes and provisions of this Article. The program offered in different counties of the State may vary depending on the resources available to the State to provide a program under this Article, and no program may be offered in some counties, depending on the resources available. Services may be provided directly by the Illinois Department or through contract. References to the Illinois Department or staff of the Illinois Department shall include contractors when the Illinois Department has entered into contracts for these purposes. The Illinois Department shall provide each recipient who participates with such services available under the program as are necessary to achieve his employability plan as specified in the plan.

(b) The Illinois Department, in operating the program, shall cooperate with public and private education and vocational training or retraining agencies or facilities, the Illinois State Board of Education, the Illinois Community College Board, the Departments of Employment Security and Commerce and Community Affairs or other sponsoring organizations funded under the federal Workforce Investment Job Training Partnership Act and other public or licensed private employment agencies. (Source: P.A. 92-111, eff. 1-1-02.)

(305 ILCS 5/9A-5) (from Ch. 23, par. 9A-5)

Sec. 9A-5. Exempt recipients. (a) Exempt recipients under Section 9A-4 may volunteer to participate.

(b) Services will be offered to exempt and non-exempt individuals who wish to volunteer to participate only to the extent resources permit.

(c) Exempt and non-exempt individuals who volunteer to participate become program participants upon completion of the initial assessment, development of the employability plan, and assignment to a component. An exempt individual who volunteers to participate may not be sanctioned for not meeting program requirements. Volunteers who fail to attend the orientation or initial assessment meetings or both will not be sanctioned. Exempt and non-exempt individuals who attend the orientation meeting and become program participants by completing the initial assessment, development of the employability plan, and assignment to a component may be sanctioned if they do not meet program requirements without good cause. (Source: P.A. 92-111, eff. 1-1-02.)

(305 ILCS 5/9A-7) (from Ch. 23, par. 9A-7)

Sec. 9A-7. Good Cause and Pre-Sanction Process. The Department shall establish by rule what constitutes good cause for failure to participate in education, training and employment programs, failure to accept suitable employment or terminating employment or reducing earnings.

The Department shall establish, by rule, a pre-sanction process to assist in resolving disputes over proposed sanctions and in determining if good cause exists. Good cause shall include, but not be limited to:

- (1) temporary illness for its duration;
- (2) court required appearance or temporary incarceration;
- (3) (blank);
- (4) death in the family;
- (5) (blank);
- (6) (blank);
- (7) (blank);
- (8) (blank);
- (9) extreme inclement weather;
- (10) (blank);
- (11) lack of any support service even though the necessary service is not specifically provided under the Department program, to the extent the lack of the needed service presents a significant barrier to participation;
- (12) if an individual is engaged in employment or training or both that is consistent with the employment related goals of the program, if such employment and training is later approved by Department staff;
- (13) (blank);
- (14) failure of Department staff to correctly forward the information to other Department staff;
- (15) failure of the participant to cooperate because of attendance at a test or a mandatory class or



function at an educational program (including college), when an education or training program is officially approved by the Department;

(16) failure of the participant due to his or her illiteracy;

(17) failure of the participant because it is determined that he or she should be in a different activity;

(18) non-receipt by the participant of a notice advising him or her of a participation requirement, ~~if documented by the participant. Documentation can include, but is not limited to: a written statement from the post office or other informed individual; the notice not sent to the participant's last known address in Department records; return of the notice by the post office; other returned mail; proof of previous mail theft problems. When determining whether or not the participant has demonstrated non-receipt, the Department shall take into consideration a participant's history of cooperation or non-cooperation in the past.~~ If the ~~documented~~ non-receipt of mail occurs frequently, the Department shall explore an alternative means of providing notices of participation requests to participants;

(19) (blank);

(20) non-comprehension of English, either written or oral or both;

(21) (blank);

(22) (blank);

(23) child care (or day care for an incapacitated individual living in the same home as a dependent child) is necessary for the participation or employment and such care is not available for a child under age 13;

(24) failure to participate in an activity due to a scheduled job interview, medical appointment for the participant or a household member, or school appointment;

(25) the individual is homeless. Homeless individuals (including the family) have no current residence and no expectation of acquiring one in the next 30 days. This includes individuals residing in overnight and transitional (temporary) shelters. This does not include individuals who are sharing a residence with friends or relatives on a continuing basis;

(26) circumstances beyond the control of the participant which prevent the participant from completing program requirements; or

(27) (blank).

(b) (Blank).

(c) (1) The Department shall establish a reconciliation procedure to assist in resolving disputes related to any aspect of participation, including exemptions, good cause, sanctions or proposed sanctions, supportive services, assessments, responsibility and service plans, assignment to activities, suitability of employment, or refusals of offers of employment. Through the reconciliation process the Department shall have a mechanism to identify good cause, ensure that the client is aware of the issue, and enable the client to perform required activities without facing sanction.

(2) A participant may request reconciliation and receive notice in writing of a meeting. At least one face-to-face meeting may be scheduled to resolve misunderstandings or disagreements related to program participation and situations which may lead to a potential sanction. The meeting will address the underlying reason for the dispute and plan a resolution to enable the individual to participate in TANF employment and work activity requirements.

(2.5) If the individual fails to appear at the reconciliation meeting without good cause, the reconciliation is unsuccessful and a sanction shall be imposed.

(3) The reconciliation process shall continue after it is determined that the individual did not have good cause for non-cooperation. Any necessary demonstration of cooperation on the part of the participant will be part of the reconciliation process. Failure to demonstrate cooperation will result in immediate sanction.

(4) For the first instance of non-cooperation, if the client reaches agreement to cooperate, the client shall be allowed 30 days to demonstrate cooperation before any sanction activity may be imposed. In any subsequent instances of non-cooperation, the client shall be provided the opportunity to show good cause or remedy the situation by immediately complying with the requirement.

(5) The Department shall document in the case record the proceedings of the reconciliation and provide the client in writing with a reconciliation agreement.

(6) If reconciliation resolves the dispute, no sanction shall be imposed. If the client fails to comply with the reconciliation agreement, the Department shall then immediately impose the original sanction. If the dispute cannot be resolved during reconciliation, a sanction shall not be imposed until the reconciliation process is complete.

(Source: P.A. 90-17, eff. 7-1-97.)

(305 ILCS 5/9A-8) (from Ch. 23, par. 9A-8)

Sec. 9A-8. Operation of Program. (a) At the time of application or redetermination of eligibility under Article IV, as determined by rule, the Illinois Department shall provide information in writing and orally regarding the education, training and employment program to all applicants and recipients. The information required shall be established by rule and shall include, but need not be limited to:

(1) education (including literacy training), employment and training opportunities available, the criteria for approval of those opportunities, and the right to request changes in the personal responsibility and services plan to include those opportunities;

(1.1) a complete list of all activities that are approvable activities, and the circumstances under which they are approvable, including work activities, substance abuse or mental health treatment, activities to escape and prevent domestic violence, caring for a medically impaired family member, and any other approvable activities, together with the right to and procedures for amending the responsibility and services plan to include these activities;

(1.2) the rules concerning the lifetime limit on eligibility, including the current status of the applicant or recipient in terms of the months of remaining eligibility, the criteria under which a month will not count towards the lifetime limit, and the criteria under which a recipient may receive benefits beyond the end of the lifetime limit;

(2) supportive services including child care and the rules regarding eligibility for and access to the child care assistance program, transportation, initial expenses of employment, job retention, books and fees, and any other supportive services;

(3) the obligation of the Department to provide supportive services;

(4) the rights and responsibilities of participants, including exemption, sanction, reconciliation, and good cause criteria and procedures, termination for non-cooperation and reinstatement rules and procedures, and appeal and grievance procedures; and

(5) the types and locations of child care services.

(b) The Illinois Department shall notify the recipient in writing of the opportunity to volunteer to participate in the program.

(c) (Blank).

(d) As part of the personal plan for achieving employment and self-sufficiency, the Department shall conduct an individualized assessment of the participant's employability. ~~Except as to participation in the Get A Job Program, No participant may be assigned to any component of the education, training and employment activity prior to such assessment, provided that a participant may be assigned up to 4 weeks of Job Search prior to such assessment.~~ The plan shall include collection of information on the individual's background, proficiencies, skills deficiencies, education level, work history, employment goals, interests, aptitudes, and employment preferences, as well as factors affecting employability or ability to meet participation requirements (e.g., health, physical or mental limitations, child care, family circumstances, domestic violence, substance abuse, and special needs of any child of the individual). As part of the plan, individuals and Department staff shall work together to identify any supportive service needs required to enable the client to participate and meet the objectives of his or her employability plan. The assessment may be conducted through various methods such as interviews, testing, counseling, and self-assessment instruments. In the assessment process, the Department shall offer to include standard literacy testing and a determination of English language proficiency and shall provide it for those who accept the offer, for those who display a potential need for literacy or language services. For those individuals subject to a job search demonstration, there may be an abbreviated assessment, as defined by rule. Based on the assessment, the individual will be assigned to the appropriate activity. The decision will be based on a determination of the individual's level of preparation for employment as defined by rule.

(e) Recipients determined to be exempt may volunteer to participate pursuant to Section 9A-4 and must be assessed.

(f) As part of the personal plan for achieving employment and self-sufficiency under Section 4-1, an employability plan for recipients shall be developed in consultation with the participant. The Department shall have final responsibility for approving the employability plan. The employability plan shall:

(1) contain an employment goal of the participant;

(2) describe the services to be provided by the Department, including child care and other support services;

(3) describe the activities, such as component assignment, that will be undertaken by the participant to achieve the employment goal; and

(4) describe any other needs of the family that might be met by the Department.

(g) The employability plan shall take into account:

- (1) available program resources;
- (2) the participant's support service needs;
- (3) the participant's skills level and aptitudes;
- (4) local employment opportunities; and
- (5) the preferences of the participant.

(h) A reassessment shall be conducted to assess a participant's progress and to review the employability plan on the following occasions:

- (1) upon completion of an activity and before assignment to an activity;
- (2) upon the request of the participant;
- (3) if the individual is not cooperating with the requirements of the program; and
- (4) if the individual has failed to make satisfactory progress in an education or training program.

Based on the reassessment, the Department may revise the employability plan of the participant. (Source: P.A. 90-17, eff. 7-1-97; 91-331, eff. 7-29-99.)

(305 ILCS 5/9A-9) (from Ch. 23, par. 9A-9)

Sec. 9A-9. Program Activities. The Department shall establish education, training and placement activities by rule. Not all of the same activities need be provided in each county in the State. Such activities may include the following:

(a) Education (Below post secondary). In the Education (below post secondary) activity, the individual receives information, referral, counseling services and support services to increase the individual's employment potential. Participants may be referred to testing, counseling and education resources. Educational activities will include basic and remedial education; English proficiency classes; high school or its equivalency (e.g., GED) or alternative education at the secondary level; and with any educational program, structured study time to enhance successful participation. An individual's participation in an education program such as literacy, basic adult education, high school equivalency (GED), or a remedial program shall be limited to 2 years unless the individual also is working or participating in a work activity approved by the Illinois Department as defined by rule; this requirement does not apply, however, to students enrolled in high school.

(b) Job Skills Training (Vocational). Job Skills Training is designed to increase the individual's ability to obtain and maintain employment. Job Skills Training activities will include vocational skill classes designed to increase a participant's ability to obtain and maintain employment. Job Skills Training may include certificate programs.

(c) Job Readiness. The job readiness activity is designed to enhance the quality of the individual's level of participation in the world of work while learning the necessary essentials to obtain and maintain employment. This activity helps individuals gain the necessary job finding skills to help them find and retain employment that will lead to economic independence.

(d) Job Search. Job Search may be conducted individually or in groups. Job Search includes the provision of counseling, job seeking skills training and information dissemination. Group job search may include training in a group session. Assignment exclusively to job search cannot be in excess of 8 consecutive weeks (or its equivalent) in any period of 12 consecutive months.

(e) Work Experience. Work Experience assignments may be with private employers or not-for-profit or public agencies in the State. The Illinois Department shall provide workers' compensation coverage. Participants who are not members of a 2-parent assistance unit may not be assigned more hours than their cash grant amount plus food stamps divided by the minimum wage. Private employers and not-for-profit and public agencies shall not use Work Experience participants to displace regular employees. Participants in Work Experience may perform work in the public interest (which otherwise meets the requirements of this Section) for a federal office or agency with its consent, and notwithstanding the provisions of 31 U.S.C. 1342, or any other provision of law, such agency may accept such services, but participants shall not be considered federal employees for any purpose. A participant shall be reassessed at the end of assignment to Work Experience. The participant may be reassigned to Work Experience or assigned to another activity, based on the reassessment.

(f) On the Job Training. In On the Job Training, a participant is hired by a private or public employer and while engaged in productive work receives training that provides knowledge or skills essential to full and adequate performance of the job.

(g) Work Supplementation. In work supplementation, the Department pays a wage subsidy to an employer who hires a participant. The cash grant which a participant would receive if not employed is diverted and the diverted cash grant is used to pay the wage subsidy.

(h) Post Secondary Education. Post secondary education must be administered by an educational institution accredited under requirements of State law. ~~The Illinois Department may not approve an individual's participation in any post secondary education program, other than full time, short term vocational training for a specific job, unless the individual also is employed part time, as defined by the Illinois Department by rule.~~

(i) Self Initiated Education. Participants who are attending an institution of higher education or a vocational or technical program of their own choosing and who are in good standing, may continue to attend and receive supportive services only if the educational program is approved by the Department, and is in conformity with the participant's personal plan for achieving employment and self-sufficiency and the participant is employed part-time, as defined by the Illinois Department by rule.

(j) Job Development and Placement. Department staff shall develop through contacts with public and private employers unsubsidized job openings for participants. Job interviews will be secured for clients by the marketing of participants for specific job openings. Job ready individuals may be assigned to Job Development and Placement.

(k) Job Retention. The job retention component is designed to assist participants in retaining employment. Initial employment expenses and job retention services are provided. The individual's support service needs are assessed and the individual receives counseling regarding job retention skills.

(l) (Blank).

(l-5) Transitional Jobs. These programs provide temporary wage-paying work combined with case management and other social services designed to address employment barriers. The wage-paying work is treated as regular employment for all purposes under this Code, and the additional activities, as determined by the Transitional Jobs provider, shall be countable work activities. The program must comply with the anti-displacement provisions of this Code governing the Work Experience program.

(m) Pay-after-performance Program. A parent may be required to participate in a pay-after-performance program in which the parent must work a specified number of hours to earn the grant. The program shall comply with provisions of this Code governing work experience programs.

~~(n) Community Service. Community service includes unpaid work that the client performs in his or her community, such as for a school, church, government agency, or nonprofit organization. A participant whose youngest child is 13 years of age or older may be required to perform at least 20 hours of community service per week as a condition of eligibility for aid under Article IV. The Illinois Department shall give priority to community service placements in public schools, where participants can serve as hall and lunchroom monitors, assist teachers, and perform other appropriate services. (Source: P.A. 89-289, eff. 1-1-96; 90-17, eff. 7-1-97; 90-457, eff. 1-1-98; 90-655, eff. 7-30-98.)~~

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.

HOUSE BILL 3023. 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 3023 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Sections 11-1 and 11-20.1 as follows: (305 ILCS 5/11-1) (from Ch. 23, par. 11-1)

Sec. 11-1. No discrimination). There shall be no discrimination or denial of financial aid and social services on account of the race, religion, color, national origin, sex, marriage status, or political affiliation of any applicant or recipient.

Participation in any marriage promotion or family formation activity is voluntary. Non-participation shall not affect any person's eligibility for or receipt of financial aid or social services in any program under this Code.

Where financial aid or social services are granted to certain classes of persons under a program for which federal funds are available, nothing in this Section shall require granting of financial aid or social services to other persons where federal funds would not be available as to those other persons. (Source: P.A. 80-354.)

(305 ILCS 5/11-20.1) (from Ch. 23, par. 11-20.1)

Sec. 11-20.1. Employment; Rights of recipient and obligations of Illinois Department when recipients become employed; Assistance when a recipient has employment or earned income or both.

(a) When a recipient reports employment or earned income, or both, or the Illinois Department otherwise learns of a recipient's employment or earned income, or both, the Illinois Department shall provide the recipient with:

(1) An explanation of how the earned income will affect the recipient's eligibility for a grant, and whether the recipient must engage in additional work activities to meet the recipient's monthly work activities requirement and what types of activities may be approved for that purpose, and whether the employment is sufficient to cause months of continued receipt of a grant not to be counted against the recipient's lifetime eligibility limit.

(2) An explanation of the Work Pays budgeting process, and an explanation of how the first month's income on a new job will be projected, and how the recipient should report the new job to avoid the Department overestimating the first month's income.

(3) An explanation of how the earned income will affect the recipient's eligibility for food stamps, whether the recipient will continue to receive food stamps, and, if so, the amount of food stamps.

(4) The names and telephone numbers of all caseworkers to whom the recipient's case or cases are assigned or will be transferred, an explanation of which type of case each worker will be handling, and the effective date of the transfer.

(5) An explanation of the recipient's responsibilities to report income and household circumstances, the process by which quarterly reporting forms are sent to recipients, where and to whom the reports should be returned, the deadline by which reports must be returned, instructions on how to fill out the reports, an explanation of what the recipient should do if he or she does not receive the form, advice on how to prove the report was returned by the recipient such as by keeping a copy, and an explanation of the effects of failure to file reports.

(6) If the recipient will continue to receive a grant, an explanation of the recipient's new fiscal month and a statement as to when the recipient will receive his or her grant.

(7) An explanation of Kidcare, Family Assist, Family Care, and the 12 month extension of medical assistance that is available when a grant is cancelled due to earned income.

(8) An explanation of the medical assistance the person may be eligible for when the 12 month extension expires and how to request or apply for it.

(9) An explanation of the availability of a child care subsidy to all families below the child care assistance program's income limit, how to apply for the benefit through the Child Care Resource and Referral or site-administered child care program or both, the nature of the child care program's sliding scale co-payments, the availability of the 10% earned income disregard in determining eligibility for child care assistance and the amount of the parent co-payment, the right to use the subsidy for either licensed or license exempt legal care, and the availability of benefits when the parent is engaged in an education and training program.

(10) (Blank).

(11) (Blank).

(11a) (Blank).

(12) (Blank).

(13) An explanation of the availability of payment for initial expenses of employment and how to request or apply for it.

(14) An explanation of the job retention component and how to participate in it, and an explanation of the recipient's eligibility to receive supportive services to participate in education and training programs while working.

(15) A statement of the types of assistance that will be provided to the person automatically or continued and a statement of the types of assistance for which the person must apply or reapply.

(16) If the recipient will not continue to receive a cash grant and the recipient has assigned his or her right to child support to the Illinois Department, an explanation of the recipient's right to continue to receive child support enforcement services, the recipient's right to have all current support paid after grant cancellation forwarded promptly to the recipient, the procedures by which child support will be forwarded, and the procedures by which the recipient will be informed of the collection and distribution of child support.

(17) An explanation of the availability of payments if the recipient experiences a decrease in or loss of earned income during a calendar quarter as to which the monthly grant was previously budgeted based upon the higher income.

(18) If the recipient will not continue to receive a cash grant, an explanation of the procedures for reapplying for cash assistance if the person experiences a decrease in or loss of earned income.

(19) An explanation of the earned income tax credit and the procedures by which it may be obtained and the rules for disregarding it in determining eligibility for and the amount of assistance.

(20) An explanation of the education and training opportunities available to recipients.

(b) The information listed in subsection (a) shall be provided to the recipient on an individual basis during an in-person meeting with a representative of the Illinois Department. The individual in-person meeting shall be held at a time which does not conflict with the recipient's work schedule within 30 days of the date the recipient begins working. If the recipient informs the Illinois Department that an in-person meeting would be inconvenient, the Illinois Department may provide the information during a home visit, by telephone, or by mail within 30 days of the date the recipient begins working, whichever the client prefers.

(c) At the conclusion of the meeting described in subsection (b), the Illinois Department shall ensure that all case transfers and calculations of benefits necessitated by the recipient's employment or receipt of earned income have been performed, that applications have been made or provided for all benefits for which the person must apply or reapply, and that the person has received payment for initial expenses of employment. (Source: P.A. 91-331, eff. 7-29-99.)

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 bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 3081.

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 3095.

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 3215.

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 3325.

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 3406, 3547 and 3675.

HOUSE BILL 215. Having been printed, was taken up and read by title a second time.

Representative Jones offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 215 on page 1, line 6, by replacing "Section 2310-377" with "Sections 2310-377 and 2310-378"; and on page 2, immediately below line 9, by inserting the following:

"(20 ILCS 2310/2310-378 new)

Sec. 2310-378. Wilson's disease.

(a) The Illinois General Assembly finds and declares the following:

(1) Wilson's disease is an inherited disorder in which excessive amounts of copper accumulate in the body and can cause liver disease and neurological or psychiatric disorders; and

(2) successful treatment is available for sufferers of Wilson's disease but, without proper treatment, the disease is generally fatal by the age of 30.

(b) The Department shall: (i) conduct a public health information campaign for physicians, hospitals, health facilities, public health departments, and the general public on Wilson's disease, methods of care, and treatment modalities available; (ii) identify and catalog Wilson's disease resources in this State for distribution and referral purposes; and (iii) coordinate services with established programs, including State,

federal, and voluntary groups."

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.

HOUSE BILL 3512. 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 3512, on page 1, line 18, after the period, by inserting the following:

"A "qualified provider" also includes an entity licensed under the Community-Integrated Living Arrangements Licensure and Certification Act, but only with respect to the services provided for a community-integrated living arrangement."

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 held on the order of Second Reading: HOUSE BILL 2784.

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).".

Representative Bost offered the following amendment and moved its adoption:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend House Bill 373 on page 8, in line 22, after "foreman", by inserting "silkscreen operator (but only when employed in IDOT District 9 and only if so employed in the District on the effective date of this amendatory Act of the 93rd General Assembly).".

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

There being no further amendments, the foregoing Amendments numbered 1 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

### HOUSE BILLS ON THIRD READING

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

On motion of Representative Monique Davis, HOUSE BILL 197 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:

96, Yeas; 2, Nays; 15, Answering Present.

(ROLL CALL 37)

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.

On motion of Representative Winters, HOUSE BILL 2244 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: 62, Yeas; 53, Nays; 0, Answering Present.

(ROLL CALL 38)

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.

On motion of Representative Mulligan, HOUSE BILL 2975 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: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 39)

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.

### **RECALLS**

By unanimous consent, on motion of Representative Pankau, HOUSE BILL 1414 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

### **DISTRIBUTION OF SUPPLEMENTAL CALENDAR**

Supplemental Calendar No. 2 was distributed to the Members at 5:34 o'clock p.m..

### **HOUSE BILLS ON THIRD READING**

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

On motion of Representative Howard, HOUSE BILL 2390 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: 114, Yeas; 1, Nays; 1, Answering Present.

(ROLL CALL 40)

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.

On motion of Representative Millner, HOUSE BILL 1574 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: 99, Yeas; 13, Nays; 4, Answering Present.

(ROLL CALL 41)

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.



On motion of Representative Mendoza, HOUSE BILL 2567 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: 84, Yeas; 29, Nays; 3, Answering Present.

(ROLL CALL 42)

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.

On motion of Representative Jones, HOUSE BILL 3062 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: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 43)

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.

On motion of Representative Reitz, HOUSE BILL 3078 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: 109, Yeas; 6, Nays; 1, Answering Present.

(ROLL CALL 44)

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.

### RECALLS

By unanimous consent, on motion of Representative Flowers, HOUSE BILL 2376 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 1648. Having been printed, was taken up and read by title a second time.

Representative Coulson offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1648 by replacing everything after the enacting clause with the following:

"Section 5. The Comprehensive Health Insurance Plan Act is amended by changing Section 4 as follows:

(215 ILCS 105/4) (from Ch. 73, par. 1304)

Sec. 4. Powers and authority of the board. The board shall have the general powers and authority granted under the laws of this State to insurance companies licensed to transact health and accident insurance and in addition thereto, the specific authority to:

a. Enter into contracts as are necessary or proper to carry out the provisions and purposes of this Act, including the authority, with the approval of the Director, to enter into contracts with similar plans of other states for the joint performance of common administrative functions, or with persons or other organizations for the performance of administrative functions including, without limitation, utilization review and quality assurance programs, or with health maintenance organizations or preferred provider organizations for the provision of health care services.

- b. Sue or be sued, including taking any legal actions necessary or proper.
- c. Take such legal action as necessary to:
  - (1) avoid the payment of improper claims against the plan or the coverage provided by or through the plan;
  - (2) to recover any amounts erroneously or improperly paid by the plan;
  - (3) to recover any amounts paid by the plan as a result of a mistake of fact or law; or
  - (4) to recover or collect any other amounts, including assessments, that are due or owed the Plan or have been billed on its or the Plan's behalf.
- d. Establish appropriate rates, rate schedules, rate adjustments, expense allowances, agents' referral fees, claim reserves, and formulas and any other actuarial function appropriate to the operation of the plan. Rates and rate schedules may be adjusted for appropriate risk factors such as age and area variation in claim costs and shall take into consideration appropriate risk factors in accordance with established actuarial and underwriting practices.
- e. Issue policies of insurance in accordance with the requirements of this Act.
- f. Appoint appropriate legal, actuarial and other committees as necessary to provide technical assistance in the operation of the plan, policy and other contract design, and any other function within the authority of the plan.
- g. Borrow money to effect the purposes of the Illinois Comprehensive Health Insurance Plan. Any notes or other evidence of indebtedness of the plan not in default shall be legal investments for insurers and may be carried as admitted assets.
- h. Establish rules, conditions and procedures for reinsuring risks under this Act.
- i. Employ and fix the compensation of employees. Such employees may be paid on a warrant issued by the State Treasurer pursuant to a payroll voucher certified by the Board and drawn by the Comptroller against appropriations or trust funds held by the State Treasurer.
- j. Enter into intergovernmental cooperation agreements with other agencies or entities of State government for the purpose of sharing the cost of providing health care services that are otherwise authorized by this Act for children who are both plan participants and eligible for financial assistance from the Division of Specialized Care for Children of the University of Illinois.
- k. Establish conditions and procedures under which the plan may, if funds permit, discount or subsidize premium rates that are paid directly by senior citizens, as defined by the Board, and other plan participants, who are retired or unemployed and meet other qualifications.
- l. Establish and maintain the Plan Fund authorized in Section 3 of this Act, which shall be divided into separate accounts, as follows:
  - (1) accounts to fund the administrative, claim, and other expenses of the Plan associated with eligible persons who qualify for Plan coverage under Section 7 of this Act, which shall consist of:
    - (A) premiums paid on behalf of covered persons;
    - (B) appropriated funds and other revenues collected or received by the Board;
    - (C) reserves for future losses maintained by the Board; and
    - (D) interest earnings from investment of the funds in the Plan Fund or any of its accounts other than the funds in the account established under item 2 of this subsection;
  - (2) an account, to be denominated the federally eligible individuals account, to fund the administrative, claim, and other expenses of the Plan associated with federally eligible individuals who qualify for Plan coverage under Section 15 of this Act, which shall consist of:
    - (A) premiums paid on behalf of covered persons;
    - (B) assessments and other revenues collected or received by the Board;
    - (C) reserves for future losses maintained by the Board; and
    - (D) interest earnings from investment of the federally eligible individuals account funds; and
  - (3) such other accounts as may be appropriate.
- m. Charge and collect assessments paid by insurers pursuant to Section 12 of this Act and recover any assessments for, on behalf of, or against those insurers.
- n. Establish conditions and procedures under which the Plan may, if funds permit, provide catastrophic prescription drug insurance, as defined by the Board. (Source: P.A. 90-30, eff. 7-1-97; 91-357, eff. 7-29-99.)

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

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

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

HOUSE BILL 1166. Having been recalled on February 28, 2003, and held on the order of Second Reading, the same was again taken up.

Representative Colvin offered the following amendment and moved its adoption.

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1166 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Sections 4-6.2, 5-16.2, and 6-50.2 as follows:  
(10 ILCS 5/4-6.2) (from Ch. 46, par. 4-6.2)

Sec. 4-6.2. (a) The county clerk shall appoint all municipal and township or road district clerks or their duly authorized deputies as deputy registrars who may accept the registration of all qualified residents of their respective municipalities, townships and road districts. A deputy registrar serving as such by virtue of his status as a municipal clerk, or a duly authorized deputy of a municipal clerk, of a municipality the territory of which lies in more than one county may accept the registration of any qualified resident of the municipality, regardless of which county the resident, municipal clerk or the duly authorized deputy of the municipal clerk lives in.

The county clerk shall appoint all precinct committeepersons in the county as deputy registrars who may accept the registration of any qualified resident of the county, except during the 27 days preceding an election.

The election authority shall appoint as deputy registrars a reasonable number of employees of the Secretary of State located at driver's license examination stations and designated to the election authority by the Secretary of State who may accept the registration of any qualified residents of the county at any such driver's license examination stations. The appointment of employees of the Secretary of State as deputy registrars shall be made in the manner provided in Section 2-105 of the Illinois Vehicle Code.

The county clerk shall appoint each of the following named persons as deputy registrars upon the written request of such persons:

1. The chief librarian, or a qualified person designated by the chief librarian, of any public library situated within the election jurisdiction, who may accept the registrations of any qualified resident of the county, at such library.

2. The principal, or a qualified person designated by the principal, of any high school, elementary school, or vocational school situated within the election jurisdiction, who may accept the registrations of any qualified resident of the county, at such school. The county clerk shall notify every principal and vice-principal of each high school, elementary school, and vocational school situated within the election jurisdiction of their eligibility to serve as deputy registrars and offer training courses for service as deputy registrars at conveniently located facilities at least 4 months prior to every election. At minimum, principals of secondary and vocational schools must request appointment as deputy registrars under this paragraph and conduct voter registration in the school district during the first 10 school days in May of each year to register students who are 18 years of age or over on the day of the next election. A principal need not request appointment as deputy registrar under this paragraph if a qualified person voluntarily agrees to act as a substitute for the principal and actually conducts the requisite voter registration. For purposes of this paragraph, a qualified person is any person who currently serves as or is qualified and is appointed to serve as a registration officer or deputy registrar under this Code. Nothing in this paragraph shall prohibit the registration of voters in the school district at times other than during the first 10 school days in May of each year, except during the 27 days preceding an election.

3. The president, or a qualified person designated by the president, of any university, college, community college, academy or other institution of learning situated within the election jurisdiction, who may accept the registrations of any resident of the county, at such university, college, community college, academy or institution.

4. A duly elected or appointed official of a bona fide labor organization, or a reasonable number of qualified members designated by such official, who may accept the registrations of any qualified resident of the county.

5. A duly elected or appointed official of a bonafide State civic organization, as defined and determined by rule of the State Board of Elections, or qualified members designated by such official, who may accept the registration of any qualified resident of the county. In determining the number of

deputy registrars that shall be appointed, the county clerk shall consider the population of the jurisdiction, the size of the organization, the geographic size of the jurisdiction, convenience for the public, the existing number of deputy registrars in the jurisdiction and their location, the registration activities of the organization and the need to appoint deputy registrars to assist and facilitate the registration of non-English speaking individuals. In no event shall a county clerk fix an arbitrary number applicable to every civic organization requesting appointment of its members as deputy registrars. The State Board of Elections shall by rule provide for certification of bonafide State civic organizations. Such appointments shall be made for a period not to exceed 2 years, terminating on the first business day of the month following the month of the general election, and shall be valid for all periods of voter registration as provided by this Code during the terms of such appointments.

6. The Director of the Illinois Department of Public Aid, or a reasonable number of employees designated by the Director and located at public aid offices, who may accept the registration of any qualified resident of the county at any such public aid office.

7. The Director of the Illinois Department of Employment Security, or a reasonable number of employees designated by the Director and located at unemployment offices, who may accept the registration of any qualified resident of the county at any such unemployment office.

8. The president of any corporation as defined by the Business Corporation Act of 1983, or a reasonable number of employees designated by such president, who may accept the registrations of any qualified resident of the county.

If the request to be appointed as deputy registrar is denied, the county clerk shall, within 10 days after the date the request is submitted, provide the affected individual or organization with written notice setting forth the specific reasons or criteria relied upon to deny the request to be appointed as deputy registrar.

The county clerk may appoint as many additional deputy registrars as he considers necessary. The county clerk shall appoint such additional deputy registrars in such manner that the convenience of the public is served, giving due consideration to both population concentration and area. Some of the additional deputy registrars shall be selected so that there are an equal number from each of the 2 major political parties in the election jurisdiction. The county clerk, in appointing an additional deputy registrar, shall make the appointment from a list of applicants submitted by the Chairman of the County Central Committee of the applicant's political party. A Chairman of a County Central Committee shall submit a list of applicants to the county clerk by November 30 of each year. The county clerk may require a Chairman of a County Central Committee to furnish a supplemental list of applicants.

Deputy registrars may accept registrations at any time other than the 27 day period preceding an election. All persons appointed as deputy registrars shall be registered voters within the county and shall take and subscribe to the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of deputy registrar to the best of my ability and that I will register no person nor cause the registration of any person except upon his personal application before me.

.....  
(Signature Deputy Registrar)"

This oath shall be administered by the county clerk, or by one of his deputies, or by any person qualified to take acknowledgement of deeds and shall immediately thereafter be filed with the county clerk.

Appointments of deputy registrars under this Section, except precinct committeemen, shall be for 2-year terms, commencing on December 1 following the general election of each even-numbered year; except that the terms of the initial appointments shall be until December 1st following the next general election. Appointments of precinct committeemen shall be for 2-year terms commencing on the date of the county convention following the general primary at which they were elected. The county clerk shall issue a certificate of appointment to each deputy registrar, and shall maintain in his office for public inspection a list of the names of all appointees.

(b) The county clerk shall be responsible for training all deputy registrars appointed pursuant to subsection (a), at times and locations reasonably convenient for both the county clerk and such appointees. The county clerk shall be responsible for certifying and supervising all deputy registrars appointed pursuant to subsection (a). Deputy registrars appointed under subsection (a) shall be subject to removal for cause.

(c) Completed registration materials under the control of deputy registrars, appointed pursuant to subsection (a), shall be returned to the proper election authority within 7 days, except that completed registration materials received by the deputy registrars during the period between the 35th and 28th day preceding an election shall be returned by the deputy registrars to the proper election authority within 48

hours after receipt thereof. The completed registration materials received by the deputy registrars on the 28th day preceding an election shall be returned by the deputy registrars within 24 hours after receipt thereof. Unused materials shall be returned by deputy registrars appointed pursuant to paragraph 4 of subsection (a), not later than the next working day following the close of registration.

(d) The county clerk shall not be required to provide additional forms to any deputy registrar having more than 200 registration forms unaccounted for during the preceding 12 month period.

(e) No deputy registrar shall engage in any electioneering or the promotion of any cause during the performance of his or her duties.

(f) The county clerk shall not be criminally or civilly liable for the acts or omissions of any deputy registrar. Such deputy registrars shall not be deemed to be employees of the county clerk. (Source: P.A. 92-816, eff. 8-21-02.)

(10 ILCS 5/5-16.2) (from Ch. 46, par. 5-16.2)

Sec. 5-16.2. (a) The county clerk shall appoint all municipal and township clerks or their duly authorized deputies as deputy registrars who may accept the registration of all qualified residents of their respective counties. A deputy registrar serving as such by virtue of his status as a municipal clerk, or a duly authorized deputy of a municipal clerk, of a municipality the territory of which lies in more than one county may accept the registration of any qualified resident of any county in which the municipality is located, regardless of which county the resident, municipal clerk or the duly authorized deputy of the municipal clerk lives in.

The county clerk shall appoint all precinct committeepersons in the county as deputy registrars who may accept the registration of any qualified resident of the county, except during the 27 days preceding an election.

The election authority shall appoint as deputy registrars a reasonable number of employees of the Secretary of State located at driver's license examination stations and designated to the election authority by the Secretary of State who may accept the registration of any qualified residents of the county at any such driver's license examination stations. The appointment of employees of the Secretary of State as deputy registrars shall be made in the manner provided in Section 2-105 of the Illinois Vehicle Code.

The county clerk shall appoint each of the following named persons as deputy registrars upon the written request of such persons:

1. The chief librarian, or a qualified person designated by the chief librarian, of any public library situated within the election jurisdiction, who may accept the registrations of any qualified resident of the county, at such library.

2. The principal, or a qualified person designated by the principal, of any high school, elementary school, or vocational school situated within the election jurisdiction, who may accept the registrations of any resident of the county, at such school. The county clerk shall notify every principal and vice-principal of each high school, elementary school, and vocational school situated within the election jurisdiction of their eligibility to serve as deputy registrars and offer training courses for service as deputy registrars at conveniently located facilities at least 4 months prior to every election. At minimum, principals of secondary and vocational schools must request appointment as deputy registrars under this paragraph and conduct voter registration in the school district during the first 10 school days in May of each year to register students who are 18 years of age or over on the day of the next election. A principal need not request appointment as deputy registrar under this paragraph if a qualified person voluntarily agrees to act as a substitute for the principal and actually conducts the requisite voter registration. For purposes of this paragraph, a qualified person is any person who currently serves as or is qualified and is appointed to serve as a registration officer or deputy registrar under this Code. Nothing in this paragraph shall prohibit the registration of voters in the school district at times other than during the first 10 school days in May of each year, except during the 27 days preceding an election.

3. The president, or a qualified person designated by the president, of any university, college, community college, academy or other institution of learning situated within the election jurisdiction, who may accept the registrations of any resident of the county, at such university, college, community college, academy or institution.

4. A duly elected or appointed official of a bona fide labor organization, or a reasonable number of qualified members designated by such official, who may accept the registrations of any qualified resident of the county.

5. A duly elected or appointed official of a bona fide State civic organization, as defined and determined by rule of the State Board of Elections, or qualified members designated by such official, who may accept the registration of any qualified resident of the county. In determining the number of

deputy registrars that shall be appointed, the county clerk shall consider the population of the jurisdiction, the size of the organization, the geographic size of the jurisdiction, convenience for the public, the existing number of deputy registrars in the jurisdiction and their location, the registration activities of the organization and the need to appoint deputy registrars to assist and facilitate the registration of non-English speaking individuals. In no event shall a county clerk fix an arbitrary number applicable to every civic organization requesting appointment of its members as deputy registrars. The State Board of Elections shall by rule provide for certification of bona fide State civic organizations. Such appointments shall be made for a period not to exceed 2 years, terminating on the first business day of the month following the month of the general election, and shall be valid for all periods of voter registration as provided by this Code during the terms of such appointments.

6. The Director of the Illinois Department of Public Aid, or a reasonable number of employees designated by the Director and located at public aid offices, who may accept the registration of any qualified resident of the county at any such public aid office.

7. The Director of the Illinois Department of Employment Security, or a reasonable number of employees designated by the Director and located at unemployment offices, who may accept the registration of any qualified resident of the county at any such unemployment office.

8. The president of any corporation as defined by the Business Corporation Act of 1983, or a reasonable number of employees designated by such president, who may accept the registrations of any qualified resident of the county.

If the request to be appointed as deputy registrar is denied, the county clerk shall, within 10 days after the date the request is submitted, provide the affected individual or organization with written notice setting forth the specific reasons or criteria relied upon to deny the request to be appointed as deputy registrar.

The county clerk may appoint as many additional deputy registrars as he considers necessary. The county clerk shall appoint such additional deputy registrars in such manner that the convenience of the public is served, giving due consideration to both population concentration and area. Some of the additional deputy registrars shall be selected so that there are an equal number from each of the 2 major political parties in the election jurisdiction. The county clerk, in appointing an additional deputy registrar, shall make the appointment from a list of applicants submitted by the Chairman of the County Central Committee of the applicant's political party. A Chairman of a County Central Committee shall submit a list of applicants to the county clerk by November 30 of each year. The county clerk may require a Chairman of a County Central Committee to furnish a supplemental list of applicants.

Deputy registrars may accept registrations at any time other than the 27 day period preceding an election. All persons appointed as deputy registrars shall be registered voters within the county and shall take and subscribe to the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of deputy registrar to the best of my ability and that I will register no person nor cause the registration of any person except upon his personal application before me.

.....  
(Signature of Deputy Registrar)"

This oath shall be administered by the county clerk, or by one of his deputies, or by any person qualified to take acknowledgement of deeds and shall immediately thereafter be filed with the county clerk.

Appointments of deputy registrars under this Section, except precinct committeemen, shall be for 2-year terms, commencing on December 1 following the general election of each even-numbered year, except that the terms of the initial appointments shall be until December 1st following the next general election. Appointments of precinct committeemen shall be for 2-year terms commencing on the date of the county convention following the general primary at which they were elected. The county clerk shall issue a certificate of appointment to each deputy registrar, and shall maintain in his office for public inspection a list of the names of all appointees.

(b) The county clerk shall be responsible for training all deputy registrars appointed pursuant to subsection (a), at times and locations reasonably convenient for both the county clerk and such appointees. The county clerk shall be responsible for certifying and supervising all deputy registrars appointed pursuant to subsection (a). Deputy registrars appointed under subsection (a) shall be subject to removal for cause.

(c) Completed registration materials under the control of deputy registrars, appointed pursuant to subsection (a), shall be returned to the proper election authority within 7 days, except that completed registration materials received by the deputy registrars during the period between the 35th and 28th day preceding an election shall be returned by the deputy registrars to the proper election authority within 48

hours after receipt thereof. The completed registration materials received by the deputy registrars on the 28th day preceding an election shall be returned by the deputy registrars within 24 hours after receipt thereof. Unused materials shall be returned by deputy registrars appointed pursuant to paragraph 4 of subsection (a), not later than the next working day following the close of registration.

(d) The county clerk shall not be required to provide additional forms to any deputy registrar having more than 200 registration forms unaccounted for during the preceding 12 month period.

(e) No deputy registrar shall engage in any electioneering or the promotion of any cause during the performance of his or her duties.

(f) The county clerk shall not be criminally or civilly liable for the acts or omissions of any deputy registrar. Such deputy registers shall not be deemed to be employees of the county clerk. (Source: P.A. 92-816, eff. 8-21-02.)

(10 ILCS 5/6-50.2) (from Ch. 46, par. 6-50.2)

Sec. 6-50.2. (a) The board of election commissioners shall appoint all precinct committeepersons in the election jurisdiction as deputy registrars who may accept the registration of any qualified resident of the election jurisdiction, except during the 27 days preceding an election.

The election authority shall appoint as deputy registrars a reasonable number of employees of the Secretary of State located at driver's license examination stations and designated to the election authority by the Secretary of State who may accept the registration of any qualified residents of the county at any such driver's license examination stations. The appointment of employees of the Secretary of State as deputy registrars shall be made in the manner provided in Section 2-105 of the Illinois Vehicle Code.

The board of election commissioners shall appoint each of the following named persons as deputy registrars upon the written request of such persons:

1. The chief librarian, or a qualified person designated by the chief librarian, of any public library situated within the election jurisdiction, who may accept the registrations of any qualified resident of the election jurisdiction, at such library.

2. The principal, or a qualified person designated by the principal, of any high school, elementary school, or vocational school situated within the election jurisdiction, who may accept the registrations of any resident of the election jurisdiction, at such school. The board of election commissioners shall notify every principal and vice-principal of each high school, elementary school, and vocational school situated in the election jurisdiction of their eligibility to serve as deputy registrars and offer training courses for service as deputy registrars at conveniently located facilities at least 4 months prior to every election. At minimum, principals of secondary and vocational schools must request appointment as deputy registrars under this paragraph and conduct voter registration in the school district during the first 10 school days in May of each year to register students who are 18 years of age or over on the day of the next election. A principal need not request appointment as deputy registrar under this paragraph if a qualified person voluntarily agrees to act as a substitute for the principal and actually conducts the requisite voter registration. For purposes of this paragraph, a qualified person is any person who currently serves as or is qualified and is appointed to serve as a registration officer or deputy registrar under this Code. Nothing in this paragraph shall prohibit the registration of voters in the school district at times other than during the first 10 school days in May of each year, except during the 27 days preceding an election.

3. The president, or a qualified person designated by the president, of any university, college, community college, academy or other institution of learning situated within the election jurisdiction, who may accept the registrations of any resident of the election jurisdiction, at such university, college, community college, academy or institution.

4. A duly elected or appointed official of a bona fide labor organization, or a reasonable number of qualified members designated by such official, who may accept the registrations of any qualified resident of the election jurisdiction.

5. A duly elected or appointed official of a bona fide State civic organization, as defined and determined by rule of the State Board of Elections, or qualified members designated by such official, who may accept the registration of any qualified resident of the election jurisdiction. In determining the number of deputy registrars that shall be appointed, the board of election commissioners shall consider the population of the jurisdiction, the size of the organization, the geographic size of the jurisdiction, convenience for the public, the existing number of deputy registrars in the jurisdiction and their location, the registration activities of the organization and the need to appoint deputy registrars to assist and facilitate the registration of non-English speaking individuals. In no event shall a board of election commissioners fix an arbitrary number applicable to every civic organization requesting appointment of

its members as deputy registrars. The State Board of Elections shall by rule provide for certification of bona fide State civic organizations. Such appointments shall be made for a period not to exceed 2 years, terminating on the first business day of the month following the month of the general election, and shall be valid for all periods of voter registration as provided by this Code during the terms of such appointments.

6. The Director of the Illinois Department of Public Aid, or a reasonable number of employees designated by the Director and located at public aid offices, who may accept the registration of any qualified resident of the election jurisdiction at any such public aid office.

7. The Director of the Illinois Department of Employment Security, or a reasonable number of employees designated by the Director and located at unemployment offices, who may accept the registration of any qualified resident of the election jurisdiction at any such unemployment office. If the request to be appointed as deputy registrar is denied, the board of election commissioners shall, within 10 days after the date the request is submitted, provide the affected individual or organization with written notice setting forth the specific reasons or criteria relied upon to deny the request to be appointed as deputy registrar.

8. The president of any corporation, as defined by the Business Corporation Act of 1983, or a reasonable number of employees designated by such president, who may accept the registrations of any qualified resident of the election jurisdiction.

The board of election commissioners may appoint as many additional deputy registrars as it considers necessary. The board of election commissioners shall appoint such additional deputy registrars in such manner that the convenience of the public is served, giving due consideration to both population concentration and area. Some of the additional deputy registrars shall be selected so that there are an equal number from each of the 2 major political parties in the election jurisdiction. The board of election commissioners, in appointing an additional deputy registrar, shall make the appointment from a list of applicants submitted by the Chairman of the County Central Committee of the applicant's political party. A Chairman of a County Central Committee shall submit a list of applicants to the board by November 30 of each year. The board may require a Chairman of a County Central Committee to furnish a supplemental list of applicants.

Deputy registrars may accept registrations at any time other than the 27 day period preceding an election. All persons appointed as deputy registrars shall be registered voters within the election jurisdiction and shall take and subscribe to the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of registration officer to the best of my ability and that I will register no person nor cause the registration of any person except upon his personal application before me.

.....  
(Signature of Registration Officer)"

This oath shall be administered and certified to by one of the commissioners or by the executive director or by some person designated by the board of election commissioners, and shall immediately thereafter be filed with the board of election commissioners. The members of the board of election commissioners and all persons authorized by them under the provisions of this Article to take registrations, after themselves taking and subscribing to the above oath, are authorized to take or administer such oaths and execute such affidavits as are required by this Article.

Appointments of deputy registrars under this Section, except precinct committeemen, shall be for 2-year terms, commencing on December 1 following the general election of each even-numbered year, except that the terms of the initial appointments shall be until December 1st following the next general election. Appointments of precinct committeemen shall be for 2-year terms commencing on the date of the county convention following the general primary at which they were elected. The county clerk shall issue a certificate of appointment to each deputy registrar, and shall maintain in his office for public inspection a list of the names of all appointees.

(b) The board of election commissioners shall be responsible for training all deputy registrars appointed pursuant to subsection (a), at times and locations reasonably convenient for both the board of election commissioners and such appointees. The board of election commissioners shall be responsible for certifying and supervising all deputy registrars appointed pursuant to subsection (a). Deputy registrars appointed under subsection (a) shall be subject to removal for cause.

(c) Completed registration materials under the control of deputy registrars appointed pursuant to subsection (a) shall be returned to the proper election authority within 7 days, except that completed



registration materials received by the deputy registrars during the period between the 35th and 28th day preceding an election shall be returned by the deputy registrars to the proper election authority within 48 hours after receipt thereof. The completed registration materials received by the deputy registrars on the 28th day preceding an election shall be returned by the deputy registrars within 24 hours after receipt thereof. Unused materials shall be returned by deputy registrars appointed pursuant to paragraph 4 of subsection (a), not later than the next working day following the close of registration.

(d) The board of election commissioners shall not be required to provide additional forms to any deputy registrar having more than 200 registration forms unaccounted for during the preceding 12 month period.

(e) No deputy registrar shall engage in any electioneering or the promotion of any cause during the performance of his or her duties.

(f) The board of election commissioners shall not be criminally or civilly liable for the acts or omissions of any deputy registrar. Such deputy registrars shall not be deemed to be employees of the board of election commissioners. (Source: P.A. 92-816, eff. 8-21-02.)

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

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

There being no further amendments, the bill was again 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 2553.

HOUSE BILL 244. Having been printed, was taken up and read by title a second time.

Representative Franks offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 244 by replacing everything after the enacting clause with the following:

"Section 5. The Pharmacy Practice Act of 1987 is amended by changing Section 4 as follows:

(225 ILCS 85/4) (from Ch. 111, par. 4124) (Section scheduled to be repealed on January 1, 2008)

Sec. 4. Exemptions. Nothing contained in any Section of this Act shall apply to, or in any manner interfere with any of the following:

(a) The lawful practice of any physician licensed to practice medicine in all of its branches, dentist, podiatrist, veterinarian, or therapeutically or diagnostically certified optometrist within the limits of his or her license, or prevent him or her from supplying to his or her bona fide patients such drugs, medicines, or poisons as may seem to him appropriate.;

(b) The sale of compressed gases.;

(c) The sale of patent or proprietary medicines and household remedies when sold in original and unbroken packages only, if such patent or proprietary medicines and household remedies be properly and adequately labeled as to content and usage and generally considered and accepted as harmless and nonpoisonous when used according to the directions on the label, and also do not contain opium or coca leaves, or any compound, salt or derivative thereof, or any drug which, according to the latest editions of the following authoritative pharmaceutical treatises and standards, namely, The United States Pharmacopoeia/National Formulary (USP/NF), the United States Dispensatory, and the Accepted Dental Remedies of the Council of Dental Therapeutics of the American Dental Association or any or either of them, in use on the effective date of this Act, or according to the existing provisions of the Federal Food, Drug, and Cosmetic Act and Regulations of the Department of Health and Human Services, Food and Drug Administration, promulgated thereunder now in effect, is designated, described or considered as a narcotic, hypnotic, habit forming, dangerous, or poisonous drug.;

(d) The sale of poultry and livestock remedies in original and unbroken packages only, labeled for poultry and livestock medication.;

(e) The sale of poisonous substances or mixture of poisonous substances, in unbroken packages, for nonmedicinal use in the arts or industries or for insecticide purposes; provided, they are properly and adequately labeled as to content and such nonmedicinal usage, in conformity with the provisions of all applicable federal, state and local laws and regulations promulgated thereunder now in effect relating thereto and governing the same, and those which are required under such applicable laws and regulations to be labeled with the word "Poison", are also labeled with the word "Poison" printed thereon in prominent

type and the name of a readily obtainable antidote with directions for its administration.;

(f) The delegation of limited prescriptive authority by a physician licensed to practice medicine in all its branches to a physician assistant under Section 7.5 of the Physician Assistant Practice Act of 1987. This delegated authority may but is not required to include prescription of Schedule III, IV, or V controlled substances, as defined in Article II of the Illinois Controlled Substances Act, in accordance with written guidelines under Section 7.5 of the Physician Assistant Practice Act of 1987. ~~and~~

(g) The delegation of limited prescriptive authority by a physician licensed to practice medicine in all its branches to an advanced practice nurse in accordance with a written collaborative agreement under Sections 15-15 and 15-20 of the Nursing and Advanced Practice Nursing Act. This delegated authority may but is not required to include the prescription of Schedule III, IV, or V controlled substances as defined in Article II of the Illinois Controlled Substances Act.

(h) The return and packaging, repackaging, and labeling of prescription drugs to the extent permitted under Section 12-4.25d of the Illinois Public Aid Code. (Source: P.A. 90-116, eff. 7-14-97; 90-253, eff. 7-29-97; 90-655, eff. 7-30-98; 90-742, eff. 8-13-98.)

Section 10. The Wholesale Drug Distribution Licensing Act is amended by changing Section 15 as follows:

(225 ILCS 120/15) (from Ch. 111, par. 8301-15) (Section scheduled to be repealed on January 1, 2013)

Sec. 15. Definitions. As used in this Act:

"Blood" means whole blood collected from a single donor and processed either for transfusion or further manufacturing.

"Blood component" means that part of blood separated by physical or mechanical means.

"Board" means the State Board of Pharmacy of the Department of Professional Regulation.

"Department" means the Department of Professional Regulation.

"Director" means the Director of Professional Regulation.

"Drug sample" means a unit of a prescription drug that is not intended to be sold and is intended to promote the sale of the drug.

"Manufacturer" means anyone who is engaged in the manufacturing, preparing, propagating, compounding, processing, packaging, repackaging, or labeling of a prescription drug. "Manufacturer" does not include anyone who is engaged in the packaging, repackaging, or labeling of a prescription drug only to the extent permitted under Section 12-4.25d of the Illinois Public Aid Code.

"Person" means and includes a natural person, partnership, association or corporation.

"Pharmacy distributor" means any pharmacy licensed in this State or hospital pharmacy that is engaged in the delivery or distribution of prescription drugs either to any other pharmacy licensed in this State or to any other person or entity including, but not limited to, a wholesale drug distributor engaged in the delivery or distribution of prescription drugs who is involved in the actual, constructive, or attempted transfer of a drug in this State to other than the ultimate consumer except as otherwise provided for by law.

"Prescription drug" means any human drug required by federal law or regulation to be dispensed only by a prescription, including finished dosage forms and active ingredients subject to subsection (b) of Section 503 of the Federal Food, Drug and Cosmetic Act.

"Wholesale distribution" or "wholesale distributions" means distribution of prescription drugs to persons other than a consumer or patient, but does not include any of the following:

(a) Intracompany sales, defined as any transaction or transfer between any division, subsidiary, parent, or affiliated or related company under the common ownership and control of a corporate entity.

(b) The purchase or other acquisition by a hospital or other health care entity that is a member of a group purchasing organization of a drug for its own use from the group purchasing organization or from other hospitals or health care entities that are members of a group organization.

(c) The sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug by a charitable organization described in subsection (c)(3) of Section 501 of the U.S. Internal Revenue Code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law.

(d) The sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug among hospitals or other health care entities that are under common control. For purposes of this Act, "common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, voting rights, contract, or otherwise.

(e) The sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug for emergency medical reasons. For purposes of this Act, "emergency medical reasons" include transfers of prescription drugs by a retail pharmacy to another retail pharmacy to alleviate a temporary shortage.

(f) The sale, purchase, or trade of a drug, an offer to sell, purchase, or trade a drug, or the dispensing of a drug pursuant to a prescription.

(g) The distribution of drug samples by manufacturers' representatives or distributors' representatives.

(h) The sale, purchase, or trade of blood and blood components intended for transfusion.

"Wholesale drug distributor" means any person or entity engaged in wholesale distribution of prescription drugs, including, but not limited to, manufacturers; repackers; own label distributors; jobbers; private label distributors; brokers; warehouses, including manufacturers' and distributors' warehouses, chain drug warehouses, and wholesale drug warehouses; independent wholesale drug traders; and retail pharmacies that conduct wholesale distributions, including, but not limited to, any pharmacy distributor as defined in this Section. A wholesale drug distributor shall not include any for hire carrier or person or entity hired solely to transport prescription drugs. (Source: P.A. 87-594.)

Section 15. The Illinois Public Aid Code is amended by adding Section 12-4.25d as follows:

(305 ILCS 5/12-4.25d new)

Sec. 12-4.25d. Nursing homes; return of unused prescription drugs.

(a) Pursuant to an agreement with the vendor pharmacy, a provider of long-term care services under this Code may return to the vendor pharmacy from which the drug product was purchased, for repackaging and reimbursement to the Department of Public Aid, a drug product that (i) was dispensed to a resident of the provider's long-term care facility and not used and (ii) meets all of the following criteria:

(1) It is a prescription drug product that is not a controlled substance.

(2) It is sealed in an individually packaged unit.

(3) It is returned to the vendor pharmacy within the recommended period of shelf life for the purpose of redispensing the drug product.

(4) It is determined to be of acceptable integrity by a licensed pharmacist.

(5) It consists of (i) oral or parenteral medication in a single-dose sealed container approved by the federal Food and Drug Administration, (ii) a topical or inhalant drug product in a unit-of-use container approved by the federal Food and Drug Administration, or (iii) a parenteral medication in a multiple-dose sealed container approved by the federal Food and Drug Administration.

(6) No doses have been withdrawn from the container in which the drug product is packaged.

An agreement between a provider of long-term care services under this Code and a vendor pharmacy as described in this subsection must comply with subsection (b).

(b) Notwithstanding the provisions of subsection (a):

(1) If a drug product is packaged in the manufacturer's unit-dose package, the drug product may be returned to the vendor pharmacy for redispensing and reimbursement to the Department of Public Aid if the drug may be redispensed for use before the expiration date, if any, indicated on the package.

(2) If the drug product is repackaged in the manufacturer's unit-dose or multiple-dose blister pack, the drug product may be returned to the vendor pharmacy for redispensing and reimbursement to the Department of Public Aid if:

(A) the date on which the drug product was repackaged and the drug product's lot number and expiration date are indicated clearly on the package of the repackaged drug product;

(B) ninety days or fewer have elapsed from the date the drug product was repackaged; and

(C) a repackaging log is maintained by the pharmacy in the case of drug products repackaged in advance of immediate needs.

(3) A drug product dispensed in a bulk dispensing container may not be returned to the vendor pharmacy.

(c) A provider of long term-care services under this Code may establish procedures for the return of unused drug products to the vendor pharmacies from which the drug products were purchased.

(d) The Department of Public Aid:

(1) shall adopt rules for the reimbursement of unused or redispensed drugs under this Section in the case of providers of long-term care services and vendor pharmacies that have entered into agreements described in subsection (a);

(2) shall reimburse to the vendor pharmacy the reasonable cost of services incurred in the implementation of this Section, as determined by the Director of Public Aid; and

(3) may establish procedures, if feasible, for reimbursement to non-Medicaid payors for drug products returned under this Section.

(e) The Department of Public Aid, in consultation with the Department of Professional Regulation, shall adopt rules to govern the repackaging and labeling of drug products returned under this Section. The

rules must provide for the following:

(1) A formulary for the drug products to be returned for repackaging.

(2) The protection of the privacy of the individual for whom the drug product was originally prescribed.

(3) The integrity, safe storage, and safe transfer of the drug product, which may include, but need not be limited to, limiting the drugs to those that were originally dispensed by unit dose or an individually sealed dose or that remain in intact packaging.

(4) The tracking of and accountability for the drug products.

(5) Other matters necessary for implementing this Section.

Section 20. The Senior Pharmaceutical Assistance Act is amended by changing Section 10 as follows:  
(320 ILCS 50/10)

Sec. 10. Definitions. In this Act:

"Manufacturer" includes:

(1) An entity that is engaged in (a) the production, preparation, propagation, compounding, conversion, or processing of prescription drug products (i) directly or indirectly by extraction from substances of natural origin, (ii) independently by means of chemical synthesis, or (iii) by combination of extraction and chemical synthesis; or (b) the packaging, repackaging, labeling or re-labeling, or distribution of prescription drug products.

(2) The entity holding legal title to or possession of the national drug code number for the covered prescription drug.

The term does not include a wholesale distributor of drugs, drugstore chain organization, or retail pharmacy licensed by the State. The term also does not include an entity that is engaged in the packaging, repackaging, or labeling of a prescription drug only to the extent permitted under Section 12-4.25d of the Illinois Public Aid Code.

"Prescription drug" means a drug that may be dispensed only upon prescription by an authorized prescriber and that is approved for safety and effectiveness as a prescription drug under Section 505 or 507 of the Federal Food, Drug and Cosmetic Act.

"Senior citizen" or "senior" means a person 65 years of age or older. (Source: P.A. 92-594, eff. 6-27-02.)

Section 25. The Illinois Food, Drug and Cosmetic Act is amended by changing Section 16 and adding 16.10 as follows:

(410 ILCS 620/16) (from Ch. 56 1/2, par. 516)

Sec. 16. (a) The Director is hereby authorized to promulgate regulations exempting from any labeling or packaging requirement of this Act drugs and devices which are (i), in accordance with the practice of the trade, to be processed, labeled or repacked in substantial quantities at establishments other than those where originally processed or packaged on condition that such drugs and devices are not adulterated or misbranded under the provisions of this Act upon removal from such processing, labeling or repacking establishment or (ii) packaged, repackaged, or labeled to the extent permitted under Section 12-4.25d of the Illinois Public Aid Code.

(b) Drugs and device labeling or packaging exemptions adopted under the Federal Act and supplements thereto or revisions thereof shall apply to drugs and devices in Illinois except insofar as modified or rejected by regulations promulgated by the Director.

(c) A drug intended for use by man which (A) is a habit-forming drug to which Section 15 (d) applies; or (B) because of its toxicity or other potentiality for harmful effect or the method of its use or the collateral measures necessary to its use is not safe for use except under the supervision of a practitioner licensed by law to administer such drug; or (C) is limited by an approved application under Section 505 of the Federal Act or Section 17 of this Act to use under the professional supervision of a practitioner licensed by law to administer such drug, shall be dispensed only in accordance with the provisions of the "Illinois Controlled Substances Act". The act of dispensing a drug contrary to the provisions of this paragraph shall be deemed to be an act which results in a drug being misbranded while held for sale.

(d) Any drug dispensed by filling or refilling a written or oral prescription of a practitioner licensed by law to administer such drug shall be exempt from the requirements of Section 15, except subsections (a), (k) and (l) and clauses (2) and (3) of subsection (i), and the packaging requirements of subsections (g), (h) and (q), if the drug bears a label containing the proprietary name or names, or if there is none, the established name or names of the drugs, the dosage and quantity, unless the prescribing practitioner, in the interest of the health of the patient, directs otherwise in writing, the name and address of the dispenser, the serial number and date of the prescription or of its filling, the name of the prescriber and, if stated in the prescription, the name of the patient, and the directions for use and the cautionary statements, if any,

contained in such prescription. This exemption shall not apply to any drug dispensed in the course of the conduct of business of dispensing drugs pursuant to diagnosis by mail, or to a drug dispensed in violation of subsection (a) of this Section.

(e) The Director may by regulation remove drugs subject to Section 15 (d) and Section 17 from the requirements of subsection (c) of this Section when such requirements are not necessary for the protection of the public health.

(f) A drug which is subject to subsection (c) of this Section shall be deemed to be misbranded if at any time before dispensing its label fails to bear the statement "Caution: Federal Law Prohibits Dispensing Without Prescription" or "Caution: State Law Prohibits Dispensing Without Prescription". A drug to which subsection (c) of this Section does not apply shall be deemed to be misbranded if at any time prior to dispensing its label bears the caution statement quoted in the preceding sentence.

(g) Nothing in this Section shall be construed to relieve any person from any requirement prescribed by or under authority of law with respect to controlled substances now included or which may hereafter be included within the classifications of controlled substances cannabis as defined in applicable Federal laws relating to controlled substances or cannabis or the Cannabis Control Act. (Source: P.A. 84-1308.)

(410 ILCS 620/16.10 new)

Sec. 16.10. Drug repository program.

(a) In this Section, "drug repository program" or "program" means the drug repository program established by the Department of Professional Regulation under subsection (b).

(b) The Department of Professional Regulation, in cooperation with the Department of Public Health, shall establish a drug repository program to accept and dispense prescription drugs donated for the purpose of being dispensed to individuals who are residents of this State and meet eligibility standards established in rules adopted by the Department of Professional Regulation under subsection (e). Only drugs in their original sealed and tamper-evident unit-dose packaging may be accepted and dispensed. The packaging must be unopened, except that drugs packaged in single-unit doses may be accepted and dispensed when the outside packaging is opened if the single-unit dose packaging is undisturbed. Drugs donated by individuals bearing an expiration date that is less than 6 months from the date the drug is donated shall not be accepted or dispensed. A drug shall not be accepted or dispensed if there is reason to believe that it is adulterated as described in Section 14. Subject to the limitation specified in this Section, unused drugs dispensed for purposes of the medical assistance program under Article V of the Illinois Public Aid Code may be accepted and dispensed under the drug repository program.

(c) Any person, including a drug manufacturer or any health care facility, may donate prescription drugs to the drug repository program. The drugs must be donated at a pharmacy, hospital, or nonprofit clinic that elects to participate in the program and meets criteria for participation in the program established in rules adopted by the Department of Professional Regulation under subsection (e). Participation in the program by pharmacies, hospitals, and nonprofit clinics is voluntary. Nothing in this Section or any other provision of law requires a pharmacy, hospital, or nonprofit clinic to participate in the program.

(d) A pharmacy, hospital, or nonprofit clinic eligible to participate in the drug repository program shall dispense drugs donated under this Section to individuals who are residents of this State and meet the eligibility standards established in rules adopted by the Department of Professional Regulation under subsection (e) or to other government entities and nonprofit private entities to be dispensed to individuals who meet those eligibility standards. A drug may be dispensed only pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs, as provided by law. A pharmacy, hospital, or nonprofit clinic that accepts donated drugs must comply with all applicable federal laws and laws of this State dealing with storage and distribution of dangerous drugs and must inspect all drugs before dispensing them to determine that they are not adulterated. The pharmacy, hospital, or nonprofit clinic may charge individuals receiving donated drugs a handling fee established in accordance with rules adopted by the Department of Professional Regulation under subsection (e). Drugs donated to the drug repository program may not be resold.

(e) In consultation with the Department of Public Health, the Department of Professional Regulation shall adopt rules governing the drug repository program that establish all of the following:

(1) Eligibility criteria for pharmacies, hospitals, and nonprofit clinics to receive and dispense donated drugs under the program.

(2) Standards and procedures for accepting, safely storing, and dispensing donated drugs.

(3) Standards and procedures for inspecting donated drugs to determine that the original unit-dose packaging is sealed and tamper-evident and that the drugs are unadulterated, safe, and suitable for dispensing.

(4) Eligibility standards for individuals to receive donated drugs under the program, based on an individual's economic need.

(5) A means, such as an identification card, by which an individual who is eligible to receive donated drugs may demonstrate eligibility to the pharmacy, hospital, or nonprofit clinic dispensing the drugs.

(6) For drugs donated to the program by individuals:

(A) A list of drugs, arranged either by category or by individual drug, that the program will accept from individuals.

(B) A list of drugs, arranged either by category or by individual drug, that the program will not accept from individuals. The list must include a statement as to why each such drug is ineligible for donation.

(C) A form that each donor must sign stating that the donor is the owner of the drugs and intends to voluntarily donate them to the program.

(7) For drugs donated to the program by health care facilities:

(A) A list of drugs, arranged either by category or by individual drug, that the program will accept from health care facilities.

(B) A list of drugs, arranged either by category or by individual drug, that the program will not accept from health care facilities. The list must include a statement as to why each such drug is ineligible for donation.

(8) Any other standards and procedures the Department of Professional Regulation, in consultation with the Department of Public Health, considers appropriate.

Section 30. The Illinois Controlled Substances Act is amended by changing Section 102 as follows:

(720 ILCS 570/102) (from Ch. 56 1/2, par. 1102)

Sec. 102. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Addict" means any person who habitually uses any drug, chemical, substance or dangerous drug other than alcohol so as to endanger the public morals, health, safety or welfare or who is so far addicted to the use of a dangerous drug or controlled substance other than alcohol as to have lost the power of self control with reference to his addiction.

(b) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

(1) a practitioner (or, in his presence, by his authorized agent), or

(2) the patient or research subject at the lawful direction of the practitioner.

(c) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseman or employee of the carrier or warehouseman.

(c-1) "Anabolic Steroids" means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, and corticosteroids) that promotes muscle growth, and includes:

- (i) boldenone,
- (ii) chlorotestosterone,
- (iii) chostebol,
- (iv) dehydrochlormethyltestosterone,
- (v) dihydrotestosterone,
- (vi) drostanolone,
- (vii) ethylestrenol,
- (viii) fluoxymesterone,
- (ix) formebulone,
- (x) mesterolone,
- (xi) methandienone,
- (xii) methandranone,
- (xiii) methandriol,
- (xiv) methandrostenolone,
- (xv) methenolone,
- (xvi) methyltestosterone,
- (xvii) mibolerone,
- (xviii) nandrolone,
- (xix) norethandrolone,

- (xx) oxandrolone,
- (xxi) oxymesterone,
- (xxii) oxymetholone,
- (xxiii) stanolone,
- (xxiv) stanozolol,
- (xxv) testolactone,
- (xxvi) testosterone,
- (xxvii) trenbolone, and

(xxviii) any salt, ester, or isomer of a drug or substance described or listed in this paragraph, if that salt, ester, or isomer promotes muscle growth.

Any person who is otherwise lawfully in possession of an anabolic steroid, or who otherwise lawfully manufactures, distributes, dispenses, delivers, or possesses with intent to deliver an anabolic steroid, which anabolic steroid is expressly intended for and lawfully allowed to be administered through implants to livestock or other nonhuman species, and which is approved by the Secretary of Health and Human Services for such administration, and which the person intends to administer or have administered through such implants, shall not be considered to be in unauthorized possession or to unlawfully manufacture, distribute, dispense, deliver, or possess with intent to deliver such anabolic steroid for purposes of this Act.

(d) "Administration" means the Drug Enforcement Administration, United States Department of Justice, or its successor agency.

(e) "Control" means to add a drug or other substance, or immediate precursor, to a Schedule under Article II of this Act whether by transfer from another Schedule or otherwise.

(f) "Controlled Substance" means a drug, substance, or immediate precursor in the Schedules of Article II of this Act.

(g) "Counterfeit substance" means a controlled substance, which, or the container or labeling of which, without authorization bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance.

(h) "Deliver" or "delivery" means the actual, constructive or attempted transfer of possession of a controlled substance, with or without consideration, whether or not there is an agency relationship.

(i) "Department" means the Illinois Department of Human Services (as successor to the Department of Alcoholism and Substance Abuse) or its successor agency.

(j) "Department of State Police" means the Department of State Police of the State of Illinois or its successor agency.

(k) "Department of Corrections" means the Department of Corrections of the State of Illinois or its successor agency.

(l) "Department of Professional Regulation" means the Department of Professional Regulation of the State of Illinois or its successor agency.

(m) "Depressant" or "stimulant substance" means:

(1) a drug which contains any quantity of (i) barbituric acid or any of the salts of barbituric acid which has been designated as habit forming under section 502 (d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352 (d)); or

(2) a drug which contains any quantity of (i) amphetamine or methamphetamine and any of their optical isomers; (ii) any salt of amphetamine or methamphetamine or any salt of an optical isomer of amphetamine; or (iii) any substance which the Department, after investigation, has found to be, and by rule designated as, habit forming because of its depressant or stimulant effect on the central nervous system; or

(3) lysergic acid diethylamide; or

(4) any drug which contains any quantity of a substance which the Department, after investigation, has found to have, and by rule designated as having, a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect.

(n) (Blank).

(o) "Director" means the Director of the Department of State Police or the Department of Professional Regulation or his designated agents.

(p) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a prescriber, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.

(q) "Dispenser" means a practitioner who dispenses.

(r) "Distribute" means to deliver, other than by administering or dispensing, a controlled substance.

(s) "Distributor" means a person who distributes.

(t) "Drug" means (1) substances recognized as drugs in the official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; (2) substances intended for use in diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (3) substances (other than food) intended to affect the structure of any function of the body of man or animals and (4) substances intended for use as a component of any article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.

(t-5) "Euthanasia agency" means an entity certified by the Department of Professional Regulation for the purpose of animal euthanasia that holds an animal control facility license or animal shelter license under the Animal Welfare Act. A euthanasia agency is authorized to purchase, store, possess, and utilize Schedule II nonnarcotic and Schedule III nonnarcotic drugs for the sole purpose of animal euthanasia.

(u) "Good faith" means the prescribing or dispensing of a controlled substance by a practitioner in the regular course of professional treatment to or for any person who is under his treatment for a pathology or condition other than that individual's physical or psychological dependence upon or addiction to a controlled substance, except as provided herein: and application of the term to a pharmacist shall mean the dispensing of a controlled substance pursuant to the prescriber's order which in the professional judgment of the pharmacist is lawful. The pharmacist shall be guided by accepted professional standards including, but not limited to the following, in making the judgment:

- (1) lack of consistency of doctor-patient relationship,
- (2) frequency of prescriptions for same drug by one prescriber for large numbers of patients,
- (3) quantities beyond those normally prescribed,
- (4) unusual dosages,
- (5) unusual geographic distances between patient, pharmacist and prescriber,
- (6) consistent prescribing of habit-forming drugs.

(u-1) "Home infusion services" means services provided by a pharmacy in compounding solutions for direct administration to a patient in a private residence, long-term care facility, or hospice setting by means of parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion.

(v) "Immediate precursor" means a substance:

- (1) which the Department has found to be and by rule designated as being a principal compound used, or produced primarily for use, in the manufacture of a controlled substance;
- (2) which is an immediate chemical intermediary used or likely to be used in the manufacture of such controlled substance; and
- (3) the control of which is necessary to prevent, curtail or limit the manufacture of such controlled substance.

(w) "Instructional activities" means the acts of teaching, educating or instructing by practitioners using controlled substances within educational facilities approved by the State Board of Education or its successor agency.

(x) "Local authorities" means a duly organized State, County or Municipal peace unit or police force.

(y) "Look-alike substance" means a substance, other than a controlled substance which (1) by overall dosage unit appearance, including shape, color, size, markings or lack thereof, taste, consistency, or any other identifying physical characteristic of the substance, would lead a reasonable person to believe that the substance is a controlled substance, or (2) is expressly or impliedly represented to be a controlled substance or is distributed under circumstances which would lead a reasonable person to believe that the substance is a controlled substance. For the purpose of determining whether the representations made or the circumstances of the distribution would lead a reasonable person to believe the substance to be a controlled substance under this clause (2) of subsection (y), the court or other authority may consider the following factors in addition to any other factor that may be relevant:

(a) statements made by the owner or person in control of the substance concerning its nature, use or effect;

(b) statements made to the buyer or recipient that the substance may be resold for profit;

(c) whether the substance is packaged in a manner normally used for the illegal distribution of controlled substances;

(d) whether the distribution or attempted distribution included an exchange of or demand for money or other property as consideration, and whether the amount of the consideration was substantially greater than the reasonable retail market value of the substance.



Clause (1) of this subsection (y) shall not apply to a noncontrolled substance in its finished dosage form that was initially introduced into commerce prior to the initial introduction into commerce of a controlled substance in its finished dosage form which it may substantially resemble.

Nothing in this subsection (y) prohibits the dispensing or distributing of noncontrolled substances by persons authorized to dispense and distribute controlled substances under this Act, provided that such action would be deemed to be carried out in good faith under subsection (u) if the substances involved were controlled substances.

Nothing in this subsection (y) or in this Act prohibits the manufacture, preparation, propagation, compounding, processing, packaging, advertising or distribution of a drug or drugs by any person registered pursuant to Section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

(y-1) "Mail-order pharmacy" means a pharmacy that is located in a state of the United States, other than Illinois, that delivers, dispenses or distributes, through the United States Postal Service or other common carrier, to Illinois residents, any substance which requires a prescription.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling of its container, except that this term does not include:

(1) by an ultimate user, the preparation or compounding of a controlled substance for his own use; ~~or~~

(2) by a practitioner, or his authorized agent under his supervision, the preparation, compounding, packaging, or labeling of a controlled substance:

(a) as an incident to his administering or dispensing of a controlled substance in the course of his professional practice; or

(b) as an incident to lawful research, teaching or chemical analysis and not for sale; ~~or-~~

(3) the packaging, repackaging, or labeling of a prescription drug to the extent permitted under Section 12-4.25d of the Illinois Public Aid Code.

(z-1) "Methamphetamine manufacturing chemical" means any of the following chemicals or substances containing any of the following chemicals: benzyl methyl ketone, ephedrine, methyl benzyl ketone, phenylacetone, phenyl-2-propanone, or pseudoephedrine or any of the salts, optical isomers, or salts of optical isomers of the above-listed chemicals.

(aa) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (1), but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salts, compound, isomer, salt of an isomer, derivative, or preparation of coca leaves including cocaine or ecgonine, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine (for the purpose of this paragraph, the term "isomer" includes optical, positional and geometric isomers).

(bb) "Nurse" means a registered nurse licensed under the Nursing and Advanced Practice Nursing Act.

(cc) (Blank).

(dd) "Opiate" means any substance having an addiction forming or addiction sustaining liability similar to morphine or being capable of conversion into a drug having addiction forming or addiction sustaining liability.

(ee) "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.

(ff) "Parole and Pardon Board" means the Parole and Pardon Board of the State of Illinois or its successor agency.

(gg) "Person" means any individual, corporation, mail-order pharmacy, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other entity.

(hh) "Pharmacist" means any person who holds a certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act of 1987.

(ii) "Pharmacy" means any store, ship or other place in which pharmacy is authorized to be practiced under the Pharmacy Practice Act of 1987.

(jj) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(kk) "Practitioner" means a physician licensed to practice medicine in all its branches, dentist, podiatrist, veterinarian, scientific investigator, pharmacist, physician assistant, advanced practice nurse, licensed practical nurse, registered nurse, hospital, laboratory, or pharmacy, or other person licensed, registered, or otherwise lawfully permitted by the United States or this State to distribute, dispense, conduct research with respect to, administer or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

(ll) "Pre-printed prescription" means a written prescription upon which the designated drug has been indicated prior to the time of issuance.

(mm) "Prescriber" means a physician licensed to practice medicine in all its branches, dentist, podiatrist or veterinarian who issues a prescription, a physician assistant who issues a prescription for a Schedule III, IV, or V controlled substance in accordance with Section 303.05 and the written guidelines required under Section 7.5 of the Physician Assistant Practice Act of 1987, or an advanced practice nurse with prescriptive authority in accordance with Section 303.05 and a written collaborative agreement under Sections 15-15 and 15-20 of the Nursing and Advanced Practice Nursing Act.

(nn) "Prescription" means a lawful written, facsimile, or verbal order of a physician licensed to practice medicine in all its branches, dentist, podiatrist or veterinarian for any controlled substance, of a physician assistant for a Schedule III, IV, or V controlled substance in accordance with Section 303.05 and the written guidelines required under Section 7.5 of the Physician Assistant Practice Act of 1987, or of an advanced practice nurse who issues a prescription for a Schedule III, IV, or V controlled substance in accordance with Section 303.05 and a written collaborative agreement under Sections 15-15 and 15-20 of the Nursing and Advanced Practice Nursing Act.

(oo) "Production" or "produce" means manufacture, planting, cultivating, growing, or harvesting of a controlled substance.

(pp) "Registrant" means every person who is required to register under Section 302 of this Act.

(qq) "Registry number" means the number assigned to each person authorized to handle controlled substances under the laws of the United States and of this State.

(rr) "State" includes the State of Illinois and any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America.

(ss) "Ultimate user" means a person who lawfully possesses a controlled substance for his own use or for the use of a member of his household or for administering to an animal owned by him or by a member of his household. (Source: P.A. 91-403, eff. 1-1-00; 91-714, eff. 6-2-00; 92-449, eff. 1-1-02.)

Section 35. The Cannabis and Controlled Substances Tort Claims Act is amended by changing Section 3 as follows:

(740 ILCS 20/3) (from Ch. 70, par. 903)

Sec. 3. Definitions. As used in this Act, unless the context otherwise requires:

"Cannabis" includes marihuana, hashish, and other substances that are identified as including any parts of the plant Cannabis Sativa, whether growing or not, the seeds of that plant, the resin extracted from any part of that plant, and any compound, manufacture, salt, derivative, mixture, or preparation of that plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis. "Cannabis" does not include the mature stalks of that plant, fiber produced from those stalks, oil or cake made from the seeds of that plant, any other compound, manufacture, salt, derivative, mixture, or preparation of mature stalks (except the extracted resin), fiber, oil or cake, or the sterilized seeds of that plant that are incapable of germination.

"Controlled substance" means a drug, substance, or immediate precursor in the Schedules of Article II of the Illinois Controlled Substances Act.

"Counterfeit substance" means a controlled substance or the container or labeling of a controlled substance that, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number, device, or any likeness thereof of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance.

"Deliver" or "delivery" means the actual, constructive, or attempted transfer of possession of a controlled substance or cannabis, with or without consideration, whether or not there is an agency relationship.

"Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly, by extraction from substances of natural origin,

independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling of its container, except that the term does not include:

- (1) by an ultimate user, the preparation or compounding of a controlled substance for his own use;
- (2) by a practitioner or his authorized agent under his supervision, the preparation, compounding, packaging, or labeling of a controlled substance;
  - (A) as an incident to his administering or dispensing of a controlled substance in the course of his professional practice; or
  - (B) as an incident to lawful research, teaching or chemical analysis and not for sale; ~~or~~
- (3) the preparation, compounding, packaging, or labeling of cannabis as an incident to lawful research, teaching, or chemical analysis and not for sale; ~~or-~~
- (4) the packaging, repackaging, or labeling of a prescription drug to the extent permitted under Section 12-4.25d of the Illinois Public Aid Code.

"Owner" means a person who has possession of or any interest whatsoever in the property involved.

"Person" means an individual, a corporation, a government, a governmental subdivision or agency, a business trust, an estate, a trust, a partnership or association, or any other entity.

"Production" means planting, cultivating, tending, or harvesting.

"Property" means real property, including things growing on, affixed to, and found in land, and tangible or intangible personal property, including rights, services, privileges, interests, claims, and securities. (Source: P.A. 87-544.)".

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 held on the order of Second Reading.

HOUSE BILL 2088. Having been printed, was taken up and read by title a second time.

Representative Mathias offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 2088 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Sections 2-1402, 12-901, 12-904, 12-906, 12-909, 12-910, 12-911, 12-912, and 12-1001 as follows:

(735 ILCS 5/2-1402) (from Ch. 110, par. 2-1402)

Sec. 2-1402. Supplementary proceedings. (a) A judgment creditor, or his or her successor in interest when that interest is made to appear of record, is entitled to prosecute supplementary proceedings for the purposes of examining the judgment debtor or any other person to discover assets or income of the debtor not exempt from the enforcement of the judgment, a deduction order or garnishment, and of compelling the application of non-exempt assets or income discovered toward the payment of the amount due under the judgment. A supplementary proceeding shall be commenced by the service of a citation issued by the clerk. The procedure for conducting supplementary proceedings shall be prescribed by rules. It is not a prerequisite to the commencement of a supplementary proceeding that a certified copy of the judgment has been returned wholly or partly unsatisfied. All citations issued by the clerk shall have the following language, or language substantially similar thereto, stated prominently on the front, in capital letters: "YOUR FAILURE TO APPEAR IN COURT AS HEREIN DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL." The court shall not grant a continuance of the supplementary proceeding except upon good cause shown.

(b) Any citation served upon a judgment debtor or any other person shall include a certification by the attorney for the judgment creditor or the judgment creditor setting forth the amount of the judgment, the date of the judgment, or its revival date, the balance due thereon, the name of the court, and the number of the case, and a copy of the citation notice required by this subsection. Whenever a citation is served upon a person or party other than the judgment debtor, the officer or person serving the citation shall send to the judgment debtor, within three business days of the service upon the cited party, a copy of the citation and the citation notice, which may be sent by regular first-class mail to the judgment debtor's last known address. In no event shall a citation hearing be held sooner than five business days after the mailing of the

citation and citation notice to the judgment debtor, except by agreement of the parties. The citation notice need not be mailed to a corporation, partnership, or association. The citation notice shall be in substantially the following form:

"CITATION NOTICE

(Name and address of Court)  
 Name of Case: (Name of Judgment Creditor),  
 Judgment Creditor v.  
 (Name of Judgment Debtor),  
 Judgment Debtor.  
 Address of Judgment Debtor: (Insert last known  
 address)  
 Name and address of Attorney for Judgment  
 Creditor or of Judgment Creditor (If no  
 attorney is listed): (Insert name and address)  
 Amount of Judgment: \$ (Insert amount)  
 Name of Person Receiving Citation: (Insert name)  
 Court Date and Time: (Insert return date and time  
 specified in citation)

NOTICE: The court has issued a citation against the person named above. The citation directs that person to appear in court to be examined for the purpose of allowing the judgment creditor to discover income and assets belonging to the judgment debtor or in which the judgment debtor has an interest. The citation was issued on the basis of a judgment against the judgment debtor in favor of the judgment creditor in the amount stated above. On or after the court date stated above, the court may compel the application of any discovered income or assets toward payment on the judgment.

The amount of income or assets that may be applied toward the judgment is limited by federal and Illinois law. THE JUDGMENT DEBTOR HAS THE RIGHT TO ASSERT STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS OF THE JUDGMENT DEBTOR WHICH MAY NOT BE USED TO SATISFY THE JUDGMENT IN THE AMOUNT STATED ABOVE:

(1) Under Illinois or federal law, the exemptions of personal property owned by the debtor include the debtor's equity interest, not to exceed \$4,000 ~~\$2,000~~ in value, in any personal property as chosen by the debtor; Social Security and SSI benefits; public assistance benefits; unemployment compensation benefits; worker's compensation benefits; veteran's benefits; circuit breaker property tax relief benefits; the debtor's equity interest, not to exceed \$2,400 ~~\$1,200~~ in value, in any one motor vehicle, and the debtor's equity interest, not to exceed \$1,500 ~~\$750~~ in value, in any implements, professional books, or tools of the trade of the debtor.

(2) Under Illinois law, every person is entitled to an estate in homestead, when it is owned and occupied as a residence, to the extent in value of \$15,000 ~~\$7,500~~, which homestead is exempt from judgment.

(3) Under Illinois law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 15% of gross weekly wages or (ii) the amount by which disposable earnings for a week exceed the total of 45 times the federal minimum hourly wage.

(4) Under federal law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 25% of disposable earnings for a week or (ii) the amount by which disposable earnings for a week exceed 30 times the federal minimum hourly wage.

(5) Pension and retirement benefits and refunds may be claimed as exempt under Illinois law.

The judgment debtor may have other possible exemptions under the law.

THE JUDGMENT DEBTOR HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH. The judgment debtor also has the right to seek a declaration at an earlier date, by notifying the clerk in writing at (insert address of clerk). When so notified, the Clerk of the Court will obtain a prompt hearing date from the court and will provide the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor and the judgment creditor's attorney regarding the time and location of the hearing. This notice may be sent by regular first class mail."

(c) When assets or income of the judgment debtor not exempt from the satisfaction of a judgment, a deduction order or garnishment are discovered, the court may, by appropriate order or judgment:

(1) Compel the judgment debtor to deliver up, to be applied in satisfaction of the judgment, in whole or in part, money, choses in action, property or effects in his or her possession or control, so discovered,

capable of delivery and to which his or her title or right of possession is not substantially disputed.

(2) Compel the judgment debtor to pay to the judgment creditor or apply on the judgment, in installments, a portion of his or her income, however or whenever earned or acquired, as the court may deem proper, having due regard for the reasonable requirements of the judgment debtor and his or her family, if dependent upon him or her, as well as any payments required to be made by prior order of court or under wage assignments outstanding; provided that the judgment debtor shall not be compelled to pay income which would be considered exempt as wages under the Wage Deduction Statute. The court may modify an order for installment payments, from time to time, upon application of either party upon notice to the other.

(3) Compel any person cited, other than the judgment debtor, to deliver up any assets so discovered, to be applied in satisfaction of the judgment, in whole or in part, when those assets are held under such circumstances that in an action by the judgment debtor he or she could recover them in specie or obtain a judgment for the proceeds or value thereof as for conversion or embezzlement.

(4) Enter any order upon or judgment against the person cited that could be entered in any garnishment proceeding.

(5) Compel any person cited to execute an assignment of any chose in action or a conveyance of title to real or personal property, in the same manner and to the same extent as a court could do in any proceeding by a judgment creditor to enforce payment of a judgment or in aid of the enforcement of a judgment.

(6) Authorize the judgment creditor to maintain an action against any person or corporation that, it appears upon proof satisfactory to the court, is indebted to the judgment debtor, for the recovery of the debt, forbid the transfer or other disposition of the debt until an action can be commenced and prosecuted to judgment, direct that the papers or proof in the possession or control of the debtor and necessary in the prosecution of the action be delivered to the creditor or impounded in court, and provide for the disposition of any moneys in excess of the sum required to pay the judgment creditor's judgment and costs allowed by the court.

(d) No order or judgment shall be entered under subsection (c) in favor of the judgment creditor unless there appears of record a certification of mailing showing that a copy of the citation and a copy of the citation notice was mailed to the judgment debtor as required by subsection (b).

(e) All property ordered to be delivered up shall, except as otherwise provided in this Section, be delivered to the sheriff to be collected by the sheriff or sold at public sale and the proceeds thereof applied towards the payment of costs and the satisfaction of the judgment.

(f) (1) The citation may prohibit the party to whom it is directed from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from the enforcement of a judgment therefrom, a deduction order or garnishment, belonging to the judgment debtor or to which he or she may be entitled or which may thereafter be acquired by or become due to him or her, and from paying over or otherwise disposing of any moneys not so exempt which are due or to become due to the judgment debtor, until the further order of the court or the termination of the proceeding, whichever occurs first. The third party may not be obliged to withhold the payment of any moneys beyond double the amount of the balance due sought to be enforced by the judgment creditor. The court may punish any party who violates the restraining provision of a citation as and for a contempt, or if the party is a third party may enter judgment against him or her in the amount of the unpaid portion of the judgment and costs allowable under this Section, or in the amount of the value of the property transferred, whichever is lesser.

(2) The court may enjoin any person, whether or not a party to the supplementary proceeding, from making or allowing any transfer or other disposition of, or interference with, the property of the judgment debtor not exempt from the enforcement of a judgment, a deduction order or garnishment, or the property or debt not so exempt concerning which any person is required to attend and be examined until further direction in the premises. The injunction order shall remain in effect until vacated by the court or until the proceeding is terminated, whichever first occurs.

(g) If it appears that any property, chose in action, credit or effect discovered, or any interest therein, is claimed by any person, the court shall, as in garnishment proceedings, permit or require the claimant to appear and maintain his or her right. The rights of the person cited and the rights of any adverse claimant shall be asserted and determined pursuant to the law relating to garnishment proceedings.

(h) Costs in proceedings authorized by this Section shall be allowed, assessed and paid in accordance with rules, provided that if the court determines, in its discretion, that costs incurred by the judgment creditor were improperly incurred, those costs shall be paid by the judgment creditor.

(i) This Section is in addition to and does not affect enforcement of judgments or proceedings supplementary thereto, by any other methods now or hereafter provided by law.

(j) This Section does not grant the power to any court to order installment or other payments from, or compel the sale, delivery, surrender, assignment or conveyance of any property exempt by statute from the enforcement of a judgment thereon, a deduction order, garnishment, attachment, sequestration, process or other levy or seizure.

(k) (Blank).

(l) At any citation hearing at which the judgment debtor appears and seeks a declaration that certain of his or her income or assets are exempt, the court shall proceed to determine whether the property which the judgment debtor declares to be exempt is exempt from judgment. At any time before the return date specified on the citation, the judgment debtor may request, in writing, a hearing to declare exempt certain income and assets by notifying the clerk of the court before that time, using forms as may be provided by the clerk of the court. The clerk of the court will obtain a prompt hearing date from the court and will provide the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor, or the judgment creditor's attorney, regarding the time and location of the hearing. This notice may be sent by regular first class mail. At the hearing, the court shall immediately, unless for good cause shown that the hearing is to be continued, shall proceed to determine whether the property which the judgment debtor declares to be exempt is exempt from judgment. The restraining provisions of subsection (f) shall not apply to any property determined by the court to be exempt.

(m) The judgment or balance due on the judgment becomes a lien when a citation is served in accordance with subsection (a) of this Section. The lien binds nonexempt personal property, including money, choses in action, and effects of the judgment debtor as follows:

(1) When the citation is directed against the judgment debtor, upon all personal property belonging to the judgment debtor in the possession or control of the judgment debtor or which may thereafter be acquired or come due to the judgment debtor to the time of the disposition of the citation.

(2) When the citation is directed against a third party, upon all personal property belonging to the judgment debtor in the possession or control of the third party or which thereafter may be acquired or come due the judgment debtor and comes into the possession or control of the third party to the time of the disposition of the citation.

The lien established under this Section does not affect the rights of citation respondents in property prior to the service of the citation upon them and does not affect the rights of bona fide purchasers or lenders without notice of the citation. The lien is effective for the period specified by Supreme Court Rule.

This subsection (m), as added by Public Act 88-48, is a declaration of existing law.

(n) If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect the provisions or applications of the Act that can be given effect without the invalid provision or application. (Source: P.A. 88-48; 88-299; 88-667, eff. 9-16-94; 88-670, eff. 12-2-94; 89-364, eff. 1-1-96.)

(735 ILCS 5/12-901) (from Ch. 110, par. 12-901)

Sec. 12-901. Amount. Every individual is entitled to an estate of homestead to the extent in value of \$15,000 ~~\$7,500~~ of his or her interest in a farm or lot of land and buildings thereon, a condominium, or personal property, owned or rightly possessed by lease or otherwise and occupied by him or her as a residence, or in a cooperative that owns property that the individual uses as a residence. That homestead and all right in and title to that homestead is exempt from attachment, judgment, levy, or judgment sale for the payment of his or her debts or other purposes and from the laws of conveyance, descent, and legacy, except as provided in this Code or in Section 20-6 of the Probate Act of 1975. This Section is not applicable between joint tenants or tenants in common but it is applicable as to any creditors of those persons. If 2 or more individuals own property that is exempt as a homestead, the value of the exemption of each individual may not exceed his or her proportionate share of \$30,000 ~~\$15,000~~ based upon percentage of ownership. (Source: P.A. 88-672, eff. 12-14-94.)

(735 ILCS 5/12-904) (from Ch. 110, par. 12-904)

Sec. 12-904. Release, waiver or conveyance. No release, waiver or conveyance of the estate so exempted shall be valid, unless the same is in writing, signed by the individual and his or her spouse, if he or she have one, or possession is abandoned or given pursuant to the conveyance; or if the exception is continued to a child or children without the order of a court directing a release thereof; but if a conveyance is made by an individual as grantor to his or her spouse, such conveyance shall be effectual to pass the title expressed therein to be conveyed thereby, whether or not the grantor in such conveyance is joined therein

by his or her spouse. In any case where such release, waiver or conveyance is taken by way of mortgage or security, the same shall only be operative as to such specific release, waiver or conveyance; and when the same includes different pieces of land, or the homestead is of greater value than \$15,000 ~~\$7,500~~, the other lands shall first be sold before resorting to the homestead, and in case of the sale of such homestead, if any balance remains after the payment of the debt and costs, such balance shall, to the extent of \$15,000 ~~\$7,500~~ be exempt, and be applied upon such homestead exemption in the manner provided by law. (Source: P.A. 82-783.)

(735 ILCS 5/12-906) (from Ch. 110, par. 12-906)

Sec. 12-906. Proceeds of sale. When a homestead is conveyed by the owner thereof, such conveyance shall not subject the premises to any lien or incumbrance to which it would not be subject in the possession of such owner; and the proceeds thereof, to the extent of the amount of \$15,000 ~~\$7,500~~, shall be exempt from judgment or other process, for one year after the receipt thereof, by the person entitled to the exemption, and if reinvested in a homestead the same shall be entitled to the same exemption as the original homestead. (Source: P.A. 82-783.)

(735 ILCS 5/12-909) (from Ch. 110, par. 12-909)

Sec. 12-909. Bid for less than exempted amount. No sale shall be made of the premises on such judgment unless a greater sum than \$15,000 ~~\$7,500~~ is bid therefor. If a greater sum is not so bid, the judgment may be set aside or modified, or the enforcement of the judgment released, as for lack of property. (Source: P.A. 82-783.)

(735 ILCS 5/12-910) (from Ch. 110, par. 12-910)

Sec. 12-910. Proceedings to enforce judgment. If in the opinion of the judgment creditors, or the officer holding a certified copy of a judgment for enforcement against such individuals, the premises claimed by him or her as exempt are worth more than \$15,000 ~~\$7,500~~, such officer shall summon 3 individuals, as commissioners, who shall, upon oath, to be administered to them by the officer, appraise the premises, and if, in their opinion, the property may be divided without damage to the interest of the parties, they shall set off so much of the premises, including the dwelling house, as in their opinion is worth \$15,000 ~~\$7,500~~, and the residue of the premises may be advertised and sold by such officer. Each commissioner shall receive for his or her services the sum of \$5 per day for each day necessarily engaged in such service. The officer summoning such commissioners shall receive such fees as may be allowed for serving summons, but shall be entitled to charge mileage for only the actual distance traveled from the premises to be appraised, to the residence of the commissioners summoned. The officer shall not be required to summon commissioners until the judgment creditor, or some one for him or her, shall advance to the officer one day's fees for the commissioners, and unless the creditor shall advance such fees the officer shall not be required to enforce the judgment. The costs of such appraisal shall not be taxed against the judgment debtor unless such appraisal shows that the judgment debtor has property subject to such judgment. (Source: P.A. 83-707.)

(735 ILCS 5/12-911) (from Ch. 110, par. 12-911)

Sec. 12-911. Notice to judgment debtor. In case the value of the premises is, in the opinion of the commissioners, more than \$15,000 ~~\$7,500~~, and cannot be divided as is provided for in Section 12-910 of this Act, they shall make and sign an appraisal of the value thereof, and deliver the same to the officer, who shall deliver a copy thereof to the judgment debtor, or to some one of the family of the age of 13 years or upwards, with a notice thereto attached that unless the judgment debtor pays to such officer the surplus over and above \$15,000 ~~\$7,500~~ on the amount due on the judgment within 60 days thereafter, such premises will be sold. (Source: P.A. 83-356.)

(735 ILCS 5/12-912) (from Ch. 110, par. 12-912)

Sec. 12-912. Sale of premises - Distribution of proceeds. In case of such surplus, or the amount due on the judgment is not paid within the 60 days, the officer may advertise and sell the premises, and out of the proceeds of such sale pay to such judgment debtor the sum of \$15,000 ~~\$7,500~~, and apply the balance on the judgment. (Source: P.A. 82-783.)

(735 ILCS 5/12-1001) (from Ch. 110, par. 12-1001)

Sec. 12-1001. Personal property exempt. The following personal property, owned by the debtor, is exempt from judgment, attachment, or distress for rent:

- (a) The necessary wearing apparel, bible, school books, and family pictures of the debtor and the debtor's dependents;
- (b) The debtor's equity interest, not to exceed \$4,000 ~~\$2,000~~ in value, in any other property;
- (c) The debtor's interest, not to exceed \$2,400 ~~\$1,200~~ in value, in any one motor vehicle;
- (d) The debtor's equity interest, not to exceed \$1,500 ~~\$750~~ in value, in any implements, professional

books, or tools of the trade of the debtor;

(e) Professionally prescribed health aids for the debtor or a dependent of the debtor;

(f) All proceeds payable because of the death of the insured and the aggregate net cash value of any or all life insurance and endowment policies and annuity contracts payable to a wife or husband of the insured, or to a child, parent, or other person dependent upon the insured, whether the power to change the beneficiary is reserved to the insured or not and whether the insured or the insured's estate is a contingent beneficiary or not;

(g) The debtor's right to receive:

(1) a social security benefit, unemployment compensation, or public assistance benefit;

(2) a veteran's benefit;

(3) a disability, illness, or unemployment benefit; and

(4) alimony, support, or separate maintenance, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.

(h) The debtor's right to receive, or property that is traceable to:

(1) an award under a crime victim's reparation law;

(2) a payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor;

(3) a payment under a life insurance contract that insured the life of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor or a dependent of the debtor;

(4) a payment, not to exceed ~~\$15,000~~ \$7,500 in value, on account of personal bodily injury of the debtor or an individual of whom the debtor was a dependent; and

(5) any restitution payments made to persons pursuant to the federal Civil Liberties Act of 1988 and the Aleutian and Pribilof Island Restitution Act, P.L. 100-383.

For purposes of this subsection (h), a debtor's right to receive an award or payment shall be exempt for a maximum of 2 years after the debtor's right to receive the award or payment accrues; property traceable to an award or payment shall be exempt for a maximum of 5 years after the award or payment accrues; and an award or payment and property traceable to an award or payment shall be exempt only to the extent of the amount of the award or payment, without interest or appreciation from the date of the award or payment.

(i) The debtor's right to receive an award under Part 20 of Article II of this Code relating to crime victims' awards.

Money due the debtor from the sale of any personal property that was exempt from judgment, attachment, or distress for rent at the time of the sale is exempt from attachment and garnishment to the same extent that the property would be exempt had the same not been sold by the debtor.

If a debtor owns property exempt under this Section and he or she purchased that property with the intent of converting nonexempt property into exempt property or in fraud of his or her creditors, that property shall not be exempt from judgment, attachment, or distress for rent. Property acquired within 6 months of the filing of the petition for bankruptcy shall be presumed to have been acquired in contemplation of bankruptcy.

The personal property exemptions set forth in this Section shall apply only to individuals and only to personal property that is used for personal rather than business purposes. The personal property exemptions set forth in this Section shall not apply to or be allowed against any money, salary, or wages due or to become due to the debtor that are required to be withheld in a wage deduction proceeding under Part 8 of this Article XII. (Source: P.A. 88-378; 89-686, eff. 12-31-96.)

Section 99. Effective date. This Act takes effect on January 1, 2004."

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

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

HOUSE BILL 2784. 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 2784 by replacing everything after the enacting clause with



the following:

"Section 5. The Code of Civil Procedure is amended by changing Section 2-1117 as follows:

(735 ILCS 5/2-1117) (from Ch. 110, par. 2-1117) (Text of Section WITHOUT the changes made by P.A. 89-7, which has been held unconstitutional)

Sec. 2-1117. Joint liability. Except as provided in Section 2-1118, in actions on account of bodily injury or death or physical damage to property, based on negligence, or product liability based on strict tort liability, all defendants found liable are jointly and severally liable for plaintiff's past and future medical and medically related expenses. Any defendant whose fault, as determined by the trier of fact, is less than 25% of the total fault attributable to the plaintiff, the defendants sued by the plaintiff, and any third party defendant ~~except the plaintiff's employer who could have been sued by the plaintiff~~, shall be severally liable for all other damages. Any defendant whose fault, as determined by the trier of fact, is 25% or greater of the total fault attributable to the plaintiff, the defendants sued by the plaintiff, and any third party defendants who could have been sued by the plaintiff, shall be jointly and severally liable for all other damages. (Source: P.A. 84-1431.)

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

There being no further amendments, the bill was held on the order of Second 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 2461 and 2818.

HOUSE BILL 2490. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2490 on page 1, line 11, after "in", by inserting "the organization of".

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

## RESOLUTIONS

Having been reported out of the Committee on Rules on March 26, 2003, HOUSE JOINT RESOLUTION 28 was taken up for consideration.

Representative Soto moved the adoption of the resolution.

The motion prevailed and the resolution was adopted.

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

## HOUSE BILLS ON SECOND READING

HOUSE BILL 2298. Having been printed, was taken up and read by title a second time.

Representative Coulson offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2298 on page 2, line 32, before the period, by inserting "as well as provide information about responsible parenting and the availability of confidential adoption services".

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 bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 3530.

HOUSE BILL 3313. 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 3313 on page 5 by inserting immediately below line 5 the following:

"(d) As much as possible, the Bureau shall rely on existing reporting forms utilized by direct service providers in collecting data on community based programs and services, rather than creating a new overlay of reports to be required of State agencies and providers."

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 1119.

HOUSE BILL 3553. 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 3553 by deleting lines 8 through 31 on page 1 and all of pages 2 through 7.

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 2185. Having been printed, was taken up and read by title a second time.

Representative Feigenholtz offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2185 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 5.595 as follows:

(30 ILCS 105/5.595 new)

Sec. 5.595. The Blindness Prevention Fund. Section 10. The Illinois Identification Card Act is amended by changing Section 5 as follows:

(15 ILCS 335/5) (from Ch. 124, par. 25)

Sec. 5. Applications. (a) Any natural person who is a resident of the State of Illinois, may file an application for an identification card or for the renewal thereof, in a manner prescribed by the Secretary. Each original application shall be completed by the applicant in full and shall set forth the name, address and zip code, social security number, birth date, sex and a brief description of the applicant. The applicant shall be photographed and he shall also submit any other information as the Secretary may deem necessary or such documentation as the Secretary may require to determine the identity of the applicant. An applicant for a disabled persons card must also submit with each original or renewal application, on forms prescribed by the Secretary, such documentation as the Secretary may require, establishing that the applicant is a "disabled person" as defined in Section 4A of this Act, and setting forth the applicant's type and class of disability as set forth in Section 4A of this Act.

(b) In addition to the fees collected under Section 12 of this Act, the Secretary of State shall ask each person applying for or renewing a State identification card whether the person wishes to make a \$1 voluntary contribution to the Blindness Prevention Fund established under Section 6-106 of the Illinois Vehicle Code. All donations collected under this subsection (b) shall be deposited into the Blindness Prevention Fund. (Source: P.A. 89-569, eff. 1-1-97.)

Section 15. The Illinois Vehicle Code is amended by changing Sections 6-106 and 6-510 as follows:

(625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

Sec. 6-106. Application for license or instruction permit. (a) Every application for any permit or license authorized to be issued under this Act shall be made upon a form furnished by the Secretary of State. Every application shall be accompanied by the proper fee and payment of such fee shall entitle the applicant to not more than 3 attempts to pass the examination within a period of 1 year after the date of application.

(b) Every application shall state the name, social security number, zip code, date of birth, sex, and residence address of the applicant; briefly describe the applicant; state whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been cancelled, suspended, revoked or refused, and, if so, the date and reason for such cancellation, suspension, revocation or refusal; shall include an affirmation by the applicant that all information set forth is true and correct; and shall bear the applicant's signature. The application form may also require the statement of such additional relevant information as the Secretary of State shall deem necessary to determine the applicant's competency and eligibility. The Secretary of State may in his discretion substitute a federal tax number in lieu of a social security number, or he may instead assign an additional distinctive number in lieu thereof, where an applicant is prohibited by bona fide religious convictions from applying or is exempt from applying for a social security number. The Secretary of State shall, however, determine which religious orders or sects have such bona fide religious convictions. The Secretary of State may, in his discretion, by rule or regulation, provide that an application for a drivers license or permit may include a suitable photograph of the applicant in the form prescribed by the Secretary, and he may further provide that each drivers license shall include a photograph of the driver. The Secretary of State may utilize a photograph process or system most suitable to deter alteration or improper reproduction of a drivers license and to prevent substitution of another photo thereon.

(c) The application form shall include a notice to the applicant of the registration obligations of sex offenders under the Sex Offender Registration Act. The notice shall be provided in a form and manner prescribed by the Secretary of State. For purposes of this subsection (c), "sex offender" has the meaning ascribed to it in Section 2 of the Sex Offender Registration Act.

(d) Any male United States citizen or immigrant who applies for any permit or license authorized to be issued under this Act or for a renewal of any permit or license, and who is at least 18 years of age but less than 26 years of age, must be registered in compliance with the requirements of the federal Military Selective Service Act. The Secretary of State must forward in an electronic format the necessary personal information regarding the applicants identified in this subsection (d) to the Selective Service System. The applicant's signature on the application serves as an indication that the applicant either has already registered with the Selective Service System or that he is authorizing the Secretary to forward to the Selective Service System the necessary information for registration. The Secretary must notify the applicant at the time of application that his signature constitutes consent to registration with the Selective Service System, if he is not already registered.

(e) In addition to the fees collected under Section 6-118 of this Act, the Secretary of State shall ask each person applying for or renewing a license or instruction permit whether the person wishes to make a \$1 voluntary contribution to the Blindness Prevention Fund established under this Section. All donations collected under this subsection (e) shall be deposited into the Blindness Prevention Fund.

(f) The Blindness Prevention Fund is created as a special fund in the State treasury. All moneys in the Fund shall, subject to appropriation by the General Assembly, be used by the Department of Human Services for grants to provide blindness education, screening, and treatment. (Source: P.A. 92-117, eff. 1-1-02.)

(625 ILCS 5/6-510) (from Ch. 95 1/2, par. 6-510)

Sec. 6-510. Application for Commercial Driver's License (CDL). (a) The application for a CDL or commercial driver instruction permit, must include, but not necessarily be limited to, the following:

- (1) the full name and current Illinois domiciliary address (unless the application is for a Non-resident CDL) of the applicant;
- (2) a physical description of the applicant including sex, height, weight, color of eyes and hair color;

- (3) date of birth;
- (4) the applicant's social security number or other identifying number acceptable to the Secretary of State;
- (5) the applicant's signature;
- (6) certifications required by 49 C.F.R. Part 383.71; and
- (7) any other information required by the Secretary of State.

(b) In addition to the fees collected under Section 6-118 of this Act, the Secretary of State shall ask each person applying for or renewing a CDL or commercial instruction permit whether the person wishes to make a \$1 voluntary contribution to the Blindness Prevention Fund established under Section 6-106 of this Code. All donations collected under this subsection (b) shall be deposited into the Blindness Prevention Fund. (Source: P.A. 86-845.)".

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.

HOUSE BILL 3095. Having been printed, was taken up and read by title a second time.

Representative Meyer offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3095 on page 2, line 6, by replacing "building owner plan" with "plan".

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.

HOUSE BILL 3325. Having been printed, was taken up and read by title a second time.

Representative Biggins offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3325 on page 1, by replacing lines 21 through 25 with the following:

"(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity."; and

on page 4, by deleting lines 19 and 20.

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.

## RECALLS

By unanimous consent, on motion of Representative Smith, HOUSE BILL 120 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the hour of 7:24 o'clock p.m., Representative Currie moved that the House do now adjourn until Thursday, March 27, 2003, at 10:00 o'clock a.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 26, 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	E 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	P 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 92  
 VEH CD-FLEEING POLICE-PENALTY  
 THIRD READING  
 PASSED

March 26, 2003

117 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	Y 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	Y 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

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 3488  
 SPORTS FACILITIES-DOWNSTATE  
 THIRD READING  
 PASSED

March 26, 2003

82 YEAS

32 NAYS

3 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 370  
EPA-LEAF BURNING  
THIRD READING  
PASSED

March 26, 2003

91 YEAS

25 NAYS

1 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Parke
Y Aguilar	Y Dunkin	N Leitch	N Phelps
Y Bailey	Y Dunn	N Lindner	Y Pihos
Y Bassi	N Eddy	Y Lyons, Eileen	N Poe
N Beaubien	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Bellock	N Flider	Y Mathias	Y Rita
Y Berrios	Y Flowers	Y Mautino	N Rose
Y Biggins	N Forby	Y May	Y Ryg
N Black	N Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
N Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E McKeon	Y Scully
N Brady	Y Graham	Y Mendoza	Y Slone
N Brauer	Y Granberg	Y Meyer	Y Smith
Y Brosnahan	Y Hamos	Y Miller	N Sommer
Y Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	N Mitchell, Bill	N Stephens
Y Capparelli	Y Hassert	N Mitchell, Jerry	Y Sullivan
Y Chapa LaVia	Y Hoffman	N Moffitt	N Tenhouse
N Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Morrow	N Wait
Y Colvin	Y Hultgren	Y Mulligan	Y Washington
Y Coulson	Y Jakobsson	P Munson	N Watson
Y Cross	Y Jefferson	N Myers	Y Winters
N 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



STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 277  
 STATE FUNDS REINVEST REQUIREMT  
 THIRD READING  
 PASSED

March 26, 2003

112 YEAS

2 NAYS

3 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	N 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	P Franks	Y McAuliffe	N Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E McKeon	P 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	Y 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	Y 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	P Mr. Speaker
Y Davis, Steve	Y Krause	Y Osterman	
Y Davis, Will	Y Kurtz	Y Pankau	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 1352  
 HUMAN RIGHTS-SOURCE OF INCOME  
 FLOOR AMENDMENT NO. 2  
 SECOND READING  
 ADOPTED

March 26, 2003

76 YEAS

36 NAYS

2 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 1373  
 CRIM PRO-DEPOSITION USE  
 THIRD READING  
 PASSED

March 26, 2003

116 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	Y 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	Y 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	A 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

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 2890  
WEIGHT-MEASURE FEE-FAIL TO PAY  
THIRD READING  
PASSED

March 26, 2003

104 YEAS

13 NAYS

0 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	N Rose
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	N Franks	Y McAuliffe	Y Sacia
Y Boland	N Fritchey	Y McCarthy	Y Saviano
N Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E McKeon	Y Scully
Y Brady	Y Graham	Y Mendoza	Y Slone
Y Brauer	Y Granberg	Y Meyer	Y Smith
Y Brosnahan	Y Hamos	N Miller	N Sommer
Y Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	N Mitchell, Bill	N Stephens
Y Capparelli	Y Hassert	Y Mitchell, Jerry	Y Sullivan
N Chapa LaVia	Y Hoffman	Y Moffitt	N Tenhouse
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Morrow	Y Wait
Y Colvin	Y Hultgren	Y Mulligan	Y Washington
Y Coulson	Y Jakobsson	Y Munson	N Watson
Y Cross	N Jefferson	Y Myers	Y Winters
N 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

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 3620  
 OPEN MTGS-RECORDINGS-REVIEW  
 THIRD READING  
 PASSED

March 26, 2003

96 YEAS

21 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Parke
Y Aguilar	Y Dunkin	N Leitch	Y Phelps
Y Bailey	N Dunn	Y Lindner	N Pihos
Y Bassi	N 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	N Mautino	Y Rose
Y Biggins	Y Forby	Y May	Y Ryg
N Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
N Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	N Sommer
Y Brunsvold	Y Hannig	N Millner	Y Soto
Y Burke	Y Hartke	N Mitchell, Bill	Y Stephens
Y Capparelli	Y Hassert	N Mitchell, Jerry	Y Sullivan
Y Chapa LaVia	Y Hoffman	Y Moffitt	N Tenhouse
Y Churchill	N Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Morrow	Y Wait
Y Colvin	N Hultgren	Y Mulligan	Y Washington
Y Coulson	Y Jakobsson	N Munson	N Watson
Y Cross	Y Jefferson	N Myers	N Winters
N Cultra	Y Jones	Y Nekritz	Y Wirsing
Y Currie	Y Joyce	Y Novak	N 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	N Kurtz	Y Pankau	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 3589  
STEM CELL RESEARCH  
THIRD READING  
PASSED

March 26, 2003

60 YEAS

56 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 548  
 PEST CONTROL-PENALTIES  
 THIRD READING  
 PASSED

March 26, 2003

117 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	Y 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	Y 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

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 1400  
CIVIL NO CONTACT ORDER ACT  
THIRD READING  
PASSED

March 26, 2003

117 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	Y 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	Y 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



STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 1088  
 COURT REPORTERS-BARGAINING  
 THIRD READING  
 PASSED

March 26, 2003

116 YEAS

1 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	Y 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	Y 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
N 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

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 386  
NET METERING PILOT PROGRAMS  
THIRD READING  
PASSED

March 26, 2003

79 YEAS	19 NAYS	19 PRESENT	
Y Acevedo	Y Delgado	Y Lang	P Parke
Y Aguilar	Y Dunkin	Y Leitch	Y Phelps
Y Bailey	Y Dunn	P Lindner	Y Pihos
P Bassi	N Eddy	P Lyons, Eileen	N Poe
N Beaubien	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
P Bellock	Y Flider	Y Mathias	Y Rita
Y Berrios	Y Flowers	Y Mautino	N Rose
N Biggins	N Forby	Y May	N Ryg
N Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
N Bost	P Froehlich	Y McGuire	P Schmitz
Y Bradley	Y Giles	E McKeon	Y Scully
P Brady	Y Graham	Y Mendoza	Y Slone
P Brauer	Y Granberg	Y Meyer	Y Smith
Y Brosnahan	Y Hamos	Y Miller	P Sommer
Y Brunsvold	Y Hannig	P Millner	Y Soto
Y Burke	Y Hartke	N Mitchell, Bill	N Stephens
Y Capparelli	Y Hassert	Y Mitchell, Jerry	P Sullivan
Y Chapa LaVia	Y Hoffman	Y Moffitt	N Tenhouse
P Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Morrow	N Wait
Y Colvin	P Hultgren	P Mulligan	Y Washington
P Coulson	Y Jakobsson	P Munson	N Watson
Y Cross	N Jefferson	Y Myers	P Winters
N Cultra	Y Jones	N Nekritz	Y Wirsing
Y Currie	Y Joyce	Y Novak	Y Yarbrough
N Daniels	Y Kelly	Y O'Brien	Y Younge
Y Davis, Monique	P Kosel	N Osmond	Y Mr. Speaker
Y Davis, Steve	Y Krause	Y Osterman	
Y Davis, Will	Y Kurtz	Y Pankau	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 318  
 TOBACCO DISPLAY  
 THIRD READING  
 PASSED

March 26, 2003

68 YEAS

45 NAYS

3 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 1195  
FIRE DEPT FAIR TESTING  
THIRD READING  
PASSED

March 26, 2003

89 YEAS

21 NAYS

7 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 2216  
 PEN CD-DNST FIRE-BENEFIT INCRS  
 THIRD READING  
 PASSED

March 26, 2003

115 YEAS

0 NAYS

2 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Parke
Y Aguilar	Y Dunkin	Y Leitch	Y Phelps
Y Bailey	Y Dunn	Y Lindner	P Pihos
Y Bassi	Y Eddy	P 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	Y 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	Y 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

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 1251  
ZONING AUTHORITY-INTRGVTL AGRMT  
THIRD READING  
PASSED

March 26, 2003

88 YEAS

29 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 93  
 VEH CD-TITLE CERTIFICATE-COLOR  
 THIRD READING  
 PASSED

March 26, 2003

117 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	Y 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	Y 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

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 121  
 FIRE MRSHL-EQUIP EXCHG PROGRAM  
 THIRD READING  
 PASSED

March 26, 2003

117 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	Y 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	Y 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



STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 300  
 CNTY CD-ELECTRONIC ACCESS FEE  
 THIRD READING  
 PASSED

March 26, 2003

75 YEAS

36 NAYS

4 PRESENT

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

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 259  
CREDIT-DEBIT CARD DISCLOSURE  
THIRD READING  
PASSED

March 26, 2003

115 YEAS

0 NAYS

0 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	A Mathias	Y Rita
Y Berrios	Y Flowers	Y Mautino	Y Rose
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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
A Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	Y Mitchell, Bill	Y 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	Y 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

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 2450  
 MUNI CD-REPEAL POSTING REQ  
 THIRD READING  
 PASSED

March 26, 2003

116 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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
A Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	Y Mitchell, Bill	Y 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	Y 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

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 13  
SCH CD-TEACHER INCENTIV-MENTOR  
THIRD READING  
PASSED

March 26, 2003

115 YEAS

1 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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
A Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	Y Mitchell, Bill	Y 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	Y 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
N 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

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 3386  
ABUSED CHILD-PRIMA FACIE  
THIRD READING  
PASSED

March 26, 2003

116 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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
A Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	Y Mitchell, Bill	Y 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	Y 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

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 115  
FIRE TRUCK REVOLVING LOAN PROG  
THIRD READING  
PASSED

March 26, 2003

116 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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
A Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	Y Mitchell, Bill	Y 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	Y 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

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 1161  
 UNEMPLOYMENT INSUR-DISCLOSURE  
 THIRD READING  
 PASSED

March 26, 2003

93 YEAS

19 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Parke
N Aguilar	Y Dunkin	A Leitch	N Phelps
Y Bailey	N Dunn	Y Lindner	Y Pihos
Y Bassi	N Eddy	Y Lyons, Eileen	Y Poe
Y Beaubien	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Bellock	N Flider	Y Mathias	N Rita
Y Berrios	A Flowers	Y Mautino	Y Rose
Y Biggins	N Forby	Y May	N Ryg
Y Black	N Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
A Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	N Sommer
A Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	Y Mitchell, Bill	Y Stephens
Y Capparelli	Y Hassert	A Mitchell, Jerry	Y Sullivan
N Chapa LaVia	Y Hoffman	Y Moffitt	Y Tenhouse
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Morrow	Y Wait
Y Colvin	N Hultgren	Y Mulligan	Y Washington
N Coulson	N Jakobsson	Y Munson	Y Watson
Y Cross	N Jefferson	Y Myers	Y Winters
Y Cultra	Y Jones	N Nekritz	Y Wirsing
Y Currie	N Joyce	Y Novak	Y Yarbrough
Y Daniels	N Kelly	N 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

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 1165  
COMPUTER EQUIP DISPOSAL COMM  
THIRD READING  
PASSED

March 26, 2003

110 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Parke
Y Aguilar	Y Dunkin	Y Leitch	Y Phelps
Y Bailey	A 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	A Flowers	Y Mautino	Y Rose
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	A McGuire	Y Schmitz
Y Bradley	Y Giles	E 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
A Brunsvold	A Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	Y Mitchell, Bill	Y 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	Y 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	A Winters
Y Cultra	Y Jones	Y Nekritz	Y Wirsing
Y Currie	Y Joyce	Y Novak	Y Yarbrough
Y Daniels	A 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



STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 2425  
 CURRENCY EXCHANGE BLANKET BOND  
 THIRD READING  
 PASSED

March 26, 2003

116 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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
A Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	Y Mitchell, Bill	Y 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	Y 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

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 3440  
NURS HM/LIFE CR-VACCINATIONS  
THIRD READING  
PASSED

March 26, 2003

114 YEAS

0 NAYS

2 PRESENT

Y Acevedo	Y Delgado	Y Lang	P 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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
A Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	Y Mitchell, Bill	Y 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	Y 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	P Krause	Y Osterman	
Y Davis, Will	Y Kurtz	Y Pankau	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 20  
 H/ED-TEACH ILL SCHOLARSHIP  
 THIRD READING  
 PASSED

March 26, 2003

85 YEAS

6 NAYS

25 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 2601  
EAST ST LOUIS DEVELOPMENT ACT  
THIRD READING  
PASSED

March 26, 2003

79 YEAS

32 NAYS

5 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 1364  
 SCH CD-GA SCHOLARSHIP-FILE NOM  
 THIRD READING  
 PASSED

March 26, 2003

91 YEAS

24 NAYS

1 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Parke
N Aguilar	Y Dunkin	Y Leitch	N Phelps
Y Bailey	N Dunn	N Lindner	N Pihos
Y Bassi	N Eddy	N Lyons, Eileen	N Poe
Y Beaubien	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
N Bellock	N 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	N McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E McKeon	Y Scully
Y Brady	Y Graham	Y Mendoza	Y Slone
N Brauer	Y Granberg	Y Meyer	Y Smith
Y Brosnahan	Y Hamos	Y Miller	Y Sommer
A Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	Y Mitchell, Bill	Y Stephens
Y Capparelli	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Chapa LaVia	Y Hoffman	Y Moffitt	N Tenhouse
N Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	P Morrow	Y Wait
Y Colvin	N Hultgren	Y Mulligan	Y Washington
Y Coulson	N Jakobsson	N Munson	N Watson
Y Cross	Y Jefferson	N Myers	Y Winters
Y Cultra	Y Jones	Y Nekritz	Y Wirsing
Y Currie	N 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	N Kurtz	Y Pankau	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 1468  
ENERGY EFFICIENCY BUILDING ACT  
THIRD READING  
LOST

March 26, 2003

47 YEAS

59 NAYS

9 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 2318  
 STATE FACIL MODIFICATN REV ACT  
 THIRD READING  
 PASSED

March 26, 2003

112 YEAS

3 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	N 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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
A 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	Y Morrow	Y Wait
Y Colvin	Y Hultgren	Y Mulligan	Y Washington
N 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	A 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

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 353  
 ALTERNATE FUELS-DATABASE  
 THIRD READING  
 PASSED

March 26, 2003

115 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E McKeon	Y Scully
Y Brady	Y Graham	Y Mendoza	Y Slone
Y Brauer	A 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	Y 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	Y 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	A 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



STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 197  
LEAD POISONING-VIDEO RENTL FEE  
THIRD READING  
PASSED

March 26, 2003

96 YEAS

2 NAYS

15 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 2244  
 CNTY CD-RECORDER FEES  
 THIRD READING  
 PASSED

March 26, 2003

62 YEAS

53 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 2975  
 SCH STU RECORD-JUV AUTH-NOTIFY  
 THIRD READING  
 PASSED

March 26, 2003

115 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	A Hartke	Y Mitchell, Bill	Y 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	Y 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	A 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

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 2390  
MINOR-HOMELESS-EMANCIPATE-DCFS  
THIRD READING  
PASSED

March 26, 2003

114 YEAS

1 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	P Flowers	Y Mautino	Y Rose
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	Y 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	A 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

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 1574  
 VEH CD-LEFT LANE USAGE  
 THIRD READING  
 PASSED

March 26, 2003

99 YEAS

13 NAYS

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 2567  
PROP TAX-PTAB-REPORTS  
THIRD READING  
PASSED

March 26, 2003

84 YEAS

29 NAYS

3 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 3062  
 DCFS-FOSTER CARE-MISSING KIDS  
 THIRD READING  
 PASSED

March 26, 2003

116 YEAS

0 NAYS

0 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
Y Biggins	Y Forby	Y May	Y Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E 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	Y 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	Y 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	A 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

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 3078  
 CRIM CD-EMERGENCY MAN WKR  
 THIRD READING  
 PASSED

March 26, 2003

109 YEAS

6 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	P 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
Y Biggins	Y Forby	N May	N Ryg
Y Black	Y Franks	Y McAuliffe	Y Sacia
Y Boland	Y Fritchey	Y McCarthy	Y Saviano
Y Bost	Y Froehlich	Y McGuire	Y Schmitz
Y Bradley	Y Giles	E McKeon	Y Scully
Y Brady	Y Graham	Y Mendoza	Y Slone
Y Brauer	Y Granberg	Y Meyer	Y Smith
Y Brosnahan	N Hamos	Y Miller	Y Sommer
Y Brunsvold	Y Hannig	Y Millner	Y Soto
Y Burke	Y Hartke	Y Mitchell, Bill	Y 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	Y Morrow	Y Wait
Y Colvin	Y Hultgren	Y Mulligan	Y Washington
Y Coulson	N Jakobsson	Y Munson	Y Watson
Y Cross	Y Jefferson	Y Myers	Y Winters
N Cultra	Y Jones	N Nekritz	Y Wirsing
Y Currie	Y Joyce	Y Novak	Y Yarbrough
Y Daniels	Y Kelly	Y O'Brien	A 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