

**STATE OF ILLINOIS**



# **HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-THIRD GENERAL ASSEMBLY**

**40TH LEGISLATIVE DAY**

**WEDNESDAY, APRIL 2, 2003**

**10:00 O'CLOCK A.M.**

**HOUSE OF REPRESENTATIVES  
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HB 2019	Second Reading.....	36
HB 2020	Second Reading.....	36
HB 2021	Second Reading.....	36
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HB 2097	Second Reading.....	36
HB 2098	Second Reading.....	36
HB 2099	Second Reading.....	36
HB 2100	Second Reading.....	36
HB 2101	Second Reading.....	36
HB 2102	Second Reading.....	36
HB 2103	Second Reading.....	36
HB 2105	Committee Report – Floor Amendment/s .....	27
HB 2105	Second Reading – amendment .....	40
HB 2106	Second Reading.....	36
HB 2107	Second Reading.....	36
HB 2108	Second Reading.....	36
HB 2109	Second Reading.....	36
HB 2110	Second Reading.....	36
HB 2111	Second Reading.....	36
HB 2112	Second Reading.....	36
HB 2113	Second Reading.....	36
HB 2114	Second Reading.....	36
HB 2115	Second Reading.....	36
HB 2116	Second Reading.....	36
HB 2117	Second Reading.....	36
HB 2119	Second Reading.....	36
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HB 2130	Second Reading.....	36
HB 2131	Second Reading.....	36
HB 2132	Second Reading.....	36
HB 2133	Second Reading.....	36
HB 2134	Second Reading.....	36
HB 2135	Second Reading.....	36
HB 2207	Second Reading – Amendment/s .....	79
HB 2219	Second Reading.....	36
HB 2220	Second Reading.....	36

HB 2221	Second Reading – Amendment/s .....	86
HB 2231	Recall .....	90
HB 2257	Second Reading – Amendment/s .....	73
HB 2261	Second Reading.....	35
HB 2317	Committee Report – Floor Amendment/s .....	26
HB 2317	Second Reading – Amendment/s .....	80
HB 2360	Second Reading.....	36
HB 2361	Second Reading.....	36
HB 2362	Second Reading.....	36
HB 2364	Second Reading.....	36
HB 2365	Second Reading.....	36
HB 2366	Second Reading.....	36
HB 2370	Committee Report.....	28
HB 2370	Second Reading – Amendment/s .....	56
HB 2374	Second Reading.....	54
HB 2410	Second Reading.....	36
HB 2439	Second Reading.....	96
HB 2458	Committee Report – Floor Amendment/s .....	26
HB 2458	Second Reading.....	89
HB 2518	Second Reading.....	36
HB 2531	Third Reading .....	55
HB 2566	Recall .....	41
HB 2571	Second Reading.....	36
HB 2572	Third Reading .....	78
HB 2574	Second Reading.....	73
HB 2598	Third Reading .....	32
HB 2614	Second Reading.....	36
HB 2615	Second Reading.....	36
HB 2630	Committee Report – Floor Amendment/s .....	26
HB 2654	Second Reading.....	36
HB 2655	Second Reading.....	36
HB 2656	Second Reading.....	36
HB 2657	Second Reading.....	36
HB 2659	Second Reading.....	36
HB 2663	Second Reading.....	35
HB 2664	Second Reading.....	35
HB 2668	Second Reading.....	35
HB 2669	Second Reading.....	35
HB 2671	Second Reading.....	35
HB 2672	Second Reading.....	35
HB 2673	Second Reading.....	35
HB 2674	Second Reading.....	35
HB 2678	Second Reading.....	35
HB 2680	Second Reading.....	35
HB 2681	Second Reading.....	35
HB 2682	Second Reading.....	35
HB 2685	Second Reading.....	35
HB 2686	Second Reading.....	35
HB 2688	Second Reading.....	35
HB 2691	Second Reading.....	35
HB 2693	Second Reading.....	35
HB 2696	Second Reading.....	35
HB 2697	Second Reading.....	35
HB 2698	Second Reading.....	35
HB 2700	Second Reading.....	35
HB 2704	Second Reading.....	35
HB 2705	Second Reading.....	35

HB 2708	Second Reading.....	35
HB 2714	Second Reading.....	35
HB 2716	Second Reading.....	35
HB 2718	Second Reading.....	35
HB 2719	Second Reading.....	35
HB 2721	Second Reading.....	35
HB 2726	Second Reading.....	35
HB 2730	Second Reading.....	35
HB 2735	Second Reading.....	35
HB 2739	Second Reading.....	35
HB 2741	Second Reading.....	35
HB 2742	Second Reading.....	35
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HB 2745	Second Reading.....	35
HB 2746	Second Reading.....	35
HB 2747	Second Reading.....	35
HB 2749	Second Reading.....	35
HB 2750	Second Reading.....	35
HB 2751	Second Reading.....	35
HB 2753	Second Reading.....	35
HB 2756	Second Reading.....	35
HB 2758	Second Reading.....	35
HB 2759	Second Reading.....	35
HB 2761	Second Reading.....	35
HB 2762	Second Reading.....	35
HB 2763	Second Reading.....	35
HB 2778	Committee Report – Floor Amendment/s .....	26
HB 2840	Committee Report – Floor Amendment/s .....	26
HB 2840	Second Reading.....	89
HB 2866	Second Reading – Amendment/s .....	96
HB 2870	Second Reading.....	90
HB 2873	Second Reading.....	75
HB 2995	Third Reading .....	55
HB 3044	Third Reading .....	55
HB 3047	Second Reading – Amendment/s .....	52
HB 3057	Committee Report – Floor Amendment/s .....	28
HB 3057	Second Reading – amendment .....	39
HB 3061	Second Reading.....	89
HB 3082	Third Reading .....	78
HB 3142	Third Reading .....	82
HB 3146	Committee Report – Floor Amendment/s .....	28
HB 3146	Second Reading – amendment .....	44
HB 3198	Third Reading .....	55
HB 3236	Second Reading.....	35
HB 3237	Second Reading.....	35
HB 3238	Second Reading.....	35
HB 3239	Second Reading.....	35
HB 3242	Second Reading.....	35
HB 3244	Second Reading.....	35
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HB 3255	Second Reading.....	35
HB 3259	Second Reading.....	35
HB 3260	Second Reading.....	35
HB 3261	Second Reading.....	35

HB 3262	Second Reading.....	35
HB 3264	Second Reading.....	35
HB 3266	Second Reading.....	36
HB 3267	Second Reading.....	36
HB 3268	Second Reading.....	36
HB 3269	Second Reading.....	36
HB 3270	Second Reading.....	36
HB 3271	Second Reading.....	36
HB 3316	Third Reading.....	56
HB 3387	Third Reading.....	82
HB 3401	Second Reading.....	36
HB 3402	Second Reading.....	36
HB 3407	Third Reading.....	54
HB 3409	Second Reading.....	36
HB 3410	Second Reading.....	36
HB 3412	Second Reading.....	36
HB 3413	Second Reading.....	36
HB 3414	Second Reading.....	36
HB 3415	Second Reading.....	36
HB 3417	Second Reading.....	36
HB 3418	Second Reading.....	36
HB 3427	Second Reading.....	52
HB 3452	Committee Report – Floor Amendment/s.....	26
HB 3452	Second Reading – amendment.....	53
HB 3465	Second Reading – Amendment/s.....	89
HB 3468	Second Reading – Amendment/s.....	75
HB 3486	Recall.....	56
HB 3486	Second Reading – amendment.....	55
HB 3511	Second Reading.....	90
HB 3584	Committee Report.....	28
HB 3584	Second Reading.....	58
HB 3635	Third Reading.....	32
HB 3636	Second Reading.....	54
HB 3639	Second Reading.....	36
HB 3640	Second Reading.....	36
HB 3641	Second Reading.....	36
HB 3642	Second Reading.....	36
HB 3643	Second Reading.....	36
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HB 3648	Second Reading.....	36
HB 3650	Second Reading.....	36
HB 3651	Second Reading.....	36
HB 3652	Second Reading.....	36
HB 3653	Second Reading.....	36
HB 3654	Second Reading.....	36
HB 3664	Second Reading.....	36
HB 3665	Second Reading.....	36
HB 3666	Second Reading.....	36
HB 3667	Second Reading.....	36
HB 3669	Second Reading.....	36
HB 3670	Second Reading.....	36
HB 3673	Second Reading.....	75
HB 3677	Second Reading.....	80
HB 3695	Third Reading.....	78

HB 3711	Second Reading.....	36
HB 3712	Second Reading.....	36
HB 3714	Second Reading.....	36
HB 3715	Second Reading.....	36
HB 3716	Second Reading.....	36
HB 3717	Second Reading.....	36
HB 3718	Second Reading.....	36
HR 0186	Resolution .....	31
SB 0266	First Reading.....	31
SB 0291	First Reading.....	31
SB 0526	First Reading.....	31
SB 0641	First Reading.....	31
SB 1066	First Reading.....	31
SB 1205	First Reading.....	31



The House met pursuant to adjournment.  
 Speaker Madigan in the chair.  
 Prayer by Reverend Prentiss Harris of the Mt. Zion Baptist Church in East Moline.  
 Representative Lang 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)

### PERMANENT COMMITTEE ASSIGNMENTS

March 31, 2003

Anthony D. Rossi  
 Chief Clerk of the House  
 402 State House  
 Springfield, IL 62706

Dear Clerk Rossi:

Please be advised that I am appointing Representative Patrick Verschoore to the following committees, effective immediately.

Agriculture & Conservation  
 Appropriations-General Services  
 Computer Technology  
 State Government

If you have any questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain

Sincerely yours,  
 s/Michael J. Madigan  
 Speaker of the House

### SUBCOMMITTEE ASSIGNMENTS

Representative Hamos, Chairperson from the Committee on Housing & Urban Development, appointed the following members:  
 Subcommittee on Transit:  
 Representative Hamos, Chairperson; Representatives Kelly and Ryg

#### REPUBLICAN MEMBERS

Representatives Froehlich and Munson

Representative Hamos, Chairperson from the Committee on Housing & Urban Development, appointed the following members:  
 Subcommittee on Residential Renters' Rights and Responsibilities Act:  
 Representative Osterman, Chairperson; Representative Bailey

#### REPUBLICAN MEMBERS

Representative Winters

**LETTER OF TRANSMITTAL**

April 2, 2003

Anthony D. Rossi  
Chief Clerk of the House  
402 State House  
Springfield, IL 62706

Dear Clerk Rossi:

Please be advised that I am extending the Committee Deadline to April 4, 2003 for House Bill 3064.

If you have any questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest regards, I remain

Sincerely yours,  
s/Michael J. Madigan  
Speaker of the House

**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 751.
- Amendment No. 1 to HOUSE BILL 1415.
- Amendment No. 2 to HOUSE BILL 2317.
- Amendment No. 1 to HOUSE BILL 2458.
- Amendment No. 2 to HOUSE BILL 2630.
- Amendment No. 1 to HOUSE BILL 2778.
- Amendment No. 3 to HOUSE BILL 2840.
- Amendment No. 2 to HOUSE BILL 3452.
- Motion to Table Amendment No. 2 to HOUSE BILL 1180.

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)	

**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:

Agriculture & Conservation: SENATE BILL 1521.

Elementary & Secondary Education: SENATE BILL 372;  
HOUSE AMENDMENT No. 2 to HOUSE BILL 1256.

Environment & Energy:  
HOUSE AMENDMENT No. 1 to HOUSE BILL 915; HOUSE AMENDMENT No. 2 to HOUSE BILL 2866; SENATE BILL 361.

Executive: SENATE BILLS 1500 and 1647; HOUSE JOINT RESOLUTION 19.

Health Care Availability & Access: HOUSE AMENDMENT No. 1 to HOUSE BILL 2514.

Higher Education:  
HOUSE AMENDMENT No. 1 to HOUSE BILL 2522.

Human Services:  
HOUSE AMENDMENT No. 3 to HOUSE BILL 1715.

Judiciary I - Civil Law: SENATE BILL 1466; HOUSE AMENDMENT No. 3 to HOUSE BILL 2215.

Labor: HOUSE BILL 3064.

Registration & Regulation: SENATE BILL 332.

State Government Administration: HOUSE AMENDMENT No. 2 to HOUSE BILL 305.

Transportation & Motor Vehicles: SENATE BILL 1149.

Develop Disabilities Mental Illness: SENATE BILL 639.

#### **STATE DEBT IMPACT NOTE SUPPLIED**

A State Debt Impact Note has been supplied for HOUSE BILL 2449, as amended.

#### **FISCAL NOTE SUPPLIED**

Fiscal Notes have been supplied for HOUSE BILLS 1518, as amended, 2374, 2514, as amended, 3511, 3561 and SENATE BILL 808.

#### **CORRECTIONAL NOTE SUPPLIED**

Correctional Notes have been supplied for HOUSE BILL 1518, as amended, and SENATE BILL 808.

#### **REQUEST FOR FISCAL NOTE**

Representative Parke requested that a Fiscal Note be supplied for HOUSE BILL 2514, as amended.

#### **FISCAL NOTE WITHDRAWN**

Representative Chapa LaVia withdrew her request for a Fiscal Note on HOUSE BILL 2449.

#### **REPORTS FROM STANDING COMMITTEES**

Representative Giles, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on April 1, 2003, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 1 to HOUSE BILL 2105.

The committee roll call vote on Amendment No. 1 to HOUSE BILL 2105 is as follows:  
16, 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	Y Krause,Carolyn(R)
Y Miller,David(D)	A Mitchell,Jerry(R)
Y Moffitt,Donald(R)	Y Mulligan,Rosemary(R)
Y Osterman,Harry(D)	Y Smith,Michael(D)
Y Watson,Jim(R)	Y Yarbrough,Karen(D)

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on April 1, 2003, 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 2370.

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 3584.

The committee roll call vote on House Bill 2370 and 3584 is as follows:  
12, Yeas; 0, Nays; 0, Answering Present.

Y Burke,Daniel(D), Chairperson	Y Acevedo,Edward(D)
Y Biggins,Bob(R)	Y Bradley,Richard(D), Vice-Chairperson
Y Capparelli,Ralph(D)	Y Hassert,Brent(R)
Y Jones,Lovana(D)	Y McKeon,Larry(D)
Y Molaro,Robert(D)	Y Pankau,Carole(R), Republican Spokesperson
Y Saviano,Angelo(R)	Y Wirsing,David(R)

Representative Saviano, Chairperson, from the Committee on Registration & Regulation to which the following were referred, action taken on April 1, 2003, and reported the same back with the following recommendations:

That the Floor Amendment be reported “recommends be adopted”:  
Amendment No. 2 to HOUSE BILL 3057.  
Amendment No. 1 to HOUSE BILL 3146.

The committee roll call vote on Amendment No. 2 to HOUSE BILL 3057 and Amendment No. 1 to HOUSE BILL 3146 is as follows:

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

Y Saviano,Angelo(R), Chairperson	Y Bradley,Richard(D)
Y Burke,Daniel(D)	Y Coulson,Elizabeth(R), Republican Spokesperson
A Davis,Monique(D)	Y Davis,Steve(D)
A Fritchey,John(D), Vice-Chairperson	Y Granberg,Kurt(D)
Y Kosel,Renee(R)	Y Krause,Carolyn(R)
Y Lyons,Eileen(R)	Y McAuliffe,Michael(R)
Y Millner,John(R)	A Mulligan,Rosemary(R)
Y Novak,John(D)	A Reitz,Dan(D)

A Sullivan,Ed(R)

Representative Osterman, Chairperson, from the Committee on Local Government to which the following were referred, action taken on April 1, 2003, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 2 and No. 3 to HOUSE BILL 120.

The committee roll call vote on Amendment No. 2 to HOUSE BILL 120 is as follows:  
15, Yeas; 5, Nays; 0, Answering Present.

Y Osterman,Harry(D), Chairperson	Y Biggins,Bob(R)
Y Colvin,Marlow(D), Vice-Chairperson	Y Davis,William(D)
N Flider,Robert(D)	A Froehlich,Paul(R)
Y Hartke,Charles(D)	Y Kelly,Robin(D)
Y Kurtz,Rosemary(R)	Y Mathias,Sidney(R), Republican Spokesperson
Y Mautino,Frank(D)	Y May,Karen(D)
Y Meyer,James(R)	Y Mitchell,Bill(R)
Y Moffitt,Donald(R)	N Nekritz,Elaine(D)
N Phelps,Brandon(D)	Y Pihos,Sandra(R)
N Ryg,Kathleen(D)	Y Slone,Ricca(D)
A Sommer,Keith(R)	N Watson,Jim(R)

The committee roll call vote on Amendment No. 3 to HOUSE BILL 120 is as follows:  
13, Yeas; 5, Nays; 0, Answering Present.

Y Osterman,Harry(D), Chairperson	A Biggins,Bob(R)
Y Colvin,Marlow(D), Vice-Chairperson	Y Davis,William(D)
N Flider,Robert(D)	A Froehlich,Paul(R)
Y Hartke,Charles(D)	Y Kelly,Robin(D)
A Kurtz,Rosemary(R)	Y Mathias,Sidney(R), Republican Spokesperson
Y Mautino,Frank(D)	Y May,Karen(D)
Y Meyer,James(R)	Y Mitchell,Bill(R)
Y Moffitt,Donald(R)	N Nekritz,Elaine(D)
N Phelps,Brandon(D)	Y Pihos,Sandra(R)
N Ryg,Kathleen(D)	Y Slone,Ricca(D)
A Sommer,Keith(R)	N Watson,Jim(R)

Representative Reitz, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken on April 1, 2003, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 2 to HOUSE BILL 1518.

The committee roll call vote on Amendment No. 2 to HOUSE BILL 1518 is as follows:  
12, Yeas; 0, Nays; 0, Answering Present.

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

A Moffitt,Donald(R), Republican Spokesperson	Y Myers,Richard(R)
Y O'Brien,Mary(D)	Y Phelps,Brandon(D)
Y Sacia,Jim(R)	A Smith,Michael(D)
Y Verschoore,Patrick(D)	Y Winters,Dave(R)

Representative Hamos, Chairperson, from the Committee on Housing & Urban Development to which the following were referred, action taken on April 1, 2003, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 1 to HOUSE BILL 220.

The committee roll call vote on Amendment No. 1 to HOUSE BILL 220 is as follows:  
16, Yeas; 2, Nays; 0, Answering Present.

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

#### CHANGE OF SPONSORSHIP

Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Joyce asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 565.

Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Miller asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 566.

Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Mautino asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 573.

Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Kelly asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 620.

Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Smith asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 1475.

Representative Hamos asked and obtained unanimous consent to be removed as chief sponsor and Representative Feigenholtz asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 2206.

Representative Saviano asked and obtained unanimous consent to be removed as chief sponsor and Representative McAuliffe asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 2369.

Representative Hoffman asked and obtained unanimous consent to be removed as chief sponsor and Representative Holbrook asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 2840.

Representative Hamos asked and obtained unanimous consent to be removed as chief sponsor and Representative Joseph Lyons asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 2870.

### **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 266, 291, 526, 641, 1066 and 1205.

### **RESOLUTION**

The following resolution was offered and placed in the Committee on Rules.

#### HOUSE RESOLUTION 186

Offered by Representative Cross:

WHEREAS, The Illinois Medicaid Program is a federal-state entitlement program which provides preventive and primary health care, hospital, pharmacy, long term care, and other medical services; and

WHEREAS, The Illinois Medicaid program covers a monthly average of 1.6 million people, and considering turnover, over 2 million unique individuals per year; and

WHEREAS, Medicaid providers rely on timely payment for services rendered to remain economically viable and able to provide needed services to the most needy of Illinois' population; and

WHEREAS, The Illinois Medicaid program currently owes providers in excess of \$1.2 billion for services rendered including \$406.1 million owed to hospitals, \$364.1 million owed to long term care facilities, \$333.0 million owed to pharmacies for prescription drugs, and \$189.1 million owed to noninstitutional providers; and

WHEREAS, Many providers are currently waiting up to six months from the time services are rendered for payments, and the payment cycle identified by the Illinois Department of Public Aid once payment vouchers have been received is running in excess of 99 days for long term care facilities, 99 days for pharmacists, and 100 days for physicians; and

WHEREAS, Due to the extended payment cycle, Medicaid vendors have been forced to exhaust personal lines of credit and layoff employees to continue to provide services; and

WHEREAS, Twenty-seven long term care facilities closed in Illinois in 2002 due to financial difficulties and an additional six facilities in 2003 have notified the Department of Public Aid that they will be filing for bankruptcy; and

WHEREAS, Without an expedited payment schedule, additional facilities will be forced to either end operations or refuse to provide services to Medicaid enrollees, leaving Medicaid enrollees with limited or no coverage options; and

WHEREAS, A lack of action will permanently damage the health care delivery system for Illinois' aged, disabled, and financially needy populations; therefore be it

RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we support and urge efforts by Governor Rod Blagojevich, Treasurer Judy Baar Topinka, and Comptroller Dan Hynes to provide relief to Medicaid providers by borrowing up to \$700 million under the Short Term Borrowing Act due to failure in revenues; and be it further

RESOLVED, That the Illinois Development Finance Authority and the Illinois Health Facilities Authority are urged to sell short-term notes and use the proceeds from the sale to buy the accounts receivables of providers; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Governor, the Treasurer, and the Comptroller of the State of Illinois and also to the members of the Illinois Health Facilities Authority and the members of the Illinois Development Finance Authority.

### 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 Parke, HOUSE BILL 1318 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 Lang, HOUSE BILL 89 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 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 Younge, HOUSE BILL 2598 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: 102, Yeas; 0, Nays; 15, 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 Hassert, HOUSE BILL 1729 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: 111, Yeas; 5, Nays; 1, 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.

On motion of Representative Hartke, HOUSE BILL 3635 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 6)



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

The following amendments were offered in the Committee on Consumer Protection, adopted and printed:

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 70 by replacing everything after the enacting clause with the following:

"Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2MM as follows:

(815 ILCS 505/2MM new)

Sec. 2MM. Gift certificates.

(a) This Section applies to gift certificates and gift cards issued on or after July 1, 2004.

(b) It is an unlawful practice within the meaning of this Act for a person to knowingly engage in a persistent pattern and practice of issuing to a consumer a gift certificate or gift card containing an expiration date or period. A gift certificate or a gift card issued without an expiration date is valid until redeemed.

(c) The issuer of a gift certificate or gift card may charge the holder a service fee for a certificate not redeemed within 24 months after issuance as follows:

(1) For a gift certificate or gift card redeemed more than 24 months after issuance but not more than 36 months after issuance, the service fee shall be 15% of the original value of the gift certificate or gift card.

(2) For a gift certificate or gift card redeemed more than 36 months after issuance but not more than 48 months after issuance, the service fee shall be 25% of the original value of the gift certificate or gift card.

(3) For a gift certificate or gift card redeemed more than 48 months after issuance, the service fee shall be 50% of the original value of the gift certificate or gift card.

(d) Whenever the Attorney General or a State's Attorney has reason to believe that a person has violated this Section, he or she may bring an action in the name of the People of the State of Illinois against the person to restrain the conduct by preliminary or permanent injunction. The provisions of Section 7 and Section 10a do not apply to a violation of this Section.

(e) Gift certificates or gift cards that are issued to not-for-profit organizations for fundraising purposes are exempt from this Section."

#### AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 70 on page 2, by inserting after line 6 the following:

"(e) For purposes of this Section, the terms "gift certificate" and "gift card" do not include any of the following:

(1) prepaid telecommunications and technology cards (including, but not limited to, prepaid telephone calling cards, prepaid technical support cards, and prepaid Internet disks) that are distributed to, or purchased by, a consumer; or

(2) prepaid telecommunications and technology cards (including, but not limited to, prepaid telephone calling cards, prepaid technical support cards, and prepaid Internet disks) that are provided to a consumer pursuant to any award, loyalty, or promotional program without any money or other thing of value begin given in exchange for the card."

Floor Amendments numbered 3 and 4 remained in the Committee on Rules.

Representative Burke offered the following amendment and moved its adoption:

AMENDMENT NO. 5

AMENDMENT NO. 5. Amend House Bill 70, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by changing Section 12 as follows:

(815 ILCS 505/12) (from Ch. 121 1/2, par. 272)

Sec. 12. This Act ~~shall be known and~~ may be cited as the "Consumer Fraud and Deceptive Business Practices Act". (Source: P.A. 78-904.)".

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

There being no further amendments, the foregoing Amendments numbered 1, 2 and 5 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 Granberg, HOUSE BILL 962 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 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 Flowers, HOUSE BILL 1507 was taken up and read by title a third time. And the question being, "Shall this bill pass?"

Pending the vote on said bill, on motion of Representative Flowers, further consideration of HOUSE BILL 1507 was postponed.

On motion of Representative Beaubien, HOUSE BILL 218 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: 67, Yeas; 46, Nays; 4, 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 Monique Davis, HOUSE BILL 361 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: 80, Yeas; 28, Nays; 9, 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 Kosel, HOUSE BILL 1116 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 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 Brosnahan, HOUSE BILL 1191 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: 71, Yeas; 44, Nays; 1, 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.

### RECALLS

By unanimous consent, on motion of Representative Jones, HOUSE BILL 1091 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

By unanimous consent, on motion of Representative Jones, HOUSE BILL 1360 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 bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 2261, 2663, 2664, 2668, 2669, 2671, 2672, 2673, 2674, 2678, 2680, 2681, 2682, 2685, 2686, 2688, 2691, 2693, 2696, 2697, 2698, 2700, 2704, 2705, 2708, 2714, 2716, 2718, 2719, 2721, 2726, 2730, 2735, 2739, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2749, 2750, 2751, 2753, 2756, 2758, 2759, 2761, 2762, 2763, 3236, 3237, 3238, 3239, 3242, 3244, 3250, 3251, 3252, 3255, 3259, 3260, 3261, 3262 and 3264.

HOUSE BILLS 248, 314, 315, 316, 422, 552, 553, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 567, 568, 569, 570, 571, 572, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 621, 622, 623, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 711, 712, 713, 714, 715, 716, 718, 719, 720, 721, 722, 723, 724, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 843, 844, 845, 846, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 910, 911, 913, 914, 916,

917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1111, 1112, 1113, 1114, 1300, 1301, 1312, 1313, 1336, 1337, 1339, 1340, 1341, 1342, 1343, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1519, 1520, 1580, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1663, 1664, 1665, 1666, 1667, 1669, 1670, 1671, 1672, 1674, 1675, 1676, 1677, 1678, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1752, 1753, 1754, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1867, 1868, 1869, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1951, 1953, 1954, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2219, 2220, 2360, 2361, 2362, 2364, 2365, 2366, 2410, 2518, 2571, 2614, 2615, 2654, 2655, 2656, 2657, 2659, 3266, 3267, 3268, 3269, 3270, 3271, 3401, 3402, 3409, 3410, 3412, 3413, 3414, 3415, 3417, 3418, 3639, 3640, 3641, 3642, 3643, 3644, 3645, 3646, 3647, 3648, 3650, 3651, 3652, 3653, 3654, 3664, 3665, 3666, 3667, 3669, 3670, 3711, 3712, 3714, 3715, 3716, 3717 and 3718. Having been read by title a second time on March 31, 2003, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

### HOUSE BILLS ON SECOND READING

HOUSE BILL 1415. Having been recalled on March 19, 2003, and held on the order of Second Reading, the same was again taken up.

Representative Kelly offered the following amendment and moved its adoption.

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1415 by replacing everything after the enacting clause with the following:

"Section 5. The Juvenile Court Act of 1987 is amended by changing Section 3-33 as follows:  
(705 ILCS 405/3-33) (from Ch. 37, par. 803-33)

Sec. 3-33. Truant Minor in Need of Supervision. (a) Definition. A minor who is reported by a regional superintendent of schools, or in cities of over 500,000 inhabitants, by the Office of Chronic Truant Adjudication, as a chronic truant shall be adjudged a truant minor in need of supervision.

(a-1) There is a rebuttable presumption that a chronic truant is a truant minor in need of supervision.

(a-2) There is a rebuttable presumption that school records of a minor's attendance at school are authentic.

(a-3) For purposes of this Section, "chronic truant" has the meaning ascribed to it in Section 26-2a of the School Code.

(b) Kinds of dispositional orders. A minor found to be a truant minor in need of supervision may be:

(1) committed to the appropriate regional superintendent of schools for a multi-disciplinary case staffing, individualized educational plan or service plan, or referral to comprehensive community-based youth services;

(2) required to comply with an individualized educational plan or service plan as specifically provided by the appropriate regional superintendent of schools;

(3) ordered to obtain counseling or other supportive services;

(4) subject to a fine in an amount in excess of \$5, but not exceeding \$100, and each day of absence without valid cause as defined in Section 26-2a of The School Code is a separate offense;

(5) required to perform some reasonable public service work such as, but not limited to, the picking up of litter in public parks or along public highways or the maintenance of public facilities; or

(6) subject to having his or her driver's license or driving privilege suspended for a period of time as determined by the court but only until he or she attains 18 years of age.

A dispositional order may include a fine, public service, or suspension of a driver's license or privilege only if the court has made an express written finding that a truancy prevention program has been offered by the school, regional superintendent of schools, or a community social service agency to the truant minor in need of supervision.

(c) Orders entered under this Section may be enforced by contempt proceedings.

(d) A minor who is detained in a juvenile detention facility solely because the minor is adjudicated a truant minor in need of supervision shall be kept separate from other minors incarcerated in the facility for offenses which if committed by an adult would be classified as felonies or misdemeanors. A minor who is detained in a juvenile detention facility as a truant minor in need of supervision shall be provided tutors and while detained at the facility shall be assigned appropriate school work as determined by the director of the facility. (Source: P.A. 90-143, eff. 7-23-97; 90-380, eff. 8-14-97; 90-590, eff. 1-1-99; 90-655, eff. 7-30-98.)"

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.

HOUSE BILL 1518. Having been recalled on March 28, 2003, and held on the order of Second Reading, the same was again taken up.

Representative Phelps offered the following amendment and moved its adoption.

#### AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 1518, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 3, line 10, by inserting after "(a)" the following:

": except that a unit of local government may establish zoning and security requirements for the retail sale of firearms by federally licensed firearms dealers."

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 120. Having been recalled on March 26, 2003, and held on the order of Second Reading, the same was again taken up.

Representative Smith offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 120, AS AMENDED, by replacing Section 5 with the following:

"Section 5. The Illinois Municipal Code is amended by adding Section 11-6-1.1 as follows:  
(65 ILCS 5/11-6-1.1 new)

Sec. 11-6-1.1. Firefighting services outside corporate limits. A municipality may choose to provide firefighting services to property outside its corporate limits. The corporate authorities of each municipality may fix, charge, and collect firefighting service fees not exceeding the actual cost of the service for all firefighting services rendered by the municipality against persons, businesses, and other entities that are not residents of the municipality. An additional charge may be levied to reimburse the municipality for extraordinary expenses of materials used in rendering the services. Nothing in this Section shall impact any agreement entered into by a municipality and persons, businesses, and other entities that are not residents of the municipality. Nothing in this Section shall require a municipality to supply any firefighting services to property located outside the corporate limits of the municipality."

Representative Smith offered the following amendments and moved their adoption.

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend House Bill 120 on page 1, immediately below line 28, by inserting the following:

"Section 10. The Fire Protection District Act is amended by changing Section 15 as follows:  
(70 ILCS 705/15) (from Ch. 127 1/2, par. 35)

Sec. 15. Whenever any property within a fire protection district, organized under this Act, does not have the territorial qualifications described in Section 1 of this Act, or is not reasonably protected by the district from the hazards of fire or would receive greater benefit of service from another such district or other municipal corporation, any legal voter within such district or the owner or owners of such property may detach and disconnect such property from such fire protection district in the following manner:

The owner or owners of such property within such fire protection district or any legal voter within such district may file his petition in the court in which such district was organized setting forth therein the description of the property sought to be detached and disconnected, a statement that the detachment and disconnection will not cause the territory remaining in the district to be noncontiguous; that the loss of assessed valuation by reason of the disconnection of such territory will not impair the ability of the district to render fully adequate fire protection service to the territory remaining with the district; that the territory will remain liable for its proportionate share of any outstanding bonded indebtedness of the district; and alleging facts in support of such detachment and disconnection, and praying that such property be detached and disconnected from such fire protection district. The petition shall be signed and sworn to by the petitioner or petitioners. For the purpose of meeting the requirement of this Section that the detachment and disconnection will not cause the remaining territory to be noncontiguous, territory shall be considered to be contiguous if the only separation between parts of the territory is land owned by the United States, the State of Illinois, any agency or instrumentality of either, or any regional airport authority. Upon the filing of such petition, the court shall set the same for hearing on a day not less than 2 weeks nor more than 4 weeks from the filing thereof and shall give 2 weeks notice of such hearing in the manner provided in Section 1 of this Act. The fire protection district shall be a necessary party to the proceedings and it shall be served with summons in the manner prescribed for a party defendant under the Civil Practice Law. All property owners in such district, the district from which such transfer of territory is to be made, and all persons interested therein may file objections, and at the hearing may appear and contest the detachment and disconnection of the property from such fire protection district, and both objectors and petitioners may offer any competent evidence in regard thereto. If the court, upon hearing such petition, finds that the petition complies with this Act and that the allegations of the petition are true the court shall enter an order detaching and disconnecting such property from such district, and thereupon such property shall cease to be a part of such fire protection district, except that the property remains liable for its proportionate share of any outstanding bonded indebtedness of the district. The circuit clerk shall transmit a certified copy of the order to the

county clerk of each county in which any of territory affected is situated and to the Office of the State Fire Marshal. (Source: P.A. 91-323, eff. 1-1-00.)".

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

There being no further amendments, the foregoing Amendments numbered 2 and 3 were ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 3057. Having been printed, was taken up and read by title a second time. Representative Brady offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 3057 on page 1, line 6, by deleting "10-40,"; and on page 1, line 7, by replacing "15-15," with "15-45,"; and on page 8, by replacing lines 18 and 19 with the following: "Association of Funeral Home Owners, Inc., Illinois Selected Morticians Association, Inc., Illinois Cemetery and Funeral Home Association, National Funeral Directors"; and on page 15, by replacing lines 4 and 5 with the following: "Funeral Home Owners, Inc., Illinois Selected Morticians Associations, Inc., Illinois Cemetery and Funeral Home Association, National Funeral Directors Association,"; and by deleting lines 17 through 33 on page 16 and lines 1 through 8 on page 17; and on page 20, line 4, after "by mailing it by" by inserting "certified or"; and on page 19, by replacing lines 8 through 33 with the following:

"(225 ILCS 41/15-45) (Section scheduled to be repealed on January 1, 2013)

Sec. 15-45. Practice without license; injunction; cease and desist order; civil penalties.

(a) The practice of funeral directing and embalming or funeral directing by any person who has not been issued a license by the Department, whose license has been suspended or revoked, or whose license has not been renewed is hereby declared to be inimical to the public welfare and to constitute a public nuisance. The Director of Professional Regulation may, in the name of the People of the State of Illinois through the Attorney General of the State of Illinois, or the State's Attorney of any county in the State of Illinois, apply for an injunction in the circuit court to enjoin any person who has not been issued a license or whose license has been suspended or revoked, or whose license has not been renewed, from practicing funeral directing and embalming or funeral directing. Upon the filing of a verified complaint in court, the court, if satisfied by affidavit or otherwise that the person is or has been practicing funeral directing and embalming or funeral directing without having been issued a license or after his or her license has been suspended, revoked, or not renewed, may issue a temporary restraining order or preliminary injunction, without notice or bond, enjoining the defendant from further practicing funeral directing and embalming or funeral directing. A copy of the verified complaint shall be served upon the defendant and the proceedings shall thereafter be conducted as in other civil cases. If it is established that the defendant has been or is practicing funeral directing and embalming or funeral directing without having been issued a license or has been or is practicing funeral directing and embalming or funeral directing after his or her license has been suspended, revoked, or not renewed, the court may enter a judgment perpetually enjoining the defendant from further practicing funeral directing and embalming or funeral directing. In case of violation of any injunction entered under this Section, the court may summarily try and punish the offender for contempt of court. Any injunction proceeding shall be in addition to, and not in lieu of, all penalties and other remedies in this Code.

(b) Whenever, in the opinion of the Department, any person or other entity violates any provision of this Act, the Department may issue a notice to show cause why an order to cease and desist should not be entered against that person or other entity. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

(c) (1) In addition to any other penalty provided by law, any person, sole proprietorship, professional service corporation, limited liability company, partnership, or other entity that violates Section 1-15 or 1-20 of this Act shall forfeit and pay to the General Professions Dedicated Fund a civil penalty in an

amount determined by the Department of not more than \$10,000 for each offense. The penalty shall be assessed in proceedings as provided in Sections 15-10 through 15-40 of this Act.

(2) Unless the amount of the penalty is paid within 60 days after the order becomes final, the order shall constitute a judgement and shall be filed and execution issued thereon in the same manner as the judgement of a court of record.

(Source: P.A. 87-966.) "; and

on page 20, by deleting lines 1 through 29; and

on page 21, line 25, by replacing "a ~~intern trainee~~" with "an intern ~~a trainee~~"; and

on page 22, line 17, after "felony" by inserting "or misdemeanor"; and

on page 22, line 18, after "felony" by inserting "or misdemeanor"; and

on page 24, line 16, after "Code," by inserting "the rules for the administration of this Code."; and

on page 24, by replacing lines 24 and 25 with the following:

"the public ~~in the course of providing professional services or activities.~~"; and

on page 27, by inserting the following after line 3:

"(29) A finding by the Department that the license, after having his or her license placed on probationary status or subjected to conditions or restrictions, violated the terms of the probation or failed to comply with such terms or conditions.

(30) Violation of any final administrative action of the Director.

(31) Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act and, upon proof by clear and convincing evidence, being found to have caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act."

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 bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 2105. Having been printed, was taken up and read by title a second time.

Representative Myers offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2105 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 11A-9 as follows:

(105 ILCS 5/11A-9) (from Ch. 122, par. 11A-9)

Sec. 11A-9. Tax levy. The board of education of a community unit district may levy taxes for educational, operations and maintenance and the purchase and improvements of school grounds, pupil transportation, and fire prevention and safety purposes, respectively, at not exceeding the rates specified in the petition, which rates may thereafter be increased or decreased in the same manner and within the limits provided by Sections 17-2 through 17-7. The board of education may further levy taxes for other purposes as generally permitted by law.

If the election of the board of education of the new district occurs at the general election or the nonpartisan election (or the consolidated election beginning in 2003) and the board of education makes its initial levy in that same year, the county clerk shall extend such levy notwithstanding any other law which requires the adoption of a budget before the clerk may extend such levy. In addition, the districts from which the new district is formed, by joint agreement and with the approval of the regional superintendent, shall be permitted to amend outstanding levies in the same calendar year in which the creation of the new district is approved at the rates specified in the petition.

If the election of the board of education of the new district does not occur in the same calendar year that the proposition to create the new district is approved, the districts from which the new district is formed, by joint agreement and with the approval of the regional superintendent, shall be permitted to levy in the same calendar year in which the creation of the new district is approved at the rates specified in the petition. The county clerks shall extend any such levy notwithstanding any law that requires adoption of a budget before extension of the levy. (Source: P.A. 87-10; 87-1215; 88-686, eff. 1-24-95.)

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 bill, as amended, was advanced to the order of Third Reading.

### RECALL

By unanimous consent, on motion of Representative Miller, HOUSE BILL 2566 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 220. Having been printed, was taken up and read by title a second time. Representative Slone offered the following amendments and moved their adoption:

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 220 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Affordable Housing Planning and Appeal Act.

Section 5. Findings. The legislature finds and declares that:

(1) there exists a shortage of affordable, accessible, safe, and sanitary housing for low-income and moderate-income households in the State;

(2) it is imperative that action be taken to assure the availability of low-income and moderate-income housing; and

(3) local governments in the State that do not have sufficient affordable housing are encouraged to assist in providing low-income and moderate-income housing opportunities to assure the health, safety, and welfare of all citizens of the State.

Section 10. Purpose. The purpose of this Act is to encourage counties and municipalities to incorporate affordable housing within their housing stock sufficient to meet the needs of their county or community. Further, builders who construct affordable housing developments who believe that they have been unfairly treated due to the fact that the development contains affordable housing stock may seek relief from local ordinances and regulations that may inhibit the construction of affordable housing needed to serve low-income and moderate-income households in this State.

Section 15. Definitions. As used in this Act:

"Affordable housing" means housing that has a sales price or rental amount that is within the means of a household that may occupy moderate-income, low-income, or very low-income housing. In the case of dwelling units for sale, housing that is affordable means housing in which mortgage, amortization, taxes, insurance, and condominium or association fees, if any, constitute no more than 30% of the gross annual household income for a household of the size that may occupy the unit. In the case of dwelling units for rent, housing that is affordable means housing for which the rent and utilities constitute no more than 30% of the gross annual household income for a household of the size that may occupy the unit.

"Affordable housing developer" means a nonprofit entity, limited equity cooperative or public agency, or private individual, firm, corporation, or other entity seeking to build an affordable housing development.

"Affordable housing development" means (i) any housing that is subsidized by the federal or State government or (ii) any housing in which at least 20% of the dwelling units are subject to covenants or restrictions that require that the dwelling units be sold or rented at prices that preserve them as affordable housing for a period of at least 15 years, in the case of for-sale housing, and at least 30 years, in the case of rental housing.

"Approving authority" means the governing body of the county or municipality.

"Development" means any building, construction, renovation, or excavation or any material change in the use or appearance of any structure or in the land itself; the division of land into parcels; or any change in the intensity or use of land, such as an increase in the number of dwelling units in a structure or a change to a commercial use.

"Exempt local government" means any local government in which at least 10% of its total year-round housing units are affordable, as determined by the Illinois Housing Development Authority pursuant to Section 20 of this Act; or any municipality under 1,000 population.

"Household" means the person or persons occupying a dwelling unit.

"Local government" means a county or municipality.

"Low-income housing" means housing that is affordable, according to the federal Department of Housing and Urban Development, for either home ownership or rental, and that is occupied, reserved, or marketed for occupancy by households with a gross household income that does not exceed 50% of the median gross household income for households of the same size within the county in which the housing is located.

"Moderate-income housing" means housing that is affordable, according to the federal Department of Housing and Urban Development, for either home ownership or rental, and that is occupied, reserved, or marketed for occupancy by households with a gross household income that is greater than 50% but does not exceed 80% of the median gross household income for households of the same size within the county in which the housing is located.

"Non-appealable local government requirements" means all essential requirements that protect the public health and safety, including any local building, electrical, or plumbing code requirements or those requirements that are critical to the protection or preservation of the environment.

Section 20. Determination of exempt local governments.

(a) Beginning January 1, 2006, the Illinois Housing Development Authority shall determine which local governments are exempt and not exempt from the operation of this Act based on an identification of the total number of year-round housing units in the most recent decennial census for each local government within the State and by an inventory of for-sale and rental affordable housing units, as defined in this Act, for each local government from the decennial census and other relevant sources.

(b) The Illinois Housing Development Authority shall make this determination by:

(i) totaling the number of for-sale housing units in each local government that are affordable to households with a gross household income that is less than 80% of the median household income within the county or primary metropolitan statistical area;

(ii) totaling the number of rental units in each local government that are affordable to households with a gross household income that is less than 60% of the median household income within county or primary metropolitan statistical area;

(iii) adding the number of for-sale and rental units for each local government from items (i) and (ii); and

(iv) dividing the sum of (iii) above by the total number of year-round housing units in the local government as contained in the latest decennial census and multiplying the result by 100 to determine the percentage of affordable housing units within the jurisdiction of the local government.

(c) Beginning January 1, 2006, the Illinois Housing Development Authority shall publish on an annual basis a list of exempt and non-exempt local governments and the data that it used to calculate its determination. The data shall be shown for each local government in the State and for the State as a whole.

(d) A local government or developer of affordable housing may appeal the determination of the Illinois Housing Development Authority as to whether the local government is exempt or non-exempt under this Act in connection with an appeal under Section 30 of this Act.

Section 25. Affordable housing plan.

(a) Prior to July 1, 2004, all non-exempt local governments must approve an affordable housing plan.

(b) For the purposes of this Act, the affordable housing plan shall consist of at least the following:

(i) a statement of the total number of affordable housing units that are necessary to exempt the local government from the operation of this Act as defined in Section 15 and Section 20.

(ii) an identification of lands within the local government that are most appropriate for the construction of affordable housing and of existing structures most appropriate for conversion to, or rehabilitation for, affordable housing, including a consideration of lands and structures of developers who have expressed a commitment to provide affordable housing and lands and structures that are publicly or semi-publicly owned;

(iii) incentives that local governments may provide for the purpose of attracting affordable housing to their jurisdiction; and

(iv) a goal of a minimum of 15% of all new development or redevelopment within the local government that would be defined as affordable housing in this Act; or a minimum of a 3 percentage point increase in the overall percentage of affordable housing within its jurisdiction, as defined in

Section 20 of this Act; or a minimum of a total of 10% of affordable housing within its jurisdiction.

(c) Within 60 days after the adoption of an affordable housing plan or revisions to its affordable housing plan, the local government must submit a copy of that plan to the Illinois Housing Development Authority.

Section 30. Appeal to State Housing Appeals Board.

(a) Beginning January 1, 2006, an affordable housing developer whose application is either denied or approved with conditions that in his or her judgment render the provision of affordable housing infeasible may, within 45 days after the decision, submit to the State Housing Appeals Board information regarding why the developer believes he or she was unfairly denied or conditions were placed upon the tentative approval of the development unless the local government that rendered the decision is exempt under Section 15 or Section 20 of this Act. The Board shall maintain all information forwarded to them by developers and shall compile and make available an annual report summarizing the information thus received.

(b) Beginning January 1, 2009, an affordable housing developer whose application is either denied or approved with conditions that in his or her judgment render the provision of affordable housing infeasible may, within 45 days after the decision, appeal to the State Housing Appeals Board challenging that decision unless the municipality or county that rendered the decision is exempt under Section 15 of this Act. The developer must submit information regarding why the developer believes he or she was unfairly denied or conditions were placed upon the tentative approval of the development.

(c) Beginning January 1, 2009, the Board shall render a decision on the appeal within 120 days after the appeal is filed. In its determination of an appeal, the Board shall conduct a de novo review of the matter. In rendering its decision, the Board shall consider the facts and whether the developer was treated in a manner that places an undue burden on the development due to the fact that the development contains affordable housing as defined in this Act. The Board shall further consider any action taken by the unit of local government in regards to granting waivers or variances that would have the effect of creating or prohibiting the economic viability of the development. In any proceeding before the Board, the developer bears the burden of demonstrating that he or she has been unfairly denied or conditions have been placed upon the tentative approval for the application for an affordable housing development.

(d) The Board shall dismiss any appeal if:

(i) the local government has adopted an affordable housing plan as defined in Section 25 of this Act and submitted that plan to the Illinois Housing Development Authority within the time frame required by this Act; and

(ii) the local government has implemented its affordable housing plan and has met its goal as established in their affordable housing plan as defined in Section 25 of this Act.

(e) The Board shall dismiss any appeal if the reason for denying the application or placing conditions upon the approval is a non-appealable local government requirement under Section 15 of this Act.

(f) The Board may affirm, reverse, or modify the conditions of, or add conditions to, a decision made by the approving authority. The decision of the Board constitutes an order directed to the approving authority and is binding on the local government, which shall forthwith issue any and all necessary permits and approvals consistent with the determination of the Board.

(g) The appellate court has the exclusive jurisdiction to review decisions of the Board.

Section 40. Nonresidential development as part of an affordable housing development.

(a) An affordable housing developer who applies to develop property that contains nonresidential uses in a nonresidential zoning district must designate either at least 50% of the area or at least 50% of the square footage of the development for residential use. Unless adjacent to a residential development, the nonresidential zoning district shall not include property zoned industrial. The applicant bears the burden of proof of demonstrating that the purposes of a nonresidential zoning district will not be impaired by the construction of housing in the zoning district and that the public health and safety of the residents of the affordable housing will not be adversely affected by nonresidential uses either in existence or permitted in that zoning district. The development should be completed simultaneously to the extent possible and shall be unified in design.

(b) For purposes of subsection (a), the square footage of the residential portion of the development shall be measured by the interior floor area of dwelling units, excluding that portion that is unheated. Square footage of the nonresidential portion shall be calculated according to the gross leasable area.

Section 50. Housing Appeals Board.

(a) Prior to July 1, 2006, a Housing Appeals Board shall be created consisting of 7 members appointed by the Governor as follows:

- (1) a circuit judge, who shall act as chairperson;
- (2) a zoning board of appeals member;
- (3) a planning board member;
- (4) a mayor or municipal council or board member;
- (5) a county board member;
- (6) an affordable housing developer; and
- (7) an affordable housing advocate.

In addition, the Chairman of the Illinois Housing Development Authority, ex officio, shall serve as a non-voting member.

(b) Initial terms of 4 members designated by the Governor shall be for 2 years. Initial terms of 3 members designated by the Governor shall be for one year. Thereafter, members shall be appointed for terms of 2 years. A member shall receive no compensation for his or her services, but shall be reimbursed by the State for all reasonable expenses actually and necessarily incurred in the performance of his or her official duties. The board shall hear all petitions for review filed under this Act and shall conduct all hearings in accordance with the rules and regulations established by the chairperson. The Illinois Housing Development Authority shall provide space and clerical and other assistance that the Board may require.

(c) The Board may adopt such other rules and regulations as it deems necessary and appropriate to carry out its responsibilities under this Act and to provide direction to local governments and affordable housing developers."

#### AMENDMENT NO. 2

AMENDMENT NO. Amend House Bill 220, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 1, by replacing lines 9 and 10 with the following:

"accessible, safe, and sanitary housing in the State"; and

on page 1, by replacing line 12 with the following:

"the availability of workforce and retirement"; and

on page 1, by replacing line 16 with the following:

"providing affordable housing"; and

on page 2, by replacing line 2 with the following:

"affordable housing developers who"; and

on page 2, line 4, by deleting "stock"; and

on page 2, by replacing line 12 with the following:

"may occupy moderate-income or low-income"; and

on page 4, line 24, after "income within", by inserting "the"; and

on page 5, line 22, by changing "local" to "jurisdiction"; and

on page 5, line 23, by deleting "government"; and

on page 7, line 2, by changing "conditions was" to "unreasonable conditions were"; and

on page 7, line 17, after "denied or", by inserting "unreasonable"; and

on page 7, line 27, by changing "their" to "its"; and

on page 9, line 4, by changing "circuit judge" to "retired circuit judge or retired appellate judge"; and

on page 9, line 27, by changing "The Board" to "The Illinois Housing Development Authority"; and

on page 9, line 28, by changing "its" to "the Board's".

The motion prevailed and the amendments were 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 3146. Having been printed, was taken up and read by title a second time. Representative Burke offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3146 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act.

Section 5. Legislative purpose. Given the nature of the surgical assistant's and surgical technologist's roles in the operating room and the implications for patient safety and quality care, it is in the public interest to ensure that qualified personnel accomplish these roles. The purpose of this Act is to protect and benefit the public by setting standards of qualifications, education, training, and experience for those who seek to hold the title of registered surgical assistant and registered surgical technologist.

Section 10. Definitions. As used in this Act:

"Board" means the Board of Perfusion and Surgical Assisting.

"Department" means the Department of Professional Regulation.

"Direct supervision" means supervision by an operating physician who is physically present and who personally directs delegated acts and remains immediately available to personally respond to an emergency until the patient is released from the operating room or care and has been transferred to another physician.

"Director" means the Director of Professional Regulation.

"Physician" or "operating physician" means a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987.

"Registered surgical assistant" means a person who (i) is not licensed to practice medicine in all of its branches, (ii) is certified by the National Surgical Assistant Association on the Certification of Surgical Assistants, the Liaison Council on Certification for the Surgical Technologist as a certified first assistant, or the American Board of Surgical Assisting, and (iii) is registered under this Act. A surgical assistant may provide aid to operating physicians in exposure, hemostats, and other technical functions as described in Section 50 of this Act that will help an operating physician to perform a safe operation with optimal results for the patient.

"Registered surgical technologist" means a person who (i) is not a physician licensed to practice medicine in all of its branches, (ii) is certified by the Liaison Council on Certification for the Surgical Technologist, and (iii) is registered under this Act to facilitate the safe and effective conduct of invasive surgical procedures. A surgical technologist may ensure that the operating room or environment is safe, that equipment functions properly, and that the operative procedure is conducted under conditions that maximize patient safety. A surgical technologist shall possess expertise in the theory and application of sterile aseptic technique and combines the knowledge of human anatomy, surgical procedures, and implementation tools and technologies to facilitate the operating physician's performance of invasive therapeutic and diagnostic procedures.

Section 15. Powers and duties of the Department.

(a) The Department shall exercise the powers and duties prescribed by the Civil Administrative Code of Illinois and shall exercise any other powers and duties necessary for effectuating the purposes of this Act.

(b) The Department may adopt rules consistent with the provisions of this Act for its administration and enforcement and may prescribe forms that shall be issued in connection with this Act. The rules may include but are not limited to standards and criteria for registration, professional conduct, and discipline.

Section 20. Illinois Administrative Procedure Act; rules.

(a) The Illinois Administrative Procedure Act is expressly adopted and incorporated in this Act as if all of the provisions of the Illinois Administrative Procedure Act were included in this Act, except that the provision of subsection (d) of Section 10-65 of the Illinois Administrative Procedure Act that provides that at hearings the registrant has the right to show compliance with all lawful requirements for retention, continuation, or renewal of the registration is specifically excluded. For purposes of this Act, the notice required under Section 10-25 of the Illinois Administrative Procedure Act is deemed sufficient when mailed to the last known address of a party.

(b) The Director may promulgate rules for the administration and enforcement of this Act and may prescribe forms to be issued in connection with this Act.

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

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

Section 30. Social Security Number on registration application. In addition to any other information required to be contained in the application, every application for an original, renewal, or restored certificate of registration under this Act shall include the applicant's Social Security Number.

Section 35. Title protection. No person shall hold himself or herself out as a surgical assistant or surgical

technologist without being so registered by the Department.

Section 40. Application of Act. This Act shall not be construed to prohibit the following:

(1) A person licensed in this State under any other Act from engaging in the practice for which he or she is licensed, including but not limited to a physician assistant or nurse performing surgery-related tasks within the scope of his or her license, nor are these individuals required to be registered under this Act.

(2) A person from engaging in practice as a surgical assistant or surgical technologist in the discharge of his or her official duties as an employee of the United States government.

(3) One or more registered surgical assistants from forming a professional service corporation in accordance with the Professional Service Corporation Act and applying for licensure as a corporation providing surgical assistant services.

(4) A student engaging in practice as a surgical assistant or surgical technologist under the direct supervision of a physician licensed to practice medicine in all of its branches as part of his or her program of study at a school approved by the Department or in preparation to qualify for the examination as prescribed under Sections 50 and 55 of this Act.

(5) A person from assisting in surgery at an operating physician's discretion.

(6) A hospital, health system or network, or other organization that provides surgery-related services from employing individuals that the organization considers competent to assist in surgery. These entities are not required to utilize registered surgical assistants or registered surgical technologists when providing surgery-related services to their patients.

Section 45. Scope of practice of a surgical assistant.

(a) The practice of a surgical assistant includes the following as long as the surgical assistant is working under the direct supervision of an operating physician:

- (1) positioning of the patient;
- (2) preparation and draping of the patient for the operative procedure;
- (3) visualization of the operative site during the operative procedure;
- (4) provision of the best possible exposure of the anatomy incident to the procedure;
- (5) assisting in closure of incisions and wound dressings; and
- (6) performance of any task required by the surgeon incident to the particular procedure being performed.

(b) Nothing in this Act shall be construed to allow surgical assistants to administer any type of medication.

Section 50. Registration requirements; surgical assistant. A person shall qualify for registration as a surgical assistant if he or she has applied in writing on the prescribed form, has paid the required fees, and meets all of the following requirements:

- (1) Is at least 21 years of age.
- (2) Has not violated a provision of Section 95 of this Act. In addition the Department may take into consideration any felony conviction of the applicant, but a conviction shall not operate as an absolute bar to registration.
- (3) Has completed a medical education program approved by the Department or has graduated from a United States Military Program that emphasized surgical assisting.
- (4) Has successfully completed a national certifying examination approved by the Department.
- (5) Has submitted a notarized letter from a sponsoring physician verifying the surgical assistant's expertise in each specialty in which the surgical assistant will be working.
- (6) Is currently certified by the National Surgical Assistant Association on the Certification of Surgical Assistants, the Liaison Council on Certification for the Surgical Technologist as a certified first assistant, or the American Board of Surgical Assisting.

Section 55. Registration requirements; surgical technologist. A person shall qualify for registration as a surgical technologist if he or she has applied in writing on the prescribed form, has paid the required fees, and meets all of the following requirements:

- (1) Is at least 18 years of age.
- (2) Has not violated a provision of Section 95 of this Act. In addition the Department may take into consideration any felony conviction of the applicant, but a conviction shall not operate as an absolute bar to registration.
- (3) Has completed a surgical technologist program approved by the Department.
- (4) Has successfully completed the surgical technologist national certification examination provided by the Liaison Council on Certification for the Surgical Technologist or its successor agency.

(6) Is currently certified by the Liaison Council on Certification for the Surgical Technologist or its successor agency and has met the requirements set forth for certification.

Section 60. Supervision requirement. A person registered under this Act shall practice as a surgical assistant only under the direct supervision of the operating physician.

Section 65. Expiration; restoration; renewal. The expiration date and renewal period for each certificate of registration issued under this Act shall be set by the Department by rule. Renewal shall be conditioned on paying the required fee and meeting other requirements as may be established by rule.

A registrant who has permitted his or her registration to expire or who has had his or her registration on inactive status may have the registration restored by making application to the Department, by filing proof acceptable to the Department of his or her fitness to have the registration restored, and by paying the required fees. Proof of fitness may include sworn evidence certifying to active lawful practice in another jurisdiction.

If the registrant has not maintained an active practice in another jurisdiction satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, his or her fitness for restoration of the registration and shall establish procedures and requirements for restoration. However, a registrant whose registration expired while he or she was (1) in federal service on active duty with the Armed Forces of the United States or the State Militia called into service or training or (2) in training or education under the supervision of the United States before induction into the military service, may have the registration restored without paying any lapsed renewal fees if within 2 years after honorable termination of the service, training, or education he or she furnishes the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

Section 70. Inactive status. A registrant who notified the Department in writing on forms prescribed by the Department may elect to place his or her registration on inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until he or she notifies the Department in writing of his or her intention to restore the registration. A registrant requesting restoration from inactive status shall pay the current renewal fee and shall restore his or her registration in accordance with Section 65 of this Act. A registrant whose license is on inactive status shall not hold himself or herself out as a registered surgical assistant or registered surgical technologist. To do so shall be grounds for discipline under Section 80 of this Act.

Section 75. Fees; returned checks.

(a) The Department shall set by rule fees for the administration of this Act, including but not limited to fees for initial and renewal registration and restoration of a certificate of registration.

(b) A person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of \$50. The fines imposed by this Section are in addition to any other discipline provided under this Act. The Department shall notify the person that fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the registration or deny the application without a hearing. If the person seeks a license after termination or denial, he or she shall apply to the Department for restoration or issuance of the license and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license to defray the expenses of processing the application. The Director may waive the fines due under this Section in individual cases if the Director finds that the fines would be unreasonable or unnecessarily burdensome.

(c) All of the fees and fines collected under this Act shall be deposited into the General Professions Dedicated Fund. All moneys in the Fund shall be used by the Department, as appropriated, for the ordinary and contingent expenses of the Department.

Section 80. Grounds for disciplinary action.

(a) The Department may refuse to issue, renew, or restore a registration, may revoke or suspend a registration, or may place on probation, censure, reprimand, or take other disciplinary action with regard to a person registered under this Act, including but not limited to the imposition of fines not to exceed \$5,000 for each violation, for any one or combination of the following causes:

- (1) Making a material misstatement in furnishing information to the Department.
- (2) Violating a provision of this Act or its rules.
- (3) Conviction under the laws of a United States jurisdiction of a crime that is a felony or a

misdeemeanor, an essential element of which is dishonesty, or of a crime that is directly related to the practice as a surgical assistant.

(4) Making a misrepresentation for the purpose of obtaining, renewing, or restoring a registration.

(5) Wilfully aiding or assisting another person in violating a provision of this Act or its rules.

(6) Failing to provide information within 60 days in response to a written request made by the Department.

(7) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public, as defined by rule of the Department.

(8) Discipline by another United States jurisdiction or foreign nation, if at least one of the grounds for discipline is the same or substantially equivalent to those set forth in this Section.

(9) Directly or indirectly giving to or receiving from a person, firm, corporation, partnership, or association a fee, commission, rebate, or other form of compensation for professional services not actually or personally rendered.

(10) A finding by the Department that the registrant, after having his or her registration placed on probationary status, has violated the terms of probation.

(11) Wilfully making or filing false records or reports in his or her practice, including but not limited to false records or reports filed with State agencies.

(12) Wilfully making or signing a false statement, certificate, or affidavit to induce payment.

(13) Wilfully failing to report an instance of suspected child abuse or neglect as required under the Abused and Neglected Child Reporting Act.

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

(15) Employment of fraud, deception, or any unlawful means in applying for or securing a license as a surgical assistant.

(16) Failure to report to the Department (A) any adverse final action taken against the licensee by another licensing jurisdiction, government agency, law enforcement agency, or any court or (B) liability for conduct that would constitute grounds for action as set forth in this Section.

(17) Habitual intoxication or addiction to the use of drugs.

(18) Physical illness, including but not limited to deterioration through the aging process or loss of motor skills, which results in the inability to practice the profession for which he or she is registered with reasonable judgment, skill, or safety.

(19) Gross malpractice resulting in permanent injury or death of a patient.

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

(21) Violation the Health Care Worker Self-Referral Act.

(b) The Department may refuse to issue or may suspend the registration of a person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay a final assessment of the tax, penalty, or interest as required by a tax Act administered by the Department of Revenue, until the requirements of the tax Act are satisfied.

(c) The determination by a circuit court that a registrant is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. The suspension will end only upon (1) a finding by a court that the patient is no longer subject to involuntary admission or judicial admission, (2) issuance of an order so finding and discharging the patient, and (3) the recommendation of the Department to the Director that the registrant be allowed to resume his or her practice.

Section 85. Cease and desist order.

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

(b) If a person holds himself or herself out as a surgical assistant or surgical technologist without being



registered under this Act, then any registrant under this Act, interested party, or person injured thereby, in addition to the Director or State's Attorney, may petition for relief as provided in subsection (a) of this Section.

(c) If the Department determines that a person violated a provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against him or her. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

Section 90. Investigation; notice; hearing. Certificates of registration may be refused, revoked, suspended, or otherwise disciplined in the manner provided by this Act and not otherwise. The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts that if proven would constitute grounds for refusal to issue or for suspension or revocation under this Act, investigate the actions of a person applying for, holding, or claiming to hold a certificate of registration. The Department shall, before refusing to issue or renew, suspending, or revoking a certificate of registration or taking other discipline pursuant to Section 80 of this Act, and at least 30 days prior to the date set for the hearing, notify in writing the applicant or licensee of any charges made, shall afford the applicant or registration an opportunity to be heard in person or by counsel in reference to the charges, and direct the applicant or registrant to file a written answer to the Department under oath within 20 days after the service of the notice and inform the applicant or registrant that failure to file an answer will result in default being taken against the applicant or registrant and that the certificate of registration may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature, or extent of practice, as the Director may deem proper. Written notice may be served by personal delivery to the applicant or registrant or by mailing the notice by certified mail to his or her last known place of residence or to the place of business last specified by the applicant or registrant in his or her last notification to the Department. If the person fails to file an answer after receiving notice, his or her certificate of registration may, in the discretion of the Department, be suspended, revoked, or placed on probationary status or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act. At the time and place fixed in the notice, the Department shall proceed to hearing of the charges and both the applicant or registrant and the complainant shall be afforded ample opportunity to present, in person or by counsel, any statements, testimony, evidence, and arguments that may be pertinent to the charges or to their defense. The Department may continue a hearing from time to time. The Department may continue a hearing for a period not to exceed 30 days.

Section 95. Record of proceedings. The Department, at its expense, shall preserve a record of all proceedings at a formal hearing conducted pursuant to Section 90 of this Act. The notice of hearing, complaint, and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Department or hearing officer, and orders of the Department shall be the record of the proceeding. The Department shall supply a transcript of the record to a person interested in the hearing on payment of the fee required under Section 2105-115 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

Section 100. Order for production of documents. A circuit court may, upon application of the Department or its designee, or of the applicant or registration against whom proceedings pursuant to Section 90 of this Act are pending, enter an order requiring the attendance of witnesses and their testimony and the production of documents, papers, files, books, and records in connection with a hearing or investigation authorized by this Act. The court may compel obedience to its order through contempt proceedings.

Section 105. Subpoena power. The Department has the power to subpoena and bring before it any person in this State and to take testimony orally or by deposition, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in circuit courts of this State. The Director shall have the authority to administer, at any hearing that the Department is authorized to conduct under this Act, oaths to witnesses and any other oaths authorized to be administered by the Department under this Act.

Section 110. Disciplinary report. At the conclusion of the hearing, the Department shall present to the Director a written report of its findings of fact, conclusions of law, and recommendations. In the report, the Department shall make a finding of whether or not the charged registrant or applicant violated a provision of this Act or its rules and shall specify the nature of the violation. In making its recommendations for

discipline, the Department may take into consideration all facts and circumstances bearing upon the reasonableness of the conduct of the respondent and the potential for future harm to the public, including but not limited to previous discipline of that respondent by the Department, intent, degree of harm to the public and likelihood of harm in the future, any restitution made, and whether the incident or incidents complained of appear to be isolated or a pattern of conduct. In making its recommendations for discipline, the Department shall seek to ensure that the severity of the discipline recommended bears some reasonable relationship to the severity of the violation.

Section 115. Motion for rehearing. In a case involving the refusal to issue or renew a registration or the discipline of a registrant, a copy of the Department's report shall be served upon the respondent by the Department, either personally or as provided under Section 20 of this Act for the service of the notice of hearing. Within 20 days after the service, the respondent may present to the Department a motion in writing for a rehearing, which shall specify the particular grounds for a rehearing. If no motion for rehearing is filed, then upon the expiration of the time specified for filing the motion, or if a motion for rehearing is denied, then upon the denial the Director may enter an order in accordance with recommendations of the Department, except as provided in Section 120 or 125 of this Act. If the respondent orders a transcript of the record from the reporting service and pays for the transcript within the time for filing a motion for rehearing, the 20-day period within which such a motion may be filed shall commence upon the delivery of the transcript to the respondent.

Section 120. Order of Director.

(a) The Director shall issue an order concerning the disposition of the charges (i) following the expiration of the filing period granted under Section 115 of this Act if no motion for rehearing is filed or (ii) following a denial of a timely motion for rehearing.

(b) The Director's order shall be based on the recommendations contained in the Department report unless, after giving due consideration to the Department's report, the Director disagrees in any regard with the report of the Department, in which case he or she may issue an order in contravention of the report. The Director shall provide a written report to the Department on any deviation from the Department's report and shall specify with particularity the reasons for his or her deviation in the final order. The Department's report and Director's order are not admissible in evidence against the person in a criminal prosecution brought for a violation of this Act, but the hearing, report, and order are not a bar to a criminal prosecution brought for the violation of this Act.

Section 125. Hearing officer. The Director shall have the authority to appoint an attorney licensed to practice law in this State to serve as the hearing officer in a hearing authorized under Section 90 of this Act. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings of fact, conclusions of law, and recommendations to the Department. If the Director disagrees in any regard with the report of the Department, he or she may issue an order in contravention of the report. The Director shall provide a written explanation to the Department on a deviation from the Department's report and shall specify with particularity the reasons for his or her deviation in the final order.

Section 130. Rehearing on order of Director. Whenever the Director is not satisfied that substantial justice has been achieved in the discipline of a registration, the Director may order a rehearing by the same or another hearing officer.

Section 135. Order; prima facie proof. An order or a certified copy of an order, over the seal of the Department and purporting to be signed by the Director, shall be prima facie proof that:

- (1) the signature is the genuine signature of the Director; and
- (2) the Director is duly appointed and qualified.

Section 140. Restoration of registration. At any time after the suspension or revocation of a certificate of registration, the Department may restore it to the registrant unless, after an investigation and a hearing, the Department determines that restoration is not in the public interest. Where circumstances of suspension or revocation so indicate, the Department may require an examination of the registrant before restoring his or her certificate of registration.

Section 145. Surrender of certificate of registration. Upon the revocation or suspension of a certificate of registration, the registrant shall immediately surrender the certificate of registration to the Department. If the registrant fails to do so, the Department shall have the right to seize the certificate of registration.

Section 150. Temporary suspension. The Director may temporarily suspend the registration of a surgical assistant without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 90 of this Act, if the Director finds that evidence in his or her possession indicates that continuation in practice would constitute an imminent danger to the public. If the Director temporarily suspends a license without a hearing, a hearing by the Department shall be held within 30 days after the suspension has

occurred and shall be concluded without appreciable delay.

Section 155. Certificate of record. The Department shall not be required to certify any record to a court or file an answer in court or otherwise appear in a court in a judicial review proceeding unless there is filed in the court, with the complaint, a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record. Failure on the part of the plaintiff to file a receipt in court shall be grounds for dismissal of the action.

Section 160. Administrative Review Law. All final administrative decisions of the Department are subject to judicial review under the Administrative Review Law and its rules. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure. Proceedings for judicial review shall be commenced in the circuit court of the county in which the party seeking review resides. If the party seeking review is not a resident of this State, venue shall be in Sangamon County.

Section 165. Criminal penalties. A person who is found to have knowingly violated Section 35 of this Act is guilty of a Class A misdemeanor for a first offense and is guilty of a Class 4 felony for a second or subsequent offense.

Section 170. Civil penalties.

(a) In addition to any other penalty provided by law, a person who violates Section 35 of this Act shall pay a civil penalty to the Department in an amount not to exceed \$5,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding a hearing for the discipline of a licensee.

(b) The Department has the authority and power to investigate any and all unregistered activity.

(c) The civil penalty assessed under this Act shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had on the judgment in the same manner as a judgment from a court of record.

Section 175. Home rule powers. The regulation of surgical assistants and surgical technologists is an exclusive power and function of the State. A home rule unit shall not regulate surgical assistants or surgical technologists. This Section is a limitation under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

Section 900. The Regulatory Sunset Act is amended by changing Section 4.24 as follows:

(5 ILCS 80/4.24)

Sec. 4.24. Acts repealed on January 1, 2014. The following Acts are repealed on January 1, 2014:

The Electrologist Licensing Act.

The Illinois Public Accounting Act.

The Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act. (Source: P.A. 92-457, eff. 8-21-01; 92-750, eff. 1-1-03.)

Section 960. The Perfusionist Licensing Act is amended by changing Sections 10 and 25 as follows: (225 ILCS 125/10) (Section scheduled to be repealed on January 1, 2010)

Sec. 10. Definitions. As used in this Act:

"Board" means the Board of Perfusion and Surgical Assisting.

"Department" means the Department of Professional Regulation.

"Director" means the Director of Professional Regulation.

"Extracorporeal circulation" means the diversion of a patient's blood through a heart-lung machine or a similar device that assumes the functions of the patient's heart, lungs, kidney, liver, or other organs.

"New graduate perfusionist" means a perfusionist practicing within a period of one year since the date of graduation from a Commission on Accreditation of Allied Health Education Programs accredited perfusion education program.

"Perfusion" means the functions necessary for the support, treatment, measurement, or supplementation of the cardiovascular systems or other organs, or a combination of those functions, and to ensure the safe management of physiologic functions by monitoring and analyzing the parameters of the systems under an order and under the supervision of a physician licensed to practice medicine in all its branches.

"Perfusionist" means a person, qualified by academic and clinical education, to operate the extracorporeal circulation equipment during any medical situation where it is necessary to support or replace a person's cardiopulmonary, circulatory, or respiratory function. A perfusionist is responsible for the selection of appropriate equipment and techniques necessary for support, treatment, measurement, or supplementation of the cardiopulmonary and circulatory system of a patient, including the safe monitoring, analysis, and treatment of physiologic conditions under an order and under the supervision of a physician licensed to practice medicine in all its branches and in coordination with a registered professional nurse.

"Perfusion protocols" means perfusion related policies and protocols developed or approved by a

licensed health facility or a physician through collaboration with administrators, licensed perfusionists, and other health care professionals.

"Physician" or "operating physician" means a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987. (Source: P.A. 91-580, eff. 1-1-00.)

(225 ILCS 125/25)

Sec. 25. Board of Perfusion and Surgical Assisting. The Director shall appoint a Board of Perfusion and Surgical Assisting to consist of 7 ~~5~~ persons who shall be appointed by and shall serve in an advisory capacity to the Director. Two members must hold an active license to engage in the practice of perfusion in this State, one member must be a physician licensed under the Medical Practice Act of 1987 who is board certified in and actively engaged in the practice of cardiothoracic surgery, one member must be a licensed registered professional nurse certified by the Association of Operating Room Nurses, one member must be actively registered as a surgical assistant under the Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act, one member must be actively registered as a surgical technologist under the Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act, and one member must be a member of the public who is not licensed under this Act, the Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act, or a similar Act of another jurisdiction and who has no connection with the profession. The initial appointees who would otherwise be required to be licensed perfusionists shall instead be individuals who have been practicing perfusion for at least 5 years and who are eligible under this Act for licensure as perfusionists.

Members shall serve 4-year terms and until their successors are appointed and qualified, except that, of the initial appointments, 2 members shall be appointed to serve for 2 years, 2 members shall be appointed to serve for 3 years, and 3 members ~~1 member~~ shall be appointed to serve for 4 years, and until their successors are appointed and qualified. No member shall be reappointed to the Board for a term that would cause his or her continuous service on the Board to be longer than 8 consecutive years. Appointments to fill vacancies shall be made in the same manner as original appointments for the unexpired portion of the vacated term. Initial terms shall begin upon the effective date of this Act.

The Board shall annually elect a chairperson and a vice-chairperson who shall preside in the absence of the chairperson. The membership of the Board should reasonably reflect representation from the various geographic areas in this State. The Director may terminate the appointment of any member for cause. The Director may give due consideration to all recommendations of the Board. A majority of the Board members currently appointed shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to exercise the rights and perform all the duties of the Board. Members of the Board shall have no liability in any action based upon any disciplinary proceeding or other activity performed in good faith as a member of the Board. (Source: P.A. 91-580, eff. 1-1-00.)

Section 999. Effective date. This Act takes effect January 1, 2004."

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 read by title a second time on April 18, 2003 and held, the following bill was taken up and held on the order of Second Reading: HOUSE BILL 3427.

HOUSE BILL 3047. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Registration & Regulation, adopted and printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3047 by replacing everything after the enacting clause with the following:

"Section 5. The Medical Practice Act of 1987 is amended by changing Section 54.5 as follows:

(225 ILCS 60/54.5) (Section scheduled to be repealed on January 1, 2007)

Sec. 54.5. Physician delegation of authority. (a) A physician ~~Physicians~~ licensed to practice medicine in all its branches may delegate care and treatment responsibilities to a physician assistant under

guidelines in accordance with the requirements of the Physician Assistant Practice Act of 1987. A physician licensed to practice medicine in all its branches may enter into supervising physician agreements with no more than 2 physician assistants.

(b) A physician licensed to practice medicine in all its branches in active clinical practice may collaborate with an advanced practice nurse in accordance with the requirements of Title 15 of the Nursing and Advanced Practice Nursing Act. Collaboration is for the purpose of providing medical direction, and no employment relationship is required. A written collaborative agreement shall conform to the requirements of Sections 15-15 and 15-20 of the Nursing and Advanced Practice Nursing Act. The written collaborative agreement shall be for services the collaborating physician generally provides to his or her patients in the normal course of clinical medical practice. Physician medical direction shall be adequate with respect to collaboration with certified nurse practitioners, certified nurse midwives, and clinical nurse specialists if a collaborating physician:

- (1) participates in the joint formulation and joint approval of orders or guidelines with the advanced practice nurse and periodically reviews such orders and the services provided patients under such orders in accordance with accepted standards of medical practice and advanced practice nursing practice;
- (2) is on site at least once a month to provide medical direction and consultation; and
- (3) is available through telecommunications for consultation on medical problems, complications, or emergencies or patient referral.

(b-5) An anesthesiologist or physician licensed to practice medicine in all its branches may collaborate with a certified registered nurse anesthetist in accordance with Section 15-25 of the Nursing and Advanced Practice Nursing Act. Medical direction for a certified registered nurse anesthetist shall be adequate if:

- (1) an anesthesiologist or a physician participates in the joint formulation and joint approval of orders or guidelines and periodically reviews such orders and the services provided patients under such orders; and
- (2) for anesthesia services, the anesthesiologist or physician participates through discussion of and agreement with the anesthesia plan and is physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. Anesthesia services in a hospital shall be conducted in accordance with Section 10.7 of the Hospital Licensing Act and in an ambulatory surgical treatment center in accordance with Section 6.5 of the Ambulatory Surgical Treatment Center Act.

(b-10) The anesthesiologist or operating physician must agree with the anesthesia plan prior to the delivery of services.

(c) The supervising physician shall have access to the medical records of all patients attended by a physician assistant. The collaborating physician shall have access to the medical records of all patients attended to by an advanced practice nurse.

(d) Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician licensed to practice medicine in all its branches to a licensed practical nurse, a registered professional nurse, or other personnel.

(e) A physician shall not be liable for the acts or omissions of a physician assistant or advanced practice nurse solely on the basis of having signed a supervision agreement or guidelines or a collaborative agreement, an order, a standing medical order, a standing delegation order, or other order or guideline authorizing a physician assistant or advanced practice nurse to perform acts, unless the physician has reason to believe the physician assistant or advanced practice nurse lacked the competency to perform the act or acts or commits willful and wanton misconduct. (Source: P.A. 90-742, eff. 8-13-98; 91-414, eff. 8-6-99.)".

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 3452. Having been read by title a second time on April 1, 2003, and held on the order of Second Reading, the same was again taken up.

Representative McGuire offered the following amendment and moved its adoption.

#### AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 3452 on page 1, line 29, by replacing "A" with "Subject to appropriations, a".

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

There being no further amendments, the bill, as amended, was ordered transcribed, typed and 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 3636 and 2374.

### **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 Turner, HOUSE BILL 524 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 Burke, HOUSE BILL 462 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: 94, Yeas; 23, 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.

### **DISTRIBUTION OF SUPPLEMENTAL CALENDAR**

Supplemental Calendar No. 1 was distributed to the Members at 3:45 o'clock p.m..

### **HOUSE BILL ON THIRD READING**

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

On motion of Representative Forby, HOUSE BILL 3407 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 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.

**HOUSE BILL ON 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 1442.

**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 May, HOUSE BILL 3198 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 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 McCarthy, HOUSE BILL 2531 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: 111, Yeas; 1, Nays; 4, 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 Nekritz, HOUSE BILL 2995 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 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 Washington, HOUSE BILL 3044 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; 1, 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.

**HOUSE BILLS ON SECOND READING**

HOUSE BILL 3486. Having been recalled on March 20, 2003, and held on the order of Second Reading, the same was again taken up.

Representative Bailey offered the following amendment and moved its adoption.

**AMENDMENT NO. 1**

AMENDMENT NO. 1. Amend House Bill 3486 on page 2, line 23 by inserting "judicial" after "any"; and

on page 2, line 29 by changing "reasonable" to "at least 48 hours"; and

on page 2, line 31 by inserting after the period the following:

"The employer may require certification within a reasonable time of the need for leave under this Act from the employee. Certification is sufficient in the form of any of the following:

(A) A police report indicating that the employee was a victim of domestic violence.

(B) A court order protecting or separating the employee from the perpetrator of an act of domestic violence, or other evidence from the court or prosecuting attorney that the employee has appeared in court.

(C) Documentation from a medical professional, domestic violence advocate, health care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence."; and

on page 2, line 32 by changing "When an unscheduled absence occurs" to "If advance notice is not feasible"; and

on page 3, line 22 by inserting "solely" after "employer"; and

on page 3, line 34 by inserting "solely" after "employer"; and

on page 5, line 1 by changing "reasonable" to "at least 48 hours"; and

on page 5, line 26 by inserting "solely" after "employer"; and

on page 6, line 4 by inserting "solely" after "employer".

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.

**RECALL**

By unanimous consent, on motion of Representative Bailey, HOUSE BILL 3486 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

**HOUSE BILL ON THIRD READING**

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

On motion of Representative Turner, HOUSE BILL 3316 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 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.

**HOUSE BILLS ON SECOND READING**

HOUSE BILL 2370. Having been printed, was taken up and read by title a second time.



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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2370 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Plumbing License Law is amended by changing Sections 13.1, 18, and 42 as follows:

(225 ILCS 320/13.1)

Sec. 13.1. Plumbing contractors; registration; applications. (1) On and after May 1, 2002, all persons or corporations desiring to engage in the business of plumbing contractor, other than any entity that maintains an audited net worth of shareholders' equity equal to or exceeding \$100,000,000, shall register in accordance with the provisions of this Act.

(2) Application for registration shall be filed with the Department each year, on or before the last day of September ~~April~~, in writing and on forms prepared and furnished by the Department. All plumbing contractor registrations expire on the last day of September ~~April~~ of each year.

(3) Applications shall contain the name, address, and telephone number of the person and the plumbing license of (i) the individual, if a sole proprietorship; (ii) the partner, if a partnership; or (iii) an officer, if a corporation. The application shall contain the business name, address, and telephone number, a current copy of the plumbing license, and any other information the Department may require by rule.

(4) Applicants shall submit an original certificate of insurance documenting that the contractor carries general liability insurance with a minimum of \$100,000 per occurrence, bodily injury insurance with a minimum of \$300,000 per occurrence, property damage insurance with a minimum of \$50,000, and workers compensation insurance with a minimum \$500,000. No registration may be issued in the absence of this certificate. Certificates must be in force at all times for registration to remain valid.

(5) Applicants shall submit, on a form provided by the Department, an indemnification bond in the amount of \$20,000 or a letter of credit in the same amount for work performed in accordance with this Act and the rules promulgated under this Act.

(6) All employees of a registered plumbing contractor who engage in plumbing work shall be licensed plumbers or apprentice plumbers in accordance with this Act.

(7) Plumbing contractors shall submit an annual registration fee in an amount to be established by rule.

(8) The Department shall be notified in advance of any changes in the business structure, name, or location or of the addition or deletion of the owner or officer who is the licensed plumber listed on the application. Failure to notify the Department of this information is grounds for suspension or revocation of the plumbing contractor's registration.

(9) In the event that the plumber's license on the application for registration of a plumbing contractor is a license issued by the City of Chicago, it shall be the responsibility of the applicant to forward a copy of the plumber's license to the Department, noting the name of the registered plumbing contractor, when it is renewed. (Source: P.A. 92-338, eff. 8-10-01.)

(225 ILCS 320/18) (from Ch. 111, par. 1117)

Sec. 18. Local regulation; Department standards. (1) It is hereby declared to be the policy of this State that each city, town, village, township or county with a water supply system or sewage disposal system or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Public Health, provide by ordinance, bylaws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town, village, township, or county and to provide for and appoint a competent Plumbing Inspector or more as required. The Department may by rule establish voluntary standards for the content and conduct of local plumbing regulation and inspection programs and may evaluate and certify local programs that are in compliance with the voluntary standards. The Department may by rule establish voluntary education, training, and experience standards for Plumbing Inspectors and may certify Plumbing Inspectors who are in compliance with the voluntary standards. Nothing contained in this Act shall prohibit any city, town, village, township or county from providing for a Plumbing Inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor, but a city, town, village, township, or county that requires a permit for installation and repair of plumbing may not issue that permit without verification that the applicant has a valid plumbing license. No person shall be appointed as a Plumbing Inspector who is not a licensed plumber under this Act, including persons employed as Plumbing Inspectors in home rule units.

(2) The Department of Public Health shall conduct inquiry in any city, town, village, township, or

county or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Public Health to safeguard the health of any person or persons in this State, on account of piping or appurtenant appliances within any building, or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

The Department of Public Health may conduct such inquiries in any city, town, village, township or county in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health or the Department of Public Health may designate some other person or persons to conduct such investigation. (Source: P.A. 90-714, eff. 8-7-98.)

"

(225 ILCS 320/42)

Sec. 42. Home rule. Pursuant to paragraph (h) of Section 6 of Article VII of the Illinois Constitution of 1970 the power to regulate the licensing of plumbers, to promulgate the promulgation of a minimum plumbing code of standards, and ~~the power~~ to regulate the registration of irrigation contractors and plumbing contractors shall, except as may otherwise be provided within and pursuant to the provisions of Section 16 and Section 16.1 of this Act, be exercised by the State and may not be exercised by any unit of local government, including home rule units. (Source: P.A. 91-678, eff. 1-26-00.)"

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 3584.

#### HOUSE BILL ON THIRD READING

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

On motion of Representative Soto, HOUSE BILL 274 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 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 751. Having been printed, was taken up and read by title a second time. The following amendment was offered in the Committee on Executive, adopted and printed:

##### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 751 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 2-3.105, 3-0.01, 3-1, 3-2, 3-2.5, 3-3, 3-15.6, 3-15.9, 3-15.10, 3A-2, and 3A-6 as follows:

(105 ILCS 5/2-3.105) (from Ch. 122, par. 2-3.105)

Sec. 2-3.105. Services to educational service regions and school districts. (a) Commencing July 1, 1994 and thereafter, the State Board of Education through the office of the State Superintendent of Education shall have and exercise, in and with respect to each educational service region having a

population of 2,000,000 or more inhabitants, and in and with respect to each school district located in any such educational service region, all rights, powers, duties and responsibilities theretofore vested in and exercised and performed by the regional superintendent of schools in that educational service region under the provisions of this Act or any other law of this State.

(b) Beginning July 1, 2007, the State Board of Education through the office of the State Superintendent of Education shall have and exercise, in and with respect to an educational service region serving that portion of a Class II county outside a city of 500,000 or more population and in and with respect to each school district located in that educational service region, all rights, powers, duties, and responsibilities theretofore vested in and exercised and performed by the regional superintendent of schools in that educational service region under the provisions of this Code or any other law of this State. (Source: P.A. 87-654; 87-895; 87-1251.)

(105 ILCS 5/3-0.01) (from Ch. 122, par. 3-0.01)

Sec. 3-0.01. "County superintendent of schools" and "regional superintendent of schools" defined - Application of Article.

(a) Except as otherwise provided by subsection (b) or (b-1), after the effective date of this amendatory Act of 1975, the chief administrative officer of an educational service region shall be designated and referred to as the "regional superintendent of schools" or the "regional superintendent" and after the effective date of this amendatory Act of 1993 the office held by the chief administrative officer shall be designated and referred to as the "regional office of education". For purposes of the School Code and except as otherwise provided by subsection (b) or (b-1), any reference to "county superintendent of schools" or "county superintendent" means the regional superintendent of schools.

(b) Subject to subsection (b-1), in educational service regions containing 2,000,000 or more inhabitants, the office of regional superintendent of schools is abolished on July 1, 1994. On and after that date in each educational service region in which the office of regional superintendent of schools is so abolished all rights, powers, duties and responsibilities theretofore vested by law in, and exercised and performed by the regional superintendent of schools and by any assistant regional superintendents or other assistants or employees in the office of the regional superintendent of schools so abolished shall be vested in, exercised and performed by the State Board of Education through the office of the State Superintendent of Education. Upon abolition of the office of regional superintendent of schools in an educational service region containing 2,000,000 or more inhabitants: (i) all books, records, maps, papers and other documents belonging to or subject to the control or disposition of the former regional superintendent of schools by virtue of his office shall be transferred and delivered to the State Board of Education; (ii) possession or control over all moneys, deposits and accounts in the possession or subject to the control or disposition of the former regional superintendent of schools by virtue of his office, including but not limited to undistributed or unexpended moneys drawn from, and all amounts on deposit in, the county, institute and supervisory expense funds, shall be transferred to and placed under the control and disposition of the State Board of Education, excepting only those moneys or accounts, if any, the source of which is the county treasury; and (iii) all other equipment, furnishings, supplies and other personal property belonging to or subject to the control or disposition of the former regional superintendent of schools by virtue of his office, excepting only those items which were provided by the county board, shall be transferred and delivered to the State Board of Education. From and after July 1, 1994, any reference in the School Code or any other law of this State to "regional superintendent of schools" or "regional superintendent", or "county superintendent of schools" or "county superintendent" shall mean, with respect to any educational service region containing 2,000,000 or more inhabitants in which the office of regional superintendent of schools is abolished, the State Board of Education serving through the office of the State Superintendent of Education as the chief administrative entity of an educational service region. Upon and after the first Monday of August 1995, references in this Code and elsewhere to educational service regions of 2,000,000 or fewer inhabitants shall exclude any educational service region containing a city of 500,000 or more inhabitants and references in this Code and elsewhere to educational service regions of 2,000,000 or more inhabitants shall mean an educational service region containing a city of 500,000 or more inhabitants regardless of the actual population of the region.

(b-1) Until July 1, 2007, references to "regional superintendent" shall also include the regional superintendent of schools in regions serving that portion of a Class II county outside a city of 500,000 or more population elected at the general election in 1994 and every 4 years thereafter.

In an educational service region serving that portion of a Class II county outside a city of 500,000 or more population, the office of regional superintendent of schools is abolished on July 1, 2007. On and after that date all rights, powers, duties, and responsibilities theretofore vested by law in and exercised and

performed by the regional superintendent of schools and by any assistant regional superintendents or other assistants or employees in the office of the regional superintendent of schools so abolished shall be vested in, exercised, and performed by the State Board of Education through the office of the State Superintendent of Education. Upon abolition of the office of regional superintendent of schools: (i) all books, records, maps, papers, and other documents belonging to or subject to the control or disposition of the former regional superintendent of schools by virtue of his or her office shall be transferred and delivered to the State Board of Education; (ii) possession or control over all moneys, deposits, and accounts in the possession or subject to the control or disposition of the former regional superintendent of schools by virtue of his or her office, including but not limited to undistributed or unexpended moneys drawn from and all amounts on deposit in the county, institute, and supervisory expense funds, shall be transferred to and placed under the control and disposition of the State Board of Education, excepting only those moneys or accounts, if any, the source of which is the county treasury; and (iii) all other equipment, furnishings, supplies, and other personal property belonging to or subject to the control or disposition of the former regional superintendent of schools by virtue of his or her office, excepting only those items that were provided by the county board, shall be transferred and delivered to the State Board of Education.

Beginning July 1, 2007, any reference in this Code or any other law of this State to "regional superintendent of schools", "regional superintendent", "county superintendent of schools", or "county superintendent" shall mean, with respect to an educational service region serving that portion of a Class II county outside a city of 500,000 or more population, the State Board of Education serving through the office of the State Superintendent of Education as the chief administrative entity of an educational service region.

(c) This Article applies to the regional superintendent of a multicounty educational service region formed under Article 3A as well as to a single county or partial county region, except that in case of conflict between the provisions of this Article and of Article 3A in the case of a multicounty region, the provisions of Article 3A shall apply. Any reference to "county" or to "educational service region" in this Article means a regional office of education. (Source: P.A. 87-654; 87-895; 87-1251; 88-89.)

(105 ILCS 5/3-1) (from Ch. 122, par. 3-1)

Sec. 3-1. Election; eligibility. Quadrennially there shall be elected in every county, except those which have been consolidated into a multicounty educational service region under Article 3A and except those having a population of 2,000,000 or more inhabitants, and beginning in 1994 until 2006 in that portion of a Class II county outside a city of 500,000 or more inhabitants and constituting an educational service region, a regional superintendent of schools, who shall enter upon the discharge of his duties on the first Monday of August next after his election; provided, however, that the term of office of each regional superintendent of schools in office on June 30, 2003 is terminated on July 1, 2003, except that an incumbent regional superintendent of schools shall continue to serve until his successor is elected and qualified, and each regional superintendent of schools elected at the general election in 2002 and every four years thereafter shall assume office on the first day of July next after his election. No one is eligible to file his petition at any primary election for the nomination as candidate for the office of regional superintendent of schools nor to enter upon the duties of such office either by election or appointment unless he possesses the following qualifications: (1) he is of good character, (2) he has a master's degree, (3) he has earned at least 20 semester hours of credit in professional education at the graduate level, (4) he holds a valid all grade supervisory certificate or a valid state limited supervisory certificate, or a valid state life supervisory certificate, or a valid administrative certificate, (5) he has had at least 4 years experience in teaching, and (6) he was engaged for at least 2 years of the 4 previous years in full time teaching or supervising in the common public schools or serving as a county superintendent of schools or regional superintendent of schools for an educational service region in the State of Illinois.

No petition of any candidate for nomination for the office of regional superintendent of schools may be filed and no such candidate's name may be placed on a primary or general election ballot, unless such candidate files as part of his petition a certificate from the State Board of Education certifying that from the records of its office such candidate has the qualifications required by this Section; however, any incumbent filing his petition for nomination for a succeeding term of office shall not be required to attach such certificate to his petition of candidacy.

Nomination papers filed under this Section are not valid unless the candidate named therein files with the county clerk or State Board of Elections a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.

The changes in qualifications made by Public Act 76-1563 do not affect the right of an incumbent to seek reelection.

On and after July 1, 1994, the provisions of this Section shall have no application in any educational service region having a population of 2,000,000 or more inhabitants; provided further that no election shall be held in November of 1994 or at any other time after July 1, 1992 for the office of regional superintendent of schools in any county or educational service region having a population of 2,000,000 or more inhabitants.

Beginning July 1, 2007, this Section shall have no application in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population, and no election shall be held in 2006 or thereafter for the office of regional superintendent of schools in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population. (Source: P.A. 89-383, eff. 8-18-95; 90-280, eff. 7-31-97.)

(105 ILCS 5/3-2) (from Ch. 122, par. 3-2)

Sec. 3-2. Oath of office - Bond - Salary. Before entering upon his or her duties a regional superintendent of schools shall take and subscribe the oath prescribed by the Constitution and execute a bond payable to the People of the State of Illinois with 2 or more responsible persons having an interest in real estate as sureties (or, if the county is self-insured, the county through its self-insurance program may provide bonding), to be approved by the county board in a penalty of not less than \$100,000, conditioned upon the faithful discharge of his or her duties and upon the delivery to his or her successor in office of all monies, books, papers and property in his or her custody as such regional superintendent of schools.

This bond shall be filed in the office of the county clerk, and action upon it may be maintained by any corporate body interested, for the benefit of any township or fund injured by any breach of its condition.

If any vacancy in the office of regional superintendent of schools occurs, such vacancy shall be filled in the manner provided by Section 3A-6.

Regional Superintendents of Schools shall receive the salary provided by Section 3-2.5.

On and after July 1, 1994, the provisions of this Section shall have no application in any educational service region having a population of 2,000,000 or more inhabitants.

Beginning July 1, 2007, this Section shall have no application in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population. (Source: P.A. 88-387; 89-233, eff. 1-1-96.)

(105 ILCS 5/3-2.5)

Sec. 3-2.5. Salaries. (a) Except as otherwise provided in this Section, the regional superintendents of schools shall receive for their services an annual salary according to the population, as determined by the last preceding federal census, of the region they serve, as set out in the following schedule:

SALARIES OF REGIONAL SUPERINTENDENTS OF SCHOOLS

POPULATION OF REGION	ANNUAL SALARY
Less than 48,000	\$73,500
48,000 to 99,999	\$78,000
100,000 to 999,999	\$81,500
1,000,000 and over	\$83,500

The changes made by Public Act 86-98 in the annual salary that the regional superintendents of schools shall receive for their services shall apply to the annual salary received by the regional superintendents of schools during each of their elected terms of office that commence after July 26, 1989 and before the first Monday of August, 1995.

The changes made by Public Act 89-225 in the annual salary that regional superintendents of schools shall receive for their services shall apply to the annual salary received by the regional superintendents of schools during their elected terms of office that commence after August 4, 1995 and end on August 1,

1999.

The changes made by this amendatory Act of the 91st General Assembly in the annual salary that the regional superintendents of schools shall receive for their services shall apply to the annual salary received by the regional superintendents of schools during each of their elected terms of office that commence on or after August 2, 1999.

Beginning July 1, 2000, the salary that the regional superintendent of schools receives for his or her services shall be adjusted annually to reflect the percentage increase, if any, in the most recent Consumer Price Index, as defined and officially reported by the United States Department of Labor, Bureau of Labor Statistics, except that no annual increment may exceed 2.9%. If the percentage of change in the Consumer Price Index is a percentage decrease, the salary that the regional superintendent of schools receives shall not be adjusted for that year.

When regional superintendents are authorized by the School Code to appoint assistant regional superintendents, the assistant regional superintendent shall receive an annual salary based on his or her qualifications and computed as a percentage of the salary of the regional superintendent to whom he or she is assistant, as set out in the following schedule:

SALARIES OF ASSISTANT REGIONAL SUPERINTENDENTS

QUALIFICATIONS OF ASSISTANT REGIONAL SUPERINTENDENT	PERCENTAGE OF SALARY OF REGIONAL SUPERINTENDENT
No Bachelor's degree, but State certificate valid for teaching and supervising.	70%
Bachelor's degree plus State certificate valid for supervising.	75%
Master's degree plus State certificate valid for supervising.	90%

However, in any region in which the appointment of more than one assistant regional superintendent is authorized, whether by Section 3-15.10 of this Code or otherwise, not more than one assistant may be compensated at the 90% rate and any other assistant shall be paid at not exceeding the 75% rate, in each case depending on the qualifications of the assistant.

The salaries provided in this Section for regional superintendents and assistant regional superintendents are payable monthly from the Common School Fund. The State Comptroller in making his or her warrant to any county for the amount due it from the Common School Fund shall deduct from it the several amounts for which warrants have been issued to the regional superintendent, and any assistant regional superintendent, of the educational service region encompassing the county since the preceding apportionment of the Common School Fund.

County boards may provide for additional compensation for the regional superintendent or the assistant regional superintendents, or for each of them, to be paid quarterly from the county treasury.

(b) Upon abolition on July 1, 1994, of the office of regional superintendent of schools in educational service regions containing 2,000,000 or more inhabitants as provided in Section 3-0.01 of this Code, the provisions of subsection (a) of this Section shall no longer apply in any educational service region in which

the office of regional superintendent of schools is so abolished, and no salary or other compensation shall be payable under that subsection (a) or under any other provision of this Section with respect to the office so abolished or with respect to any assistant position to the office so abolished.

(b-5) Upon abolition on July 1, 2007 of the office of regional superintendent of schools in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population as provided in Section 3-0.01 of this Code, subsection (a) of this Section shall no longer apply in the educational service region, and no salary or other compensation shall be payable under subsection (a) or any other provision of this Section with respect to the office so abolished or with respect to any assistant position to the office so abolished.

(c) If the State pays all or any portion of the employee contributions required under Section 16-152 of the Illinois Pension Code for employees of the State Board of Education, it shall also pay the employee contributions required of regional superintendents of schools and assistant regional superintendents of schools on the same basis, but excluding any contributions based on compensation that is paid by the county rather than the State.

This subsection (c) applies to contributions based on payments of salary earned after the effective date of this amendatory Act of the 91st General Assembly, except that in the case of an elected regional superintendent of schools, this subsection does not apply to contributions based on payments of salary earned during a term of office that commenced before the effective date of this amendatory Act. (Source: P.A. 91-276, eff. 7-23-99.)

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

Sec. 3-3. Practice of other profession. It is unlawful for any county superintendent of schools to practice or to hold himself out as practicing any other profession. Violation of this section shall be a cause of forfeiture of office.

On and after July 1, 1994, the provisions of this Section shall have no application in any educational service region having a population of 2,000,000 or more inhabitants.

Beginning July 1, 2007, this Section shall have no application in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population. (Source: P.A. 87-654; 87-1251.)

(105 ILCS 5/3-15.6) (from Ch. 122, par. 3-15.6)

Sec. 3-15.6. Additional employees. To employ, with the approval of the county board, such additional employees as are needed for the discharge of the duties of the office. The non-clerical employees shall be persons versed in the principles and methods of education, familiar with public school work, competent to visit schools and certificated pursuant to this Code if their duties are comparable to those for which certification is required by this Code.

On and after July 1, 1994, the provisions of this Section shall have no application in any educational service region having a population of 2,000,000 or more inhabitants.

Beginning July 1, 2007, this Section shall have no application in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population. (Source: P.A. 86-361; 87-654; 87-1251.)

(105 ILCS 5/3-15.9) (from Ch. 122, par. 3-15.9)

Sec. 3-15.9. Delivery of money, books, papers and property to successor. Upon his removal or resignation, or at the expiration of his term of office, or in case of his death his representatives to deliver to his successor in office, on demand, all moneys, books, papers and personal property belonging to his office or subject to his control or disposition.

On and after July 1, 1994, the provisions of this Section shall have no application in any educational service region having a population of 2,000,000 or more inhabitants.

Beginning July 1, 2007, this Section shall have no application in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population. (Source: P.A. 87-654; 87-1251.)

(105 ILCS 5/3-15.10) (from Ch. 122, par. 3-15.10)

Sec. 3-15.10. Assistant Regional Superintendent. To employ, in counties or regions of 2,000,000 inhabitants or less, in addition to any assistants authorized to be employed with the approval of the county board, an assistant regional superintendent of schools who shall be a person of good attainment, versed in the principles and methods of education, and qualified to teach and supervise schools under Article 21 of this Act; to fix the term of such assistant and direct his work and define his duties. Until July 1, 2007, in regions established within that portion of a Class II county outside a city of 500,000 or more inhabitants, the regional superintendent may employ, in addition to any assistants authorized to be employed with the

approval of the county board, 3 assistant regional superintendents of schools. Until July 1, 1994, in counties or regions having a population of more than 2,000,000 inhabitants the regional superintendent may employ, in addition to any assistants authorized to be employed with the approval of the county board, 11 assistant regional superintendents of schools. Assistant regional superintendents shall each be a person of good attainment, versed in the principles and methods of education, and qualified to teach and supervise schools under Article 21 of this Act. The work of such assistant regional superintendent shall be so arranged and directed that the county or regional superintendent and assistant superintendent, together, shall devote an amount of time during the school year, equal to at least the full time of one individual, to the supervision of schools and of teaching in the schools of the county.

Notwithstanding any of the provisions of this Section, any person who, on July 1, 1955, was employed as an assistant county superintendent of schools shall be qualified for that position if he holds a state certificate valid for teaching and supervising.

On July 1, 1994, the employment of all persons serving as assistant county or regional superintendents in any county or educational service region having a population of more than 2,000,000 inhabitants is terminated, the office of assistant county or regional superintendent in each such county or educational service region is abolished, and this Section shall, from and after July 1, 1994, have no further application in any such county or educational service region.

On July 1, 2007, the employment of all persons serving as assistant county or regional superintendents in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population is terminated, the office of assistant county or regional superintendent in that educational service region is abolished, and this Section shall, beginning July 1, 2007, have no further application in that educational service region.

A regional superintendent of schools shall not employ his or her spouse, child, stepchild, or relative as an assistant regional superintendent of schools. By September 1 each year, a regional superintendent shall certify to the State Board of Education that he or she has complied with this paragraph. If the State Board of Education becomes aware of the fact that a regional superintendent is employing his or her spouse, child, stepchild, or relative as an assistant regional superintendent, the State Board of Education shall not request for payment from the State Comptroller any warrants for the payment of the assistant regional superintendent's salary. In this paragraph, "relative" means a grandparent, parent, aunt, uncle, sibling, first cousin, nephew, niece, grandchild, or spouse of one of these persons. This paragraph applies only to contracts for employment entered into on or after the effective date of this amendatory Act of the 91st General Assembly. (Source: P.A. 91-764, eff. 6-9-00.)

(105 ILCS 5/3A-2) (from Ch. 122, par. 3A-2)

Sec. 3A-2. Regional superintendent-County superintendent of schools. The chief administrative officer of an educational service region shall be designated and referred to as "Regional Superintendent of Schools" or "regional superintendent."

Such person shall, in his region, have the powers and duties and perform the functions required of or exercisable by a county superintendent of schools, except as otherwise provided by law.

Any reference to "county superintendent of schools" in The School Code or any other Illinois statute means and refers to the regional superintendent of schools for an educational service region.

In an educational service region serving that portion of a Class II county outside a city of 500,000 or more population, the office of regional superintendent of schools is abolished on July 1, 2007 as provided in Section 3-0.01 of this Code. (Source: P.A. 79-1057.)

(105 ILCS 5/3A-6) (from Ch. 122, par. 3A-6)

Sec. 3A-6. Election of Superintendent for consolidated region - Bond - Vacancies in any educational service region.

(a) The regional superintendent to be elected under Section 3A-5 shall be elected at the time provided in the general election law and must possess the qualifications described in Section 3-1 of this Act.

(b) The bond required under Section 3-2 shall be filed in the office of the county clerk in the county where the regional office is situated, and a certified copy of that bond shall be filed in the office of the county clerk in each of the other counties in the region.

(c) When a vacancy occurs in the office of regional superintendent of schools of any educational service region which is not located in a county which is a home rule unit, such vacancy shall be filled within 60 days (i) by appointment of the chairman of the county board, with the advice and consent of the county board, when such vacancy occurs in a single county educational service region; or (ii) by appointment of a committee composed of the chairmen of the county boards of those counties comprising the affected educational service region when such vacancy occurs in a multicounty educational service



region, each committeeman to be entitled to one vote for each vote that was received in the county represented by such committeeman on the committee by the regional superintendent of schools whose office is vacant at the last election at which a regional superintendent was elected to such office, and the person receiving the highest number of affirmative votes from the committeemen for such vacant office to be deemed the person appointed by such committee to fill the vacancy. The appointee shall be a member of the same political party as the regional superintendent of schools the appointee succeeds was at the time such regional superintendent of schools last was elected. The appointee shall serve for the remainder of the term. However, if more than 28 months remain in that term, the appointment shall be until the next general election, at which time the vacated office shall be filled by election for the remainder of the term. Nominations shall be made and any vacancy in nomination shall be filled as follows:

(1) If the vacancy in office occurs before the first date provided in Section 7-12 of the Election Code for filing nomination papers for county offices for the primary in the next even-numbered year following commencement of the term of office in which the vacancy occurs, nominations for the election for filling the vacancy shall be made pursuant to Article 7 of the Election Code.

(2) If the vacancy in office occurs during the time provided in Section 7-12 of the Election Code for filing nomination papers for county offices for the primary in the next even-numbered year following commencement of the term of office in which the vacancy occurs, the time for filing nomination papers for the primary shall not be more than 91 days nor less than 85 days prior to the date of the primary.

(3) If the vacancy in office occurs after the last day provided in Section 7-12 of the Election Code for filing nomination papers for county offices for the primary in the next even-numbered year following commencement of the term of office in which the vacancy occurs, a vacancy in nomination shall be deemed to have occurred and the county central committee of each established political party (if the vacancy occurs in a single county educational service region) or the multi-county educational service region committee of each established political party (if the vacancy occurs in a multi-county educational service region) shall nominate, by resolution, a candidate to fill the vacancy in nomination for election to the office at the general election. In the nomination proceedings to fill the vacancy in nomination, each member of the county central committee or the multi-county educational service region committee, whichever applies, shall have the voting strength as set forth in Section 7-8 or 7-8.02 of the Election Code, respectively. The name of the candidate so nominated shall not appear on the ballot at the general primary election. The vacancy in nomination shall be filled prior to the date of certification of candidates for the general election.

(4) The resolution to fill the vacancy shall be duly acknowledged before an officer qualified to take acknowledgments of deeds and shall include, upon its face, the following information: (A) the name of the original nominee and the office vacated; (B) the date on which the vacancy occurred; and (C) the name and address of the nominee selected to fill the vacancy and the date of selection. The resolution to fill the vacancy shall be accompanied by a statement of candidacy, as prescribed in Section 7-10 of the Election Code, completed by the selected nominee, a certificate from the State Board of Education, as prescribed in Section 3-1 of this Code, and a receipt indicating that the nominee has filed a statement of economic interests as required by the Illinois Governmental Ethics Act.

The provisions of Sections 10-8 through 10-10.1 of the Election Code relating to objections to nomination papers, hearings on objections, and judicial review shall also apply to and govern objections to nomination papers and resolutions for filling vacancies in nomination filed pursuant to this Section. Unless otherwise specified in this Section, the nomination and election provided for in this Section is governed by the general election law.

Except as otherwise provided by applicable county ordinance or by law, if a vacancy occurs in the office of regional superintendent of schools of an educational service region that is located in a county that is a home rule unit and that has a population of less than 2,000,000 inhabitants, that vacancy shall be filled by the county board of such home rule county.

Until July 1, 2003 or until the regional superintendent of schools elected in 2002 takes office, whichever occurs first, if a vacancy exists in the office of regional superintendent of schools of an educational service region that is located in a county that is a home rule unit and that has a population of 2,000,000 or more inhabitants, then that vacancy shall be filled by the first assistant superintendent/deputy superintendent until the end of the term to which the regional superintendent was elected.

Beginning July 1, 2007, this Section shall have no application in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population.

Any person appointed to fill a vacancy in the office of regional superintendent of schools of any educational service region must possess the qualifications required to be elected to the position of regional

superintendent of schools, and shall obtain a certificate of eligibility from the State Superintendent of Education and file same with the county clerk of the county in which the regional superintendent's office is located.

If the regional superintendent of schools is called into the active military service of the United States, his office shall not be deemed to be vacant, but a temporary appointment shall be made as in the case of a vacancy. The appointee shall perform all the duties of the regional superintendent of schools during the time the regional superintendent of schools is in the active military service of the United States, and shall be paid the same compensation apportioned as to the time of service, and such appointment and all authority thereunder shall cease upon the discharge of the regional superintendent of schools from such active military service. The appointee shall give the same bond as is required of a regularly elected regional superintendent of schools. (Source: P.A. 92-277, eff. 8-7-01; 92-869, eff. 1-3-03.)"

Representative Madigan offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 751 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 2-3.105, 3-0.01, 3-1, 3-2, 3-2.5, 3-3, 3-15.6, 3-15.9, 3-15.10, 3A-2, and 3A-6 as follows:

(105 ILCS 5/2-3.105) (from Ch. 122, par. 2-3.105)

Sec. 2-3.105. Services to educational service regions and school districts. (a) Commencing July 1, 1994 and thereafter, the State Board of Education through the office of the State Superintendent of Education shall have and exercise, in and with respect to each educational service region having a population of 2,000,000 or more inhabitants, and in and with respect to each school district located in any such educational service region, all rights, powers, duties and responsibilities theretofore vested in and exercised and performed by the regional superintendent of schools in that educational service region under the provisions of this Act or any other law of this State.

(b) Beginning July 1, 2007, the State Board of Education through the office of the State Superintendent of Education shall have and exercise, in and with respect to an educational service region serving that portion of a Class II county outside a city of 500,000 or more population and in and with respect to each school district located in that educational service region, all rights, powers, duties, and responsibilities theretofore vested in and exercised and performed by the regional superintendent of schools and the regional office of education in that educational service region under the provisions of this Code or any other law of this State. (Source: P.A. 87-654; 87-895; 87-1251.)

(105 ILCS 5/3-0.01) (from Ch. 122, par. 3-0.01)

Sec. 3-0.01. "County superintendent of schools" and "regional superintendent of schools" defined - Application of Article.

(a) Except as otherwise provided by subsection (b) or (b-1), after the effective date of this amendatory Act of 1975, the chief administrative officer of an educational service region shall be designated and referred to as the "regional superintendent of schools" or the "regional superintendent" and after the effective date of this amendatory Act of 1993 the office held by the chief administrative officer shall be designated and referred to as the "regional office of education". For purposes of the School Code and except as otherwise provided by subsection (b) or (b-1), any reference to "county superintendent of schools" or "county superintendent" means the regional superintendent of schools.

(b) Subject to subsection (b-1), in educational service regions containing 2,000,000 or more inhabitants, the office of regional superintendent of schools is abolished on July 1, 1994. On and after that date in each educational service region in which the office of regional superintendent of schools is so abolished all rights, powers, duties and responsibilities theretofore vested by law in, and exercised and performed by the regional superintendent of schools and by any assistant regional superintendents or other assistants or employees in the office of the regional superintendent of schools so abolished shall be vested in, exercised and performed by the State Board of Education through the office of the State Superintendent of Education. Upon abolition of the office of regional superintendent of schools in an educational service region containing 2,000,000 or more inhabitants: (i) all books, records, maps, papers and other documents belonging to or subject to the control or disposition of the former regional superintendent of schools by virtue of his office shall be transferred and delivered to the State Board of Education; (ii) possession or control over all moneys, deposits and accounts in the possession or subject to the control or disposition of the former regional superintendent of schools by virtue of his office, including but not limited to

undistributed or unexpended moneys drawn from, and all amounts on deposit in, the county, institute and supervisory expense funds, shall be transferred to and placed under the control and disposition of the State Board of Education, excepting only those moneys or accounts, if any, the source of which is the county treasury; and (iii) all other equipment, furnishings, supplies and other personal property belonging to or subject to the control or disposition of the former regional superintendent of schools by virtue of his office, excepting only those items which were provided by the county board, shall be transferred and delivered to the State Board of Education. From and after July 1, 1994, any reference in the School Code or any other law of this State to "regional superintendent of schools" or "regional superintendent", or "county superintendent of schools" or "county superintendent" shall mean, with respect to any educational service region containing 2,000,000 or more inhabitants in which the office of regional superintendent of schools is abolished, the State Board of Education serving through the office of the State Superintendent of Education as the chief administrative entity of an educational service region. Upon and after the first Monday of August 1995, references in this Code and elsewhere to educational service regions of 2,000,000 or fewer inhabitants shall exclude any educational service region containing a city of 500,000 or more inhabitants and references in this Code and elsewhere to educational service regions of 2,000,000 or more inhabitants shall mean an educational service region containing a city of 500,000 or more inhabitants regardless of the actual population of the region.

(b-1) Until July 1, 2007, references to "regional superintendent" shall also include the regional superintendent of schools in regions serving that portion of a Class II county outside a city of 500,000 or more population elected at the general election in 1994 and every 4 years thereafter.

In an educational service region serving that portion of a Class II county outside a city of 500,000 or more population, the office of regional superintendent of schools and the regional office of education is abolished on July 1, 2007. On and after that date all rights, powers, duties, and responsibilities theretofore vested by law in and exercised and performed by the regional superintendent of schools and by any assistant regional superintendents or other assistants or employees in the office of the regional superintendent of schools so abolished shall be vested in, exercised, and performed by the State Board of Education through the office of the State Superintendent of Education. Upon abolition of the office of regional superintendent of schools and the regional office of education: (i) all books, records, maps, papers, and other documents belonging to or subject to the control or disposition of the former regional superintendent of schools and the regional office of education shall be transferred and delivered to the State Board of Education; (ii) possession or control over all moneys, deposits, and accounts in the possession or subject to the control or disposition of the former regional superintendent of schools and the regional office of education, including but not limited to undistributed or unexpended moneys drawn from and all amounts on deposit in the county, institute, and supervisory expense funds, shall be transferred to and placed under the control and disposition of the State Board of Education, excepting only those moneys or accounts, if any, the source of which is the county treasury; and (iii) all other equipment, furnishings, supplies, and other personal property belonging to or subject to the control or disposition of the former regional superintendent of schools and the regional office of education, excepting only those items that were provided by the county board, shall be transferred and delivered to the State Board of Education.

Beginning July 1, 2007, any reference in this Code or any other law of this State to "regional superintendent of schools", "regional superintendent", "county superintendent of schools", or "county superintendent" shall mean, with respect to an educational service region serving that portion of a Class II county outside a city of 500,000 or more population, the State Board of Education serving through the office of the State Superintendent of Education as the chief administrative entity of an educational service region.

(c) This Article applies to the regional superintendent of a multicounty educational service region formed under Article 3A as well as to a single county or partial county region, except that in case of conflict between the provisions of this Article and of Article 3A in the case of a multicounty region, the provisions of Article 3A shall apply. Any reference to "county" or to "educational service region" in this Article means a regional office of education. (Source: P.A. 87-654; 87-895; 87-1251; 88-89.)

(105 ILCS 5/3-1) (from Ch. 122, par. 3-1)

Sec. 3-1. Election; eligibility. Quadrennially there shall be elected in every county, except those which have been consolidated into a multicounty educational service region under Article 3A and except those having a population of 2,000,000 or more inhabitants, and beginning in 1994 until 2006 in that portion of a Class II county outside a city of 500,000 or more inhabitants and constituting an educational service region, a regional superintendent of schools, who shall enter upon the discharge of his duties on the first Monday of August next after his election; provided, however, that the term of office of each regional superintendent

of schools in office on June 30, 2003 is terminated on July 1, 2003, except that an incumbent regional superintendent of schools shall continue to serve until his successor is elected and qualified, and each regional superintendent of schools elected at the general election in 2002 and every four years thereafter shall assume office on the first day of July next after his election. No one is eligible to file his petition at any primary election for the nomination as candidate for the office of regional superintendent of schools nor to enter upon the duties of such office either by election or appointment unless he possesses the following qualifications: (1) he is of good character, (2) he has a master's degree, (3) he has earned at least 20 semester hours of credit in professional education at the graduate level, (4) he holds a valid all grade supervisory certificate or a valid state limited supervisory certificate, or a valid state life supervisory certificate, or a valid administrative certificate, (5) he has had at least 4 years experience in teaching, and (6) he was engaged for at least 2 years of the 4 previous years in full time teaching or supervising in the common public schools or serving as a county superintendent of schools or regional superintendent of schools for an educational service region in the State of Illinois.

No petition of any candidate for nomination for the office of regional superintendent of schools may be filed and no such candidate's name may be placed on a primary or general election ballot, unless such candidate files as part of his petition a certificate from the State Board of Education certifying that from the records of its office such candidate has the qualifications required by this Section; however, any incumbent filing his petition for nomination for a succeeding term of office shall not be required to attach such certificate to his petition of candidacy.

Nomination papers filed under this Section are not valid unless the candidate named therein files with the county clerk or State Board of Elections a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.

The changes in qualifications made by Public Act 76-1563 do not affect the right of an incumbent to seek reelection.

On and after July 1, 1994, the provisions of this Section shall have no application in any educational service region having a population of 2,000,000 or more inhabitants; provided further that no election shall be held in November of 1994 or at any other time after July 1, 1992 for the office of regional superintendent of schools in any county or educational service region having a population of 2,000,000 or more inhabitants.

Beginning July 1, 2007, this Section shall have no application in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population, and no election shall be held in 2006 or thereafter for the office of regional superintendent of schools in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population. (Source: P.A. 89-383, eff. 8-18-95; 90-280, eff. 7-31-97.)

(105 ILCS 5/3-2) (from Ch. 122, par. 3-2)

Sec. 3-2. Oath of office - Bond - Salary. Before entering upon his or her duties a regional superintendent of schools shall take and subscribe the oath prescribed by the Constitution and execute a bond payable to the People of the State of Illinois with 2 or more responsible persons having an interest in real estate as sureties (or, if the county is self-insured, the county through its self-insurance program may provide bonding), to be approved by the county board in a penalty of not less than \$100,000, conditioned upon the faithful discharge of his or her duties and upon the delivery to his or her successor in office of all monies, books, papers and property in his or her custody as such regional superintendent of schools.

This bond shall be filed in the office of the county clerk, and action upon it may be maintained by any corporate body interested, for the benefit of any township or fund injured by any breach of its condition.

If any vacancy in the office of regional superintendent of schools occurs, such vacancy shall be filled in the manner provided by Section 3A-6.

Regional Superintendents of Schools shall receive the salary provided by Section 3-2.5.

On and after July 1, 1994, the provisions of this Section shall have no application in any educational service region having a population of 2,000,000 or more inhabitants.

Beginning July 1, 2007, this Section shall have no application in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population. (Source: P.A. 88-387; 89-233, eff. 1-1-96.)

(105 ILCS 5/3-2.5)

Sec. 3-2.5. Salaries. (a) Except as otherwise provided in this Section, the regional superintendents of schools shall receive for their services an annual salary according to the population, as determined by the

last preceding federal census, of the region they serve, as set out in the following schedule:

SALARIES OF REGIONAL SUPERINTENDENTS OF SCHOOLS

POPULATION OF REGION	ANNUAL SALARY
Less than 48,000	\$73,500
48,000 to 99,999	\$78,000
100,000 to 999,999	\$81,500
1,000,000 and over	\$83,500

The changes made by Public Act 86-98 in the annual salary that the regional superintendents of schools shall receive for their services shall apply to the annual salary received by the regional superintendents of schools during each of their elected terms of office that commence after July 26, 1989 and before the first Monday of August, 1995.

The changes made by Public Act 89-225 in the annual salary that regional superintendents of schools shall receive for their services shall apply to the annual salary received by the regional superintendents of schools during their elected terms of office that commence after August 4, 1995 and end on August 1, 1999.

The changes made by this amendatory Act of the 91st General Assembly in the annual salary that the regional superintendents of schools shall receive for their services shall apply to the annual salary received by the regional superintendents of schools during each of their elected terms of office that commence on or after August 2, 1999.

Beginning July 1, 2000, the salary that the regional superintendent of schools receives for his or her services shall be adjusted annually to reflect the percentage increase, if any, in the most recent Consumer Price Index, as defined and officially reported by the United States Department of Labor, Bureau of Labor Statistics, except that no annual increment may exceed 2.9%. If the percentage of change in the Consumer Price Index is a percentage decrease, the salary that the regional superintendent of schools receives shall not be adjusted for that year.

When regional superintendents are authorized by the School Code to appoint assistant regional superintendents, the assistant regional superintendent shall receive an annual salary based on his or her qualifications and computed as a percentage of the salary of the regional superintendent to whom he or she is assistant, as set out in the following schedule:

SALARIES OF ASSISTANT REGIONAL SUPERINTENDENTS

QUALIFICATIONS OF ASSISTANT REGIONAL SUPERINTENDENT	PERCENTAGE OF SALARY OF REGIONAL SUPERINTENDENT
No Bachelor's degree, but State certificate valid for teaching and supervising.	70%
Bachelor's degree plus State certificate valid	

for supervising. 75%

Master's degree plus  
State certificate valid

for supervising. 90%

However, in any region in which the appointment of more than one assistant regional superintendent is authorized, whether by Section 3-15.10 of this Code or otherwise, not more than one assistant may be compensated at the 90% rate and any other assistant shall be paid at not exceeding the 75% rate, in each case depending on the qualifications of the assistant.

The salaries provided in this Section for regional superintendents and assistant regional superintendents are payable monthly from the Common School Fund. The State Comptroller in making his or her warrant to any county for the amount due it from the Common School Fund shall deduct from it the several amounts for which warrants have been issued to the regional superintendent, and any assistant regional superintendent, of the educational service region encompassing the county since the preceding apportionment of the Common School Fund.

County boards may provide for additional compensation for the regional superintendent or the assistant regional superintendents, or for each of them, to be paid quarterly from the county treasury.

(b) Upon abolition on July 1, 1994, of the office of regional superintendent of schools in educational service regions containing 2,000,000 or more inhabitants as provided in Section 3-0.01 of this Code, the provisions of subsection (a) of this Section shall no longer apply in any educational service region in which the office of regional superintendent of schools is so abolished, and no salary or other compensation shall be payable under that subsection (a) or under any other provision of this Section with respect to the office so abolished or with respect to any assistant position to the office so abolished.

(b-5) Upon abolition on July 1, 2007 of the office of regional superintendent of schools and the regional office of education in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population as provided in Section 3-0.01 of this Code, subsection (a) of this Section shall no longer apply in the educational service region, and no salary or other compensation shall be payable under subsection (a) or any other provision of this Section with respect to the office so abolished or with respect to any assistant position to the office so abolished.

(c) If the State pays all or any portion of the employee contributions required under Section 16-152 of the Illinois Pension Code for employees of the State Board of Education, it shall also pay the employee contributions required of regional superintendents of schools and assistant regional superintendents of schools on the same basis, but excluding any contributions based on compensation that is paid by the county rather than the State.

This subsection (c) applies to contributions based on payments of salary earned after the effective date of this amendatory Act of the 91st General Assembly, except that in the case of an elected regional superintendent of schools, this subsection does not apply to contributions based on payments of salary earned during a term of office that commenced before the effective date of this amendatory Act. (Source: P.A. 91-276, eff. 7-23-99.)

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

Sec. 3-3. Practice of other profession. It is unlawful for any county superintendent of schools to practice or to hold himself out as practicing any other profession. Violation of this section shall be a cause of forfeiture of office.

On and after July 1, 1994, the provisions of this Section shall have no application in any educational service region having a population of 2,000,000 or more inhabitants.

Beginning July 1, 2007, this Section shall have no application in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population. (Source: P.A. 87-654; 87-1251.)

(105 ILCS 5/3-15.6) (from Ch. 122, par. 3-15.6)

Sec. 3-15.6. Additional employees. To employ, with the approval of the county board, such additional employees as are needed for the discharge of the duties of the office. The non-clerical employees shall be persons versed in the principles and methods of education, familiar with public school work, competent to visit schools and certificated pursuant to this Code if their duties are comparable to those for which

certification is required by this Code.

On and after July 1, 1994, the provisions of this Section shall have no application in any educational service region having a population of 2,000,000 or more inhabitants.

Beginning July 1, 2007, this Section shall have no application in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population. (Source: P.A. 86-361; 87-654; 87-1251.)

(105 ILCS 5/3-15.9) (from Ch. 122, par. 3-15.9)

Sec. 3-15.9. Delivery of money, books, papers and property to successor. Upon his removal or resignation, or at the expiration of his term of office, or in case of his death his representatives to deliver to his successor in office, on demand, all moneys, books, papers and personal property belonging to his office or subject to his control or disposition.

On and after July 1, 1994, the provisions of this Section shall have no application in any educational service region having a population of 2,000,000 or more inhabitants.

Beginning July 1, 2007, this Section shall have no application in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population. (Source: P.A. 87-654; 87-1251.)

(105 ILCS 5/3-15.10) (from Ch. 122, par. 3-15.10)

Sec. 3-15.10. Assistant Regional Superintendent. To employ, in counties or regions of 2,000,000 inhabitants or less, in addition to any assistants authorized to be employed with the approval of the county board, an assistant regional superintendent of schools who shall be a person of good attainment, versed in the principles and methods of education, and qualified to teach and supervise schools under Article 21 of this Act; to fix the term of such assistant and direct his work and define his duties. Until July 1, 2007, in regions established within that portion of a Class II county outside a city of 500,000 or more inhabitants, the regional superintendent may employ, in addition to any assistants authorized to be employed with the approval of the county board, 3 assistant regional superintendents of schools. Until July 1, 1994, in counties or regions having a population of more than 2,000,000 inhabitants the regional superintendent may employ, in addition to any assistants authorized to be employed with the approval of the county board, 11 assistant regional superintendents of schools. Assistant regional superintendents shall each be a person of good attainment, versed in the principles and methods of education, and qualified to teach and supervise schools under Article 21 of this Act. The work of such assistant regional superintendent shall be so arranged and directed that the county or regional superintendent and assistant superintendent, together, shall devote an amount of time during the school year, equal to at least the full time of one individual, to the supervision of schools and of teaching in the schools of the county.

Notwithstanding any of the provisions of this Section, any person who, on July 1, 1955, was employed as an assistant county superintendent of schools shall be qualified for that position if he holds a state certificate valid for teaching and supervising.

On July 1, 1994, the employment of all persons serving as assistant county or regional superintendents in any county or educational service region having a population of more than 2,000,000 inhabitants is terminated, the office of assistant county or regional superintendent in each such county or educational service region is abolished, and this Section shall, from and after July 1, 1994, have no further application in any such county or educational service region.

On July 1, 2007, the employment of all persons serving as assistant county or regional superintendents in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population is terminated, the office of assistant county or regional superintendent in that educational service region is abolished, and this Section shall, beginning July 1, 2007, have no further application in that educational service region.

A regional superintendent of schools shall not employ his or her spouse, child, stepchild, or relative as an assistant regional superintendent of schools. By September 1 each year, a regional superintendent shall certify to the State Board of Education that he or she has complied with this paragraph. If the State Board of Education becomes aware of the fact that a regional superintendent is employing his or her spouse, child, stepchild, or relative as an assistant regional superintendent, the State Board of Education shall not request for payment from the State Comptroller any warrants for the payment of the assistant regional superintendent's salary. In this paragraph, "relative" means a grandparent, parent, aunt, uncle, sibling, first cousin, nephew, niece, grandchild, or spouse of one of these persons. This paragraph applies only to contracts for employment entered into on or after the effective date of this amendatory Act of the 91st General Assembly. (Source: P.A. 91-764, eff. 6-9-00.)

(105 ILCS 5/3A-2) (from Ch. 122, par. 3A-2)

Sec. 3A-2. Regional superintendent-County superintendent of schools. The chief administrative officer of an educational service region shall be designated and referred to as "Regional Superintendent of Schools" or "regional superintendent."

Such person shall, in his region, have the powers and duties and perform the functions required of or exercisable by a county superintendent of schools, except as otherwise provided by law.

Any reference to "county superintendent of schools" in The School Code or any other Illinois statute means and refers to the regional superintendent of schools for an educational service region.

In an educational service region serving that portion of a Class II county outside a city of 500,000 or more population, the office of regional superintendent of schools is abolished on July 1, 2007 as provided in Section 3-0.01 of this Code. (Source: P.A. 79-1057.)

(105 ILCS 5/3A-6) (from Ch. 122, par. 3A-6)

Sec. 3A-6. Election of Superintendent for consolidated region - Bond - Vacancies in any educational service region.

(a) The regional superintendent to be elected under Section 3A-5 shall be elected at the time provided in the general election law and must possess the qualifications described in Section 3-1 of this Act.

(b) The bond required under Section 3-2 shall be filed in the office of the county clerk in the county where the regional office is situated, and a certified copy of that bond shall be filed in the office of the county clerk in each of the other counties in the region.

(c) When a vacancy occurs in the office of regional superintendent of schools of any educational service region which is not located in a county which is a home rule unit, such vacancy shall be filled within 60 days (i) by appointment of the chairman of the county board, with the advice and consent of the county board, when such vacancy occurs in a single county educational service region; or (ii) by appointment of a committee composed of the chairmen of the county boards of those counties comprising the affected educational service region when such vacancy occurs in a multicounty educational service region, each committeeman to be entitled to one vote for each vote that was received in the county represented by such committeeman on the committee by the regional superintendent of schools whose office is vacant at the last election at which a regional superintendent was elected to such office, and the person receiving the highest number of affirmative votes from the committeemen for such vacant office to be deemed the person appointed by such committee to fill the vacancy. The appointee shall be a member of the same political party as the regional superintendent of schools the appointee succeeds was at the time such regional superintendent of schools last was elected. The appointee shall serve for the remainder of the term. However, if more than 28 months remain in that term, the appointment shall be until the next general election, at which time the vacated office shall be filled by election for the remainder of the term. Nominations shall be made and any vacancy in nomination shall be filled as follows:

(1) If the vacancy in office occurs before the first date provided in Section 7-12 of the Election Code for filing nomination papers for county offices for the primary in the next even-numbered year following commencement of the term of office in which the vacancy occurs, nominations for the election for filling the vacancy shall be made pursuant to Article 7 of the Election Code.

(2) If the vacancy in office occurs during the time provided in Section 7-12 of the Election Code for filing nomination papers for county offices for the primary in the next even-numbered year following commencement of the term of office in which the vacancy occurs, the time for filing nomination papers for the primary shall not be more than 91 days nor less than 85 days prior to the date of the primary.

(3) If the vacancy in office occurs after the last day provided in Section 7-12 of the Election Code for filing nomination papers for county offices for the primary in the next even-numbered year following commencement of the term of office in which the vacancy occurs, a vacancy in nomination shall be deemed to have occurred and the county central committee of each established political party (if the vacancy occurs in a single county educational service region) or the multi-county educational service region committee of each established political party (if the vacancy occurs in a multi-county educational service region) shall nominate, by resolution, a candidate to fill the vacancy in nomination for election to the office at the general election. In the nomination proceedings to fill the vacancy in nomination, each member of the county central committee or the multi-county educational service region committee, whichever applies, shall have the voting strength as set forth in Section 7-8 or 7-8.02 of the Election Code, respectively. The name of the candidate so nominated shall not appear on the ballot at the general primary election. The vacancy in nomination shall be filled prior to the date of certification of candidates for the general election.

(4) The resolution to fill the vacancy shall be duly acknowledged before an officer qualified to take acknowledgments of deeds and shall include, upon its face, the following information: (A) the name of



the original nominee and the office vacated; (B) the date on which the vacancy occurred; and (C) the name and address of the nominee selected to fill the vacancy and the date of selection. The resolution to fill the vacancy shall be accompanied by a statement of candidacy, as prescribed in Section 7-10 of the Election Code, completed by the selected nominee, a certificate from the State Board of Education, as prescribed in Section 3-1 of this Code, and a receipt indicating that the nominee has filed a statement of economic interests as required by the Illinois Governmental Ethics Act.

The provisions of Sections 10-8 through 10-10.1 of the Election Code relating to objections to nomination papers, hearings on objections, and judicial review shall also apply to and govern objections to nomination papers and resolutions for filling vacancies in nomination filed pursuant to this Section. Unless otherwise specified in this Section, the nomination and election provided for in this Section is governed by the general election law.

Except as otherwise provided by applicable county ordinance or by law, if a vacancy occurs in the office of regional superintendent of schools of an educational service region that is located in a county that is a home rule unit and that has a population of less than 2,000,000 inhabitants, that vacancy shall be filled by the county board of such home rule county.

Until July 1, 2003 or until the regional superintendent of schools elected in 2002 takes office, whichever occurs first, if a vacancy exists in the office of regional superintendent of schools of an educational service region that is located in a county that is a home rule unit and that has a population of 2,000,000 or more inhabitants, then that vacancy shall be filled by the first assistant superintendent/deputy superintendent until the end of the term to which the regional superintendent was elected.

Beginning July 1, 2007, this Section shall have no application in an educational service region serving that portion of a Class II county outside a city of 500,000 or more population.

Any person appointed to fill a vacancy in the office of regional superintendent of schools of any educational service region must possess the qualifications required to be elected to the position of regional superintendent of schools, and shall obtain a certificate of eligibility from the State Superintendent of Education and file same with the county clerk of the county in which the regional superintendent's office is located.

If the regional superintendent of schools is called into the active military service of the United States, his office shall not be deemed to be vacant, but a temporary appointment shall be made as in the case of a vacancy. The appointee shall perform all the duties of the regional superintendent of schools during the time the regional superintendent of schools is in the active military service of the United States, and shall be paid the same compensation apportioned as to the time of service, and such appointment and all authority thereunder shall cease upon the discharge of the regional superintendent of schools from such active military service. The appointee shall give the same bond as is required of a regularly elected regional superintendent of schools. (Source: P.A. 92-277, eff. 8-7-01; 92-869, eff. 1-3-03.)".

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 185. Having been read by title a second time on April 1, 2003, and held on the order of Second Reading, the same was again taken up and 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 2574.

HOUSE BILL 2257. Having been printed, was taken up and read by title a second time.

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

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2257 by replacing everything after the enacting clause with the following:

"Section 5. The Higher Education Student Assistance Act is amended by changing Section 145 as

follows:

(110 ILCS 947/145)

Sec. 145. Issuance of Bonds. (a) The Commission has power, and is authorized from time to time, to issue bonds (1) to make or acquire eligible loans, (2) to refund the bonds of the Commission, or (3) for a combination of these ~~such~~ purposes. The Commission shall not have outstanding at any one time bonds in an aggregate principal amount exceeding \$3,500,000,000, excluding bonds issued to refund the bonds of the Commission.

The Commission is authorized to use the proceeds from the sale of bonds issued pursuant to this Act to fund the reserves created therefor, including a reserve for interest coming due on the bonds for one year following the issuance of the bonds, as provided in the resolution or resolutions authorizing the bonds and to pay the necessary expenses of issuing the bonds, including but not limited to, legal, printing, and consulting fees.

(b) The Commission has power, and is authorized from time to time, to issue refunding bonds (1) to refund unpaid matured bonds; (2) to refund unpaid matured coupons evidencing interest upon its unpaid matured bonds; and (3) to refund interest at the coupon rate upon its unpaid matured bonds that has accrued since the maturity of those bonds. The refunding bonds may be exchanged for the bonds to be refunded on a par for par basis of the bonds, interest coupons, and interest not represented by coupons, if any, or may be sold at not less than par or may be exchanged in part and sold in part; and the proceeds received at any such sale shall be used to pay the bonds, interest coupons, and interest not represented by coupons, if any. Bonds and interest coupons which have been received in exchange or paid shall be cancelled and the obligation for interest, not represented by coupons which have been discharged, shall be evidenced by a written acknowledgement of the exchange or payment thereof.

(c) The Commission has power, and is authorized from time to time, to also issue refunding bonds under this Section, to refund bonds at or prior to their maturity or which by their terms are subject to redemption before maturity, or both, in an amount necessary to refund (1) the principal amount of the bonds to be refunded, (2) the interest to accrue up to and including the maturity date or dates thereof, and (3) the applicable redemption premiums, if any. Those refunding bonds may be exchanged for not less than an equal principal amount of bonds to be refunded or may be sold and the proceeds received at the sale thereof (excepting the accrued interest received) used to complete such refunding, including the payment of the costs of issuance thereof.

(d) The bonds shall be authorized by resolution of the Commission and may be issued in one or more series, may bear such date or dates, may be in such denomination or denominations, may mature at such time or times not exceeding 40 years from the respective dates thereof, may mature in such amount or amounts, may bear interest at such rate or rates, may be in such form either coupon or registered as to principal only or as to both principal and interest, may carry such registration privileges (including the conversion of a fully registered bond to a coupon bond or bonds and the conversion of a coupon bond to a fully registered bond), may be executed in such manner, may be made payable in such medium of payment, at such place or places within or without the State, and may be subject to such terms of redemption prior to their expressed maturity, with or without premium, as the resolution or other resolutions may provide. Proceeds from the sale of the bonds may be invested as the resolution or resolutions and as the Commission from time to time may provide. All bonds issued under this Act shall be sold in the manner and at such price as the Commission may deem to be in the best interest of the public. The resolution may provide that the bonds be executed with one manual signature and that other signatures may be printed, lithographed or engraved thereon.

The Commission shall not be authorized to create and the bonds shall not in any event constitute State debt of the State of Illinois within the meaning of the Constitution or statutes of the State of Illinois, and the same shall be so stated upon the face of each bond. The source of payment for the bonds shall be stated on the face of each bond.

The issuance of bonds under this Act is in all respects for the benefit of the People of the State of Illinois, and in consideration thereof the bonds issued pursuant to this Act and the income therefrom shall be free from all taxation by the State or its political subdivisions, except for estate, transfer, and inheritance taxes. For purposes of Section 250 of the Illinois Income Tax Act, the exemption of the income from bonds issued under this Act shall **terminate** after all of the bonds have been paid. The amount of such income that shall be added and then subtracted on the Illinois income tax return of a taxpayer, pursuant to Section 203 of the Illinois Income Tax Act, from federal adjusted gross income or federal taxable income in computing Illinois base income shall be the interest net of any bond premium amortization. (Source: P.A. 92-45, eff. 6-29-01.)".

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

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 3673 and 2873.

HOUSE BILL 3468. 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. 2

AMENDMENT NO. 2. Amend House Bill 3468 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Antitrust Act is amended by changing Sections 7, 7.2, 7.5, 7.6, and 7.7 and by adding Section 12 as follows:

(740 ILCS 10/7) (from Ch. 38, par. 60-7)

Sec. 7. The following civil actions and remedies are authorized under this Act:

(1) The Attorney General, with such assistance as he may from time to time require of the State's Attorneys in the several counties, shall bring suit in the Circuit Court to prevent and restrain violations of Section 3 of this Act. In such a proceeding, the court shall determine whether a violation has been committed, and shall enter such judgment as it considers necessary to remove the effects of any violation which it finds, and to prevent such violation from continuing or from being renewed in the future. The court, in its discretion, may exercise all powers necessary for this purpose, including, but not limited to, injunction, divestiture of property, divorcement of business units, dissolution of domestic corporations or associations, and suspension or termination of the right of foreign corporations or associations to do business in the State of Illinois.

(2) Any person who has been injured in his business or property, or is threatened with such injury, by a violation of Section 3 of this Act may maintain an action in the Circuit Court for damages, or for an injunction, or both, against any person who has committed such violation. If, in an action for an injunction, the court issues an injunction, the plaintiff shall be awarded costs and reasonable attorney's fees. In an action for damages, if injury is found to be due to a violation of subsections (1) or (4) of Section 3 of this Act, the person injured shall be awarded 3 times the amount of actual damages resulting from that violation, together with costs and reasonable attorney's fees. If injury is found to be due to a violation of subsections (2) or (3) of Section 3 of this Act, the person injured shall recover the actual damages caused by the violation, together with costs and reasonable attorney's fees, and if it is shown that such violation was willful, the court may, in its discretion, increase the amount recovered as damages up to a total of 3 times the amount of actual damages. This State, counties, municipalities, townships and any political subdivision organized under the authority of this State, and the United States, are considered a person having standing to bring an action under this subsection. The Attorney General may bring an action on behalf of this State, counties, municipalities, townships and other political subdivisions organized under the authority of this State to recover the damages under this subsection or by any comparable Federal law.

No provision of this Act shall deny any person who is an indirect purchaser the right to sue for damages. Provided, however, that in any case in which claims are asserted against a defendant by both direct and indirect purchasers, the court shall take all steps necessary to avoid duplicate liability for the same injury including transfer and consolidation of all actions. Provided further that no person other than the Attorney General of this State shall be authorized to maintain a class action in any court of this State for indirect purchasers asserting claims under this Act.

Beginning January 1, 1970, a file setting out the names of all special assistant attorneys general retained to prosecute antitrust matters and containing all terms and conditions of any arrangement or agreement regarding fees or compensation made between any such special assistant attorney general and the office of the Attorney General shall be maintained in the office of the Attorney General, open during all business hours to public inspection.

Any action for damages under this subsection is forever barred unless commenced within 4 years after the cause of action accrued, except that, whenever any action is brought by the Attorney General for a

violation of this Act, the running of the foregoing statute of limitations, with respect to every private right of action for damages under the subsection which is based in whole or in part on any matter complained of in the action by the Attorney General, shall be suspended during the pendency thereof, and for one year thereafter. No cause of action barred under existing law on July 21, 1965 shall be revived by this Act. In any action for damages under this subsection the court may, in its discretion, award reasonable fees to the prevailing defendant upon a finding that the plaintiff acted in bad faith, vexatiously, wantonly or for oppressive reasons.

(3) Upon a finding that any domestic or foreign corporation organized or operating under the laws of this State has been engaged in conduct prohibited by Section 3 of this Act, or the terms of any injunction issued under this Act, a circuit court may, upon petition of the Attorney General, order the revocation, forfeiture or suspension of the charter, franchise, certificate of authority or privileges of any corporation operating under the laws of this State, or the dissolution of any such corporation.

(4) In lieu of any criminal penalty otherwise prescribed for a violation of this Act, and in addition to any action under this Act or any Federal antitrust law, the Attorney General may bring an action in the name and on behalf of the people of the State against any person, trustee, director, manager or other officer or agent of a corporation, or against a corporation, domestic or foreign, to recover a penalty not to exceed \$1,000,000 ~~\$100,000~~ from every corporation or \$100,000 ~~\$50,000~~ from every other person for any act herein declared illegal. The action must be brought within 4 years after the commission of the act upon which it is based. Nothing in this subsection shall impair the right of any person to bring an action under subsection (2) of this Section. (Source: P.A. 83-1362.)

(740 ILCS 10/7.2) (from Ch. 38, par. 60-7.2)

Sec. 7.2. Whenever it appears to the Attorney General that any person has engaged in, is engaging in, or is about to engage in any act or practice prohibited by this Act, or that any person has assisted or participated in any agreement or combination of the nature described herein, he may, in his discretion, conduct an investigation as he deems necessary in connection with the matter and has the authority prior to the commencement of any civil or criminal action as provided for in the Act to subpoena witnesses, and pursuant to a subpoena (i) compel their attendance for the purpose of examining, examine ~~examine~~ them under oath, ~~or (ii) require the production of any books, documents, records, writings or tangible things hereafter referred to as "documentary material" which the Attorney General deems relevant or material to his investigation, for inspection, reproducing or copying under such terms and conditions as hereafter set forth,~~ (iii) require written answers under oath to written interrogatories, or (iv) require compliance with a combination of the foregoing. Any subpoena issued by the Attorney General shall contain the following information:

(a) The statute and section thereof, the alleged violation of which is under investigation and the general subject matter of the investigation.

(b) The date and place at which time the person is required to appear or produce documentary material in his possession, custody or control or submit answers to interrogatories in the office of the Attorney General located in Springfield or Chicago. Said date shall not be less than 10 days from date of service of the subpoena.

(c) Where documentary material is required to be produced, the same shall be described by class so as to clearly indicate the material demanded.

The Attorney General is hereby authorized, and may so elect, to require the production, pursuant to this section, of documentary material or interrogatory answers prior to the taking of any testimony of the person subpoenaed, ~~in which event~~. Said documentary material shall be made available for inspection and copying during normal business hours at the principal place of business of the person served, or at such other time and place, as may be agreed upon by the person served and the Attorney General. When documentary material is demanded by subpoena, said subpoena shall not:

(i) Contain any requirement which would be unreasonable or improper if contained in a subpoena duces tecum issued by a court of this State; or

(ii) Require the disclosure of any documentary material which would be privileged, or which for any other reason would not be required by a subpoena duces tecum issued by a court of this State.

(d) The production of documentary material in response to a subpoena served pursuant to this Section shall be made under a sworn certificate, in such form as the subpoena designates, by the person, if a natural person, to whom the demand is directed or, if not a natural person, by a person or persons having knowledge of the facts and circumstances relating to such production, to the effect that all of the documentary material required by the demand and in the possession, custody, or control of the person to whom the demand is directed has been produced and made available to the custodian. Answers to

interrogatories shall be accompanied by a statement under oath attesting to the accuracy of the answers.

While in the possession of the Attorney General and under such reasonable terms and conditions as the Attorney General shall prescribe: (A) documentary material shall be available for examination by the person who produced such material or by any duly authorized representative of such person, ~~and~~ (B) transcript of oral testimony shall be available for examination by the person who produced such testimony, or his or her counsel and (C) answers to interrogatories shall be available for examination by the person who swore to their accuracy.

Except as otherwise provided in this Section, no documentary material or transcripts of oral testimony, or copies thereof, in the possession of the Attorney General shall be available for examination by any individual other than an authorized employee of the Attorney General or other law enforcement officials, federal or local, without the consent of the person who produced such material or transcripts.

(e) No person shall, with intent to avoid, evade, prevent, or obstruct compliance in whole or in part by any person with any duly served subpoena of the Attorney General under this Act, knowingly remove from any place, conceal, withhold, destroy, mutilate, alter, or by any other means falsify any documentary material that is the subject of such subpoena. A violation of this subsection is a Class A misdemeanor. The Attorney General, with such assistance as he may from time to time require of the State's Attorneys in the several counties, shall investigate suspected violations of this subsection and shall commence and try all prosecutions under this subsection. (Source: P.A. 81-1051.)

(740 ILCS 10/7.5) (from Ch. 38, par. 60-7.5)

Sec. 7.5. Fees for witnesses; document production. (1) All persons served with a subpoena by the Attorney General under this Act shall be paid the same fees and mileage as paid witnesses in the courts of this State.

(2) Where a subpoena requires the production of documentary material, the respondent shall produce the original of such documentary material, provided, however, that the Attorney General may agree that copies may be substituted, in which case the respondent shall have copies made and produced at the respondent's expense. (Source: P.A. 76-208.)

(740 ILCS 10/7.6) (from Ch. 38, par. 60-7.6)

Sec. 7.6. In the event a witness served with a subpoena by the Attorney General under this Act fails or refuses to obey same or produce documentary material or interrogatory answers as provided herein, or to give testimony, relevant or material, to the investigation being conducted, the Attorney General may petition the Circuit Court of Sangamon or Cook County, or the county wherein the witness resides for an order requiring said witness to attend and testify or produce the documentary material or interrogatory answers demanded; ~~thereafter, any failure or refusal on the part of the witness to obey such order of court may be punishable by the court as a contempt thereof. The court's order shall require the witness to attend and testify or produce the documentary material or interrogatory answers, or a combination thereof, by a specified date, and shall further provide a date thereafter on which the witness shall show cause in court why he or she should not be held in contempt of court if he or she fails to comply. The Attorney General shall cause the order to be served upon the witness in the manner provided for service of subpoenas in Section 7.3 of this Act. Service of the order shall constitute service of process, and no other form of process is necessary to submit the witness to the jurisdiction of the court and to require compliance with the court order.~~ (Source: P.A. 76-208.)

(740 ILCS 10/7.7) (from Ch. 38, par. 60-7.7)

Sec. 7.7. In any investigation brought by the Attorney General pursuant to this Act, no individual shall be excused from attending, testifying or producing documentary material, objects or tangible things in obedience to a subpoena or under order of the court on the ground that the testimony or evidence required of him or her may tend to incriminate him or subject him to any penalty. No individual shall be criminally prosecuted or subjected to any criminal penalty for or on account of (a) any testimony or interrogatory answers given by him or her, or (b) any documentary material produced by him or her, as to which he or she would otherwise have a right not to give or produce by virtue of his or her right against self-incrimination, in any investigation brought by the Attorney General pursuant to this Act; provided no individual so giving testimony or answers or so producing documentary material testifying shall be exempt from prosecution or punishment for perjury committed in so testifying, answering, or producing. (Source: P.A. 81-1051.)

(740 ILCS 10/12 new)

Sec. 12. Jury Trial. In the trial of all actions brought under this Act for the imposition of criminal sanctions or the recovery of civil penalties or damages, any party, upon timely demand, shall be entitled to a trial by jury."

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 1751 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: 100, Yeas; 11, Nays; 5, 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.

On motion of Representative Hamos, HOUSE BILL 3695 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: 98, Yeas; 0, Nays; 17, 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 Jakobsson, HOUSE BILL 344 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: 73, Yeas; 42, 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 Joyce, HOUSE BILL 3082 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: 77, Yeas; 15, Nays; 23, 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 Saviano, HOUSE BILL 2572 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 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 Yarbrough, HOUSE BILL 1352 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:

39, Yeas; 59, Nays; 17, Answering Present.

(ROLL CALL 26)

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

### HOUSE BILLS ON SECOND READING

HOUSE BILL 2207. Having been printed, was taken up and read by title a second time.

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

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2207 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Sections 28-6 and 28-9 as follows:

(10 ILCS 5/28-6) (from Ch. 46, par. 28-6)

Sec. 28-6. Petitions; filing. (a) On a written petition signed by a number of voters equal to at least 8% of the votes cast for candidates for Governor in the preceding gubernatorial election by 10% of the registered voters of the ~~any~~ municipality, township, county or school district it shall be the duty of the proper election officers to submit any question of public policy so petitioned for, to the electors of such political subdivision at any regular election named in the petition at which an election is scheduled to be held throughout such political subdivision under Article 2A. Such petitions shall be filed with the local election official of the political subdivision or election authority, as the case may be. Where such a question is to be submitted to the voters of a municipality which has adopted Article 6, or a township or school district located entirely within the jurisdiction of a municipal board of election commissioners, such petitions shall be filed with the board of election commissioners having jurisdiction over the political subdivision.

(b) In a municipality ~~with more than 1,000,000 inhabitants~~, when a question of public policy exclusively concerning a contiguous territory included entirely within but not coextensive with the municipality is initiated by resolution or ordinance of the corporate authorities of the municipality, or by a petition which may be signed by registered voters who reside in any part of any precinct all or part of which includes all or part of the territory and who equal in number at least 8% of the total votes cast for candidates for Governor in the preceding gubernatorial election by 10% of the total number of registered voters of the precinct or precincts the registered voters of which are eligible to sign the petition, it shall be the duty of the election authority having jurisdiction over such municipality to submit such question to the electors throughout each precinct all or part of which includes all or part of the territory at the regular election specified in the resolution, ordinance or petition initiating the public question. A petition initiating a public question described in this subsection shall be filed with the election authority having jurisdiction over the municipality. A resolution, ordinance or petition initiating a public question described in this subsection shall specify the election at which the question is to be submitted.

(c) Local questions of public policy authorized by this Section and statewide questions of public policy authorized by Section 28-9 shall be advisory public questions, and no legal effects shall result from the adoption or rejection of such propositions.

(d) This Section does not apply to a petition filed pursuant to Article IX of the Liquor Control Act of 1934. (Source: P.A. 84-1467.)

(10 ILCS 5/28-9) (from Ch. 46, par. 28-9)

Sec. 28-9. Petitions for proposed amendments to Article IV of the Constitution pursuant to Section 3, Article XIV of the Constitution shall be signed by a number of electors equal in number to at least 8% of the total votes cast for candidates for Governor in the preceding gubernatorial election. Such petition shall have been signed by the petitioning electors not more than 24 months preceding the general election at which the proposed amendment is to be submitted and shall be filed with the Secretary of State at least 6

months before that general election.

Upon receipt of a petition for a proposed Constitutional amendment, the Secretary of State shall, as soon as is practicable, but no later than the close of the next business day, deliver such petition to the State Board of Elections.

Petitions for advisory questions of public policy to be submitted to the voters of the entire State shall be signed by a number of voters equal in number to 8% of the total votes cast for candidates for Governor in the preceding gubernatorial election ~~at least 10% of the registered voters in the State~~. Such petition shall have been signed by said petitioners not more than 24 months preceding the date of the general election at which the question is to be submitted and shall be filed with the State Board of Elections at least 6 months before that general election.

The proponents of the proposed Constitutional amendment or statewide advisory public question shall file the original petition in bound election jurisdiction sections. Each section shall be composed of consecutively numbered petition sheets containing only the signatures of registered voters of a single election jurisdiction and, at the top of each petition sheet, the name of the election jurisdiction shall be typed or printed in block letters; provided that, if the name of the election jurisdiction is not so printed, the election jurisdiction of the circulator of that petition sheet shall be controlling with respect to the signatures on that sheet. Any petition sheets not consecutively numbered or which contain duplicate page numbers already used on other sheets, or are photocopies or duplicates of the original sheets, shall not be considered part of the petition for the purpose of the random sampling verification and shall not be counted toward the minimum number of signatures required to qualify the proposed constitutional amendment or statewide advisory public question for the ballot.

Within 7 business days following the last day for filing the original petition, the proponents shall also file copies of the sectioned election jurisdiction petition sheets with each proper election authority and obtain a receipt therefor.

For purposes of this Act, the following terms shall be defined and construed as follows:

1. "Board" means the State Board of Elections.
2. "Election Authority" means a county clerk or city or county board of election commissioners.
3. "Election Jurisdiction" means (a) an entire county, in the case of a county in which no city board of election commissioners is located or which is under the jurisdiction of a county board of election commissioners; (b) the territorial jurisdiction of a city board of election commissioners; and (c) the territory in a county outside of the jurisdiction of a city board of election commissioners. In each instance election jurisdiction shall be determined according to which election authority maintains the permanent registration records of qualified electors.
4. "Proponents" means any person, association, committee, organization or other group, or their designated representatives, who advocate and cause the circulation and filing of petitions for a statewide advisory question of public policy or a proposed constitutional amendment for submission at a general election and who has registered with the Board as provided in this Act.
5. "Opponents" means any person, association, committee, organization or other group, or their designated representatives, who oppose a statewide advisory question of public policy or a proposed constitutional amendment for submission at a general election and who have registered with the Board as provided in this Act. (Source: P.A. 87-1052.)

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 held on the order of Second Reading: HOUSE BILL 3677.

HOUSE BILL 2317. Having been printed, was taken up and read by title a second time.

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

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2317 on page 5, by replacing lines 31 and 32 with the following:



"Section 10. The Illinois Municipal Code is amended by changing Section 9-2-9 as follows:  
(65 ILCS 5/9-2-9) (from Ch. 24, par. 9-2-9)

Sec. 9-2-9. Preliminary procedure for local improvements by special assessment. All ordinances for local improvements to be paid for wholly or in part by special assessment or special taxation shall originate with the board of local improvements. Petitions for any local improvement shall be addressed to that board. The board may originate a scheme for any local improvement to be paid for by special assessment or special tax, either with or without a petition, and in either case shall adopt a resolution describing the proposed improvement. This resolution may provide that specifications for the proposed improvement be made part of the resolution by reference to specifications previously adopted by resolution by the municipality, or to specifications adopted or published by the State of Illinois or a political subdivision thereof, provided that a copy of the specifications so adopted by reference is on file in the office of the clerk of the municipality. This resolution shall be at once transcribed into the records of the board.

The proposed local improvement may consist of the acquisition of the necessary interests in real property and the construction of any public improvement or any combination of public improvements, including, but not limited to, streets ~~street~~, storm drain ~~sewers sewer~~, water ~~mains main~~, or sanitary sewer improvements, sidewalks, walkways, bicycle paths, landscaping, lighting improvements, signage improvements, vehicular parking improvements, any additional improvements necessary to provide access to the public improvements, and all necessary and appurtenances, or any combination thereof, in a local contiguous area pursuant to a single special assessment project, provided that in assessing each lot, block, tract, and parcel of property, the commissioner so assessing shall take into consideration whether each lot, block, tract, or parcel is benefited by all or only some of the improvements combined into the single special assessment project. For purposes hereof, a local contiguous area shall be defined as an area in which all of the lots, blocks, tracts, or parcels located within the boundaries thereof will be benefited by one or more of the proposed improvements. The fact that more than one improvement is being constructed as part of a single special assessment project shall not be grounds for an objection by an assessee to the special assessment proceeding in court.

Whenever the proposed improvement requires that private or public property be taken or damaged, the resolution shall describe the property proposed to be taken or damaged for that purpose. The board, by the same resolution, shall fix a day and hour for a public hearing thereon. The hearing shall not be less than 10 days after the adoption of the resolution. The board shall also have an estimate of the cost of the improvement (omitting land to be acquired) made in writing by the engineer of the board, (if there is an engineer, if not, then by the president) over his signature. This estimate shall be itemized to the satisfaction of the board and shall be made a part of the record of the resolution. However, such an estimate is not required in municipalities having a population of 100,000 or more when the proposed improvement consists only of taking or damaging private or public property. And in cities and villages which have adopted prior to the effective date of this Code or which after the effective date of this Code adopt the commission form of municipal government, the estimate of the cost of the improvement, (omitting land to be acquired), shall be made in writing by the public engineer if there is one, of the city or village, if not, then by the mayor or president of the city or village.

Notice of the time and place of the public hearing shall be sent by mail directed to the person who paid the general taxes for the last preceding year on each lot, block, tract, or parcel of land fronting on the proposed improvement not less than 5 days prior to the time set for the public hearing. These notices shall contain (1) the substance of the resolution adopted by the board, (2) when an estimate is required by this Division 2 the estimate of the cost of the proposed improvement, and (3) a notification that the extent, nature, kind, character, and (when an estimate is required by this article) the estimated cost of the proposed improvement may be changed by the board at the public hearing thereon. If upon the hearing the board deems the proposed improvement desirable, it shall adopt a resolution and prepare and submit an ordinance therefor. But in proceedings only for the laying, building, constructing, or renewing of any sidewalk, water service pipe, or house drain, no resolution, public hearing, or preliminary proceedings leading up to the same are necessary. In such proceedings the board may submit to the corporate authorities an ordinance, together with its recommendation and (when an estimate is required) the estimated cost of the improvement, as made by the engineer. Such proceedings shall have the same effect as though a public hearing had been held thereon.

In the event that a local improvement is to be constructed with the assistance of any agency of the Federal government, or other governmental agency, the resolution of the board of local improvements shall set forth that fact and the estimate of cost shall set forth and indicate, in dollars and cents, the estimated amount of assistance to be so provided. (Source: 90-480, eff. 8-17-97.)

Section 99. Effective date. This Act takes effect upon becoming law, except that Section 10 takes effect on January 1, 2004."

Representative O'Brien offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 2317, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Special Assessment Supplemental Bond and Procedures Act is amended by changing Section 1 as follows:

(50 ILCS 460/1)

Sec. 1. Short Title. This Act shall be known and may be cited as the Special Assessment Supplemental Bond and Procedures Act. (Source: P.A. 90-480, eff. 8-17-97.)".

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 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 Hultgren, HOUSE BILL 1755 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; 20, 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.

On motion of Representative Franks, HOUSE BILL 3142 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: 95, Yeas; 9, Nays; 11, 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 Rose, HOUSE BILL 3387 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 Bailey, HOUSE BILL 506 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:

108, Yeas; 6, Nays; 1, 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.

### HOUSE BILLS ON SECOND READING

HOUSE BILL 192. 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 192 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Human Services Act is amended by changing Section 1-5 as follows:  
(20 ILCS 1305/1-5)

Sec. 1-5. ~~Legislative purpose~~ ~~Purpose~~. It is the purpose of this Act to provide for the creation of the Department of Human Services and to transfer to it certain rights, powers, duties, and functions currently exercised by various other agencies of State Government. This Act consolidates and centralizes certain human services programs that are now offered to the citizens of this State by a number of different State agencies; it is intended to make possible the more effective and efficient operation of the affected programs and services. (Source: P.A. 89-507, eff. 7-3-96.)"

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 360. 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 360 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by changing Section 55.6 as follows:  
(415 ILCS 5/55.6) (from Ch. 111 1/2, par. 1055.6)

Sec. 55.6. Used Tire Management Fund; allocation. (a) There is hereby created in the State Treasury a special fund to be known as the Used Tire Management Fund. There shall be deposited into the Fund all monies received as (1) recovered costs or proceeds from the sale of used tires under Section 55.3 of this Act, (2) repayment of loans from the Used Tire Management Fund, or (3) penalties or punitive damages for violations of this Title, except as provided by subdivision (b)(4) or (b)(4-5) of Section 42.

(b) Beginning January 1, 1992, in addition to any other fees required by law, the owner or operator of each site required to be registered under subsection (d) of Section 55 shall pay to the Agency an annual fee of \$100. Fees collected under this subsection shall be deposited into the Environmental Protection Permit and Inspection Fund.

(c) Pursuant to appropriation, monies up to an amount of \$2 million per fiscal year from the Used Tire Management Fund shall be allocated as follows:

(1) 38% shall be available to the Agency for the following purposes, provided that priority shall be given to item (i):

(i) To undertake preventive, corrective or removal action as authorized by and in accordance with Section 55.3, and to recover costs in accordance with Section 55.3.

(ii) For the performance of inspection and enforcement activities for used and waste tire sites.

(iii) To assist with marketing of used tires by augmenting the operations of an industrial materials

exchange service.

(iv) To provide financial assistance to units of local government for the performance of inspecting, investigating and enforcement activities pursuant to subsection (r) of Section 4 at used and waste tire sites.

(v) To provide financial assistance for used and waste tire collection projects sponsored by local government or not-for-profit corporations.

(vi) For the costs of fee collection and administration relating to used and waste tires, and to accomplish such other purposes as are authorized by this Act and regulations thereunder.

(2) 23% shall be available to the Department of Commerce and Community Affairs for the following purposes, provided that priority shall be given to item (A):

(A) To provide grants or loans for the purposes of:

(i) assisting units of local government and private industry in the establishment of facilities and programs to collect, process and utilize used and waste tires and tire derived materials;

(ii) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing and utilizing used and waste tires and tire derived materials; and

(iii) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire derived materials.

(B) To develop educational material for use by officials and the public to better understand and respond to the problems posed by used tires and associated insects.

(C) (Blank).

(D) To perform such research as the Director deems appropriate to help meet the purposes of this Act.

(E) To pay the costs of administration of its activities authorized under this Act.

(3) 25% shall be available to the Illinois Department of Public Health for the following purposes:

(A) To investigate threats or potential threats to the public health related to mosquitoes and other vectors of disease associated with the improper storage, handling and disposal of tires, improper waste disposal, or natural conditions.

(B) To conduct surveillance and monitoring activities for mosquitoes and other arthropod vectors of disease, and surveillance of animals which provide a reservoir for disease-producing organisms.

(C) To conduct training activities to promote vector control programs and integrated pest management as defined in the Vector Control Act.

(D) To respond to inquiries, investigate complaints, conduct evaluations and provide technical consultation to help reduce or eliminate public health hazards and nuisance conditions associated with mosquitoes and other vectors.

(E) To provide financial assistance to units of local government for training, investigation and response to public nuisances associated with mosquitoes and other vectors of disease.

(4) 2% shall be available to the Department of Agriculture for its activities under the Illinois Pesticide Act relating to used and waste tires.

(5) 2% shall be available to the Pollution Control Board for administration of its activities relating to used and waste tires.

(6) 10% shall be available to the Department of Natural Resources for the Illinois Natural History Survey to perform research to study the biology, distribution, population ecology, and biosystematics of tire-breeding arthropods, especially mosquitoes, and the diseases they spread.

(d) By January 1, 1998, and biennially thereafter, each State agency receiving an appropriation from the Used Tire Management Fund shall report to the Governor and the General Assembly on its activities relating to the Fund.

(e) Any monies appropriated from the Used Tire Management Fund, but not obligated, shall revert to the Fund.

(f) In administering the provisions of subdivisions (1), (2) and (3) of subsection (c) of this Section, the Agency, the Department of Commerce and Community Affairs, and the Illinois Department of Public Health shall ensure that appropriate funding assistance is provided to any municipality with a population over 1,000,000 or to any sanitary district which serves a population over 1,000,000.

(g) Pursuant to appropriation, monies in excess of \$2 million per fiscal year from the Used Tire Management Fund shall be used as follows:

(1) 55% shall be available to the Agency to undertake preventive, corrective or renewed action as authorized by and in accordance with Section 55.3 and to recover costs in accordance with Section 55.3.

(2) 45% shall be available to the Department of Commerce and Community Affairs to provide

grants or loans for the purposes of:

- (i) assisting units of local government and private industry in the establishment of facilities and programs to collect, process and utilize waste tires and tire derived material;
- (ii) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire derived materials; and
- (iii) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire derived materials.

(Source: P.A. 91-856, eff. 6-22-00; 92-16, eff. 6-28-01.)".

There being no further amendments, the foregoing Amendment No. 4 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 held on the order of Second Reading: HOUSE BILL 624.

HOUSE BILL 1240. Having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Aging, adopted and printed:

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 1240 on page 1, line 9, immediately after "consumers", by inserting "over the age of 60"; and on page 5, by replacing lines 15 through 17 with the following: "representative of long-term care facility employees must also be included as a non-voting member.".

#### AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 1240, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Act on the Aging is amended by adding Section 4.04a as follows:

(20 ILCS 105/4.04a new)

Sec. 404a. Illinois Long-Term Care Council.

(a) Purpose. The purpose of this Section is to ensure that consumers over the age of 60 receive high quality long-term care through an effective and independent State Long-Term Care Ombudsman program.

(b) Maintenance and operation of the Illinois Long-Term Care Council.

(1) The Department shall develop a fair and impartial process for recruiting and receiving nominations for members for the Illinois Long-Term Care Council from the area agencies on aging, regional ombudsman programs, provider agencies, and other public agencies, using a nomination form provided by the Department.

(2) The Department shall appoint members to the Illinois Long-Term Care Council in a timely manner.

(3) The Department shall consider, act in good faith regarding, and respond in writing to the complaints from the Illinois Long-Term Care Council, complaints that have been received by any agency or individual, the Illinois Long-Term Care Council's annual report, and its recommendations.

(4) The Department shall provide necessary staff for soliciting nominations for members to the Illinois Long-Term Care Council and a budget within its budget for the Illinois Long-Term Care Council to carry out its mandated responsibilities, including holding hearings and reimbursing travel for voting members who are long-term care facility residents and family members of long-term care facility residents.

(5) The Director of the Department shall appoint to the Illinois Long-Term Care Council at least 10 members but not more than 15 members. The State Long-Term Care Ombudsman shall appoint at least 5 members but not more than 10 members.

(c) Responsibilities of area agencies on aging, regional long-term care ombudsman programs, and provider agencies. Each area agency on aging, regional long-term care ombudsman program, and provider agency shall solicit names and recommend voting and non-voting members to the Department for appointment to the Illinois Long-Term Care Council. Each area agency on aging shall cooperate with the Illinois Long-Term Care Council in holding public hearings in its area.

(d) Powers and duties. The Illinois Long-Term Care Council shall do the following:

(1) Evaluate and monitor the Department's policies and procedures and make recommendations in order to solve or prevent conflicts of interest with the State Long-Term Care Ombudsman Program, the Department, State government, any agency, individual, or other entity, or within the State Long-Term Care Ombudsman Program.

(2) Develop bylaws for efficient operation, including, but not limited to, rules regarding the chairmanship of the council, and establish a yearly calendar, which shall be made public.

(3) Forward any complaints, with recommendations, to the Department for possible action.

(4) Comment on issues pertaining to long-term care and the State Long-Term Care Ombudsman Program, evaluate the State Long-Term Care Ombudsman Program's compliance with State and federal laws, and make recommendations to the Department and to other agencies, as appropriate.

(5) Advise the Department on all aspects of the Department's responsibilities under this Act for the State Long-Term Care Ombudsman Program.

(6) Advise the State Long-Term Care Ombudsman Program on matters pertaining to the quality of life and quality of care in the continuum of long-term care.

(7) Evaluate, comment on reports regarding, and make recommendations on the quality of life and quality of care in long-term care facilities, and on the duties and responsibilities of the State Long-Term Care Ombudsman Program to the federal and State governments and to other public agencies.

(8) Prepare and circulate an annual report to the Governor, the General Assembly, and other interested parties concerning the duties and accomplishments of the Illinois Long-Term Care Council and all other related matters pertaining to long-term care and the protection of resident' rights.

(9) Promote citizen input and participation, through statewide hearings or other means, regarding the policies of the State Long-Term Care Ombudsman Program.

(10) Recommend to the Governor, from a field of qualified candidates, 3 candidates for the position of State Long-Term Care Ombudsman, from which the Governor may make his or her appointment.

(11) Recommend to the Governor the dismissal of a State Long-Term Care Ombudsman if the Illinois Long-Term Care Council determines that the individual has not disclosed conflicts of interest or is unable to carry out the duties of the office as provided in this Act.

(12) Provide an opportunity for public input at each scheduled meeting.

(e) Composition and operation. The Illinois Long-Term Care Council shall be composed of at least 16 members but not more than 26 members concerned about the quality of life in long-term care facilities and protecting the rights of residents of long-term care facilities. The State Long-Term Care Ombudsman shall be a permanent member of the Long-Term Care Council. Members shall be appointed for a 4-year term with initial appointments staggered with 2-year, 3-year, and 4-year terms. A lottery shall determine the first terms of office for the initial members. Members may be reappointed to a term but no member may be reappointed to more than 2 consecutive terms. The Illinois Long-Term Care Council shall meet a minimum of 3 times per calendar year.

(f) Member requirements. All members shall be individuals who have demonstrated concern about the quality of life in long-term care facilities. A minimum of 3 members must be current or former residents of long-term care facilities or the family member of a current or former resident of a long-term care facility. A minimum of 2 members shall represent current or former long-term care facility resident councils or family councils. There shall be non-voting State agency members on the Long-Term Care Council from the following agencies: (i) the Department of Veterans Affairs; (ii) the Department of Human Services; (iii) the Department of Public Health; (iv) the Department on Aging; (v) the Department of Public Aid; (vi) the Illinois State Police Medicaid Fraud Unit; and (vii) others as appropriate.

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

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.

Having been printed, the following bills were taken up, read by title a second time and held on the order of Second Reading: HOUSE BILLS 1553

HOUSE BILL 2221. Having been printed, was taken up and read by title a second time. The following amendment was offered in the Committee on Executive, adopted and printed:

## AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2221 by replacing everything after the enacting clause with the following:

"Section 5. The Disabled Persons Rehabilitation Act is amended by changing Section 3 as follows:

(20 ILCS 2405/3) (from Ch. 23, par. 3434)

Sec. 3. Powers and duties. The Department shall have the powers and duties enumerated herein:

(a) To co-operate with the federal government in the administration of the provisions of the federal Rehabilitation Act of 1973, as amended, of the Workforce Investment Act of 1998, and of the federal Social Security Act to the extent and in the manner provided in these Acts.

(b) To prescribe and supervise such courses of vocational training and provide such other services as may be necessary for the habilitation and rehabilitation of persons with one or more disabilities, including the administrative activities under subsection (e) of this Section, and to co-operate with State and local school authorities and other recognized agencies engaged in habilitation, rehabilitation and comprehensive rehabilitation services; and to cooperate with the Department of Children and Family Services regarding the care and education of children with one or more disabilities.

(c) (Blank).

(d) To report in writing, to the Governor, annually on or before the first day of December, and at such other times and in such manner and upon such subjects as the Governor may require. The annual report shall contain (1) a statement of the existing condition of comprehensive rehabilitation services, habilitation and rehabilitation in the State; (2) a statement of suggestions and recommendations with reference to the development of comprehensive rehabilitation services, habilitation and rehabilitation in the State; and (3) an itemized statement of the amounts of money received from federal, State and other sources, and of the objects and purposes to which the respective items of these several amounts have been devoted.

(e) (Blank).

(f) To establish a program of services to prevent unnecessary institutionalization of persons with Alzheimer's disease and related disorders or persons in need of long term care who are established as blind or disabled as defined by the Social Security Act, thereby enabling them to remain in their own homes or other living arrangements. Such preventive services may include, but are not limited to, any or all of the following:

- (1) home health services;
- (2) home nursing services;
- (3) homemaker services;
- (4) chore and housekeeping services;
- (5) day care services;
- (6) home-delivered meals;
- (7) education in self-care;
- (8) personal care services;
- (9) adult day health services;
- (10) habilitation services;
- (11) respite care; or
- (12) other nonmedical social services that may enable the person to become self-supporting.

The Department shall establish eligibility standards for such services taking into consideration the unique economic and social needs of the population for whom they are to be provided. Such eligibility standards may be based on the recipient's ability to pay for services; provided, however, that any portion of a person's income that is equal to or less than the "protected income" level shall not be considered by the Department in determining eligibility. The "protected income" level shall be determined by the Department, shall never be less than the federal poverty standard, and shall be adjusted each year to reflect changes in the Consumer Price Index For All Urban Consumers as determined by the United States Department of Labor. Additionally, in determining the amount and nature of services for which a person may qualify, consideration shall not be given to the value of cash, property or other assets held in the name of the person's spouse pursuant to a written agreement dividing marital property into equal but separate shares or pursuant to a transfer of the person's interest in a home to his spouse, provided that the spouse's share of the marital property is not made available to the person seeking such services.

The services shall be provided to eligible persons to prevent unnecessary or premature institutionalization, to the extent that the cost of the services, together with the other personal maintenance expenses of the persons, are reasonably related to the standards established for care in a group facility

appropriate to their condition. These non-institutional services, pilot projects or experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Illinois Department on Aging.

Personal care attendants shall be paid:

- (i) A \$5 per hour minimum rate beginning July 1, 1995.
- (ii) A \$5.30 per hour minimum rate beginning July 1, 1997.
- (iii) A \$5.40 per hour minimum rate beginning July 1, 1998.

Personal care attendants and personal assistants providing services under the Department's Home Services Program shall be considered to be public employees covered by the Illinois Public Labor Relations Act (5 ILCS 315/), and the State of Illinois shall be considered to be their employer under that Act. The State Panel of the Illinois Labor Relations Board shall have and exercise jurisdiction over personal care attendants and personal assistants under the Act. If the State has recognized a labor organization as the exclusive representative of personal care attendants or personal assistants prior to the effective date of this amendatory Act of the 93rd General Assembly, the organization shall be considered to be the exclusive representative of the personal care attendants or personal assistants as defined in Section 3 of the Illinois Public Labor Relations Act. Nothing in this paragraph shall be understood to limit the right of the persons receiving services defined in this subsection to hire and fire personal care attendants and personal assistants or supervise them within the limitations set by the Home Services Program. The State shall not be considered to be the employer of personal care attendants or personal assistants for purposes of vicarious liability in tort or for purposes of statutory retirement or health insurance benefits. Personal care attendants and personal assistants shall not be covered by the State Employees Group Insurance Act (5 ILCS 375/).

The Department shall execute, relative to the nursing home prescreening project, as authorized by Section 4.03 of the Illinois Act on the Aging, written inter-agency agreements with the Department on Aging and the Department of Public Aid, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped. On and after July 1, 1996, all nursing home prescreenings for individuals 18 through 59 years of age shall be conducted by the Department.

The Department is authorized to establish a system of recipient cost-sharing for services provided under this Section. The cost-sharing shall be based upon the recipient's ability to pay for services, but in no case shall the recipient's share exceed the actual cost of the services provided. Protected income shall not be considered by the Department in its determination of the recipient's ability to pay a share of the cost of services. The level of cost-sharing shall be adjusted each year to reflect changes in the "protected income" level. The Department shall deduct from the recipient's share of the cost of services any money expended by the recipient for disability-related expenses.

The Department, or the Department's authorized representative, shall recover the amount of moneys expended for services provided to or in behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21, blind, or permanently and totally disabled. This paragraph, however, shall not bar recovery, at the death of the person, of moneys for services provided to the person or in behalf of the person under this Section to which the person was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate. "Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Illinois Department of Public Aid, regardless of the value of the property.

The Department and the Department on Aging shall cooperate in the development and submission of an annual report on programs and services provided under this Section. Such joint report shall be filed with the Governor and the General Assembly on or before March 30 each year.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the



Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act, and filing additional copies with the State Government Report Distribution Center for the General Assembly as required under paragraph (t) of Section 7 of the State Library Act.

(g) To establish such subdivisions of the Department as shall be desirable and assign to the various subdivisions the responsibilities and duties placed upon the Department by law.

(h) To cooperate and enter into any necessary agreements with the Department of Employment Security for the provision of job placement and job referral services to clients of the Department, including job service registration of such clients with Illinois Employment Security offices and making job listings maintained by the Department of Employment Security available to such clients.

(i) To possess all powers reasonable and necessary for the exercise and administration of the powers, duties and responsibilities of the Department which are provided for by law.

(j) To establish a procedure whereby new providers of personal care attendant services shall submit vouchers to the State for payment two times during their first month of employment and one time per month thereafter. In no case shall the Department pay personal care attendants an hourly wage that is less than the federal minimum wage.

(k) To provide adequate notice to providers of chore and housekeeping services informing them that they are entitled to an interest payment on bills which are not promptly paid pursuant to Section 3 of the State Prompt Payment Act.

(l) To establish, operate and maintain a Statewide Housing Clearinghouse of information on available, government subsidized housing accessible to disabled persons and available privately owned housing accessible to disabled persons. The information shall include but not be limited to the location, rental requirements, access features and proximity to public transportation of available housing. The Clearinghouse shall consist of at least a computerized database for the storage and retrieval of information and a separate or shared toll free telephone number for use by those seeking information from the Clearinghouse. Department offices and personnel throughout the State shall also assist in the operation of the Statewide Housing Clearinghouse. Cooperation with local, State and federal housing managers shall be sought and extended in order to frequently and promptly update the Clearinghouse's information.

(m) To assure that the names and case records of persons who received or are receiving services from the Department, including persons receiving vocational rehabilitation, home services, or other services, and those attending one of the Department's schools or other supervised facility shall be confidential and not be open to the general public. Those case records and reports or the information contained in those records and reports shall be disclosed by the Director only to proper law enforcement officials, individuals authorized by a court, the General Assembly or any committee or commission of the General Assembly, and other persons and for reasons as the Director designates by rule. Disclosure by the Director may be only in accordance with other applicable law. (Source: P.A. 91-540, eff. 8-13-99; 92-84, eff. 7-1-02.)

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 held on the order of Second Reading.

Having been printed, the following bills were taken up, read by title a second time and held on the order of Second Reading: HOUSE BILLS 2458, 2840 and 3061.

HOUSE BILL 3465. Having been printed, was taken up and read by title a second time.

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

#### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3465 as follows:

on page 128, lines 15, 20, 21, and 25, by replacing "2003" each time it appears with "2005"; and on page 129, lines 5, 10, 22, and 27, by replacing "2003" each time it appears with "2005"; and on page 129, lines 5 and 6, by deleting ", except the Southern Illinois University School of Medicine,"; and on page 129, lines 22 through 24, by deleting ", along with the Southern Illinois University School of Medicine,"; and on page 131, line 9, by replacing "2007" with "2009"; and

on page 131, line 10, by replacing "2009" with "2011"; and  
 on page 131, lines 11 and 29, by replacing "2003" each time it appears with "2005"; and  
 on page 132, lines 5, 9, 15, 21, and 25, by replacing "2003" each time it appears with "2005"; and  
 on page 133, lines 6 and 28, by replacing "2003" each time it appears with "2005"; and  
 on page 134, lines 6, 30, and 33, by replacing "2003" each time it appears with "2005"; and  
 on page 135, lines 7, 16, 20, 26, and 32, by replacing "2003" each time it appears with "2005"; and  
 on page 136, lines 3 and 19, by replacing "2003" each time it appears with "2005"; and  
 on page 137, lines 7 and 20, by replacing "2003" each time it appears with "2005"; and  
 on page 138, lines 10 and 13, by replacing "2003" each time it appears with "2005"; and  
 on page 140, line 20, by replacing "Carbondale" with "Edwardsville"; and  
 on page 144, line 15, by replacing "Edwardsville" with "Carbondale".  
 on page 198, line 23, by replacing "Edwardsville" with "Carbondale"; and  
 on page 210, line 19, by replacing "2003" with "2005".

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 held on the order of Second Reading: HOUSE BILL 3511

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 2870.

### RECALL

By unanimous consent, on motion of Representative Turner, HOUSE BILL 2231 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 305. 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 305 by deleting everything after the enacting clause with the following:

"Section 5. The Open Meetings Act is amended by changing Section 1.01 as follows:

(5 ILCS 120/1.01) (from Ch. 102, par. 41.01)

Sec. 1.01. Short title. This Act ~~shall be known as~~ and may be cited as the Open Meetings Act. (Source: P.A. 82-378.)".

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 held on the order of Second Reading: HOUSE BILL 209.

HOUSE BILL 235. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 235 by replacing the title with the following:

"AN ACT concerning corporations."; and

by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Corporate Accountability for Tax Expenditures Act.

Section 5. Definitions. As used in this Act:

"Affiliated group" means the recipient, its corporate parent (if any), all other subsidiaries such corporate parent owns, and all other businesses with substantially similar ownership.

"Base years" means the first 2 complete calendar years following the effective date of a recipient receiving development assistance.

"Corporate parent" means any person or legal entity, organization, business, partnership, group, or corporate entity recognized by law, or combination thereof, that possesses, owns, or controls an interest greater than 50% of the recipient.

"Date of assistance" means the date upon which a granting body transmits the first dollar value of development assistance to a recipient.

"Default" means that a recipient has not achieved its job creation or wage or benefit goals, or the affiliated group has not maintained 90% of its State employment, as long as the subsidy is in effect, or 10 years, whichever is longer.

"Development assistance" means any form of public assistance, including both direct and indirect on-budget and off-budget assistance, including tax expenditures, made for the purpose of stimulating economic development of a given corporation, industry, geographic jurisdiction, or other subset of the State's economy, including but not limited to industrial development bonds, training grants, loans, loan guarantees, enterprise zones, empowerment zones, tax increment financing, grants, fee waivers, land price subsidies, infrastructure whose principal beneficiary is a single business or defined group of businesses at the time it is built or improved, matching funds, tax abatements, tax credits, and tax discounts of every kind, including corporate income, personal income, sales, use, raw materials, job creation, industrial investment, excise, utility, inventory, accelerated depreciation, and research and development tax credits and discounts.

"Full-time, permanent job" means a job in which the new employee works for the recipient at a rate of at least 35 hours per week.

"Granting body" means any public entity within the State, including local governments, regional development organizations, State and local public corporations, the State government, and any State department or agency that provides development assistance, including but not limited to the Department of Commerce and Community Affairs, Department of Employment Security, workforce development boards, economic development commissions, industrial development authorities, regional development authorities, and finance authorities.

"In effect" refers to any calendar year within the duration of the development assistance, including but not limited to the duration of any loan, loan guarantee, tax credit or tax credit carryforward, property tax reduction or abatement, or tax increment financing. For one-time forms of development assistance such as grants and land price subsidies, "in effect" refers to a period of not less than 5 years from the date of assistance.

"Part-time job" means a job in which the new employee works for the recipient at a rate of less than 35 hours per week.

"Permanent job" means a job in which a new employee works for the recipient, not as an independent contractor or on a consulting basis, at a rate of at least 35 hours per week with the intention that such employment shall continue and that the employee will receive all health insurance, pension, profit sharing, and other benefits offered to other full-time, permanent employees.

"Property-taxing entity" means every entity in the State that levies taxes upon real property.

"Recipient" means any business that claims development assistance. A business is any corporation, limited liability company, partnership, joint venture, association, sole proprietorship, or other legally recognized entity that claims any development assistance.

"Small businesses" means those corporations whose corporate parents, and all subsidiaries thereof, employed fewer than an average of 49 full-time, permanent equivalent employees.

"Specific project site" means that distinct operational unit to which any development assistance is

applied.

"Subsidiary" means any person or legal entity, organization, business, partnership, group, or corporate entity recognized by law, or any combination thereof, in which the affiliated group possesses, owns, or controls an interest greater than 50%.

"Substantially similar" means at least 51% of equity interests are owned either legally or beneficially by the same individual or entities.

"Temporary job" means a job in which the new employee is hired for a specific duration of time or season.

"Value of assistance" means the face value of any form of development assistance, such as a bond amount.

"New employee" means a full-time, permanent employee who represents a net increase in the number of the affiliated group's employees statewide. "New employee" includes an employee who previously filled a new employee position with any member of the affiliated group who was rehired or called back from a layoff that occurs during or following the base years.

The term "New Employee" does not include any of the following:

(1) An employee of the affiliated group who performs a job that was previously performed by another employee, if that job existed for at least 6 months before hiring the employee.

(2) An employee of the recipient who was previously employed in Illinois by the affiliated group and whose employment was shifted to the recipient after the recipient entered into any sort of agreement to receive development assistance.

(3) A child, grandchild, parent, or spouse, other than a spouse who is legally separated from the individual, of any individual who has a direct or indirect ownership interest of at least 5% in the profits, capital, or value of any member of the affiliated group.

(4) An employee of the recipient who previously worked for any member of the affiliated group outside of Illinois prior to the Date of Assistance.

Section 10. Unified Economic Development Budget.

(a) The Department of Revenue shall submit an annual Unified Economic Development Budget to the General Assembly no later than 3 months after the end of the State's fiscal year. The report shall present all types of development assistance for economic development during the prior fiscal year, including but not limited to:

(1) The amount of uncollected or diverted state tax revenues resulting from development assistance provided by the State or a local governmental unit including but not limited to gross receipts, income, sales, use, raw materials, excise, property, utility, and inventory taxes.

(2) The name of each recipient that claimed any development assistance under subdivision (1) of any value equal to or greater than \$50,000, whether from single or multiple sources, together with the dollar amount received by each such recipient.

(3) Any development assistance received by a recipient totaling less than \$50,000 each shall not be itemized. The Department of Revenue shall report an aggregate dollar amount of such development assistance and the number of recipients so aggregated for each type of development assistance.

(4) All State appropriated development assistance for economic development, including line-item budgets for every State-funded entity concerned with economic development, including but not limited to State Department of Commerce, State Department of Employment and Training, vocational education programs, State university research programs, manufacturing extension service, Workforce Investment Boards, Economic Development Commissions, Industrial Development Authorities, Regional Development Authorities, and Finance Authorities.

(b) All data produced by the Department of Revenue and received by the General Assembly in compliance with this Act shall be fully subject to the Freedom of Information Act.

Section 15. Disclosure of property tax reductions and abatements.

(a) On or before April 1, 2004, the Department of Revenue shall promulgate a standardized disclosure registry for use by all property-taxing entities. The form shall require, but not be limited to, the following data:

(1) The name of the property owner.

(2) The address and description of the property.

(3) The date upon which any individual property tax reduction or abatement first took effect.

(4) The date upon which any individual property tax reduction or abatement is scheduled to expire.

(5) The rate or schedule of each individual property tax reduction or abatement for the period between the date it took effect and the date it is scheduled to expire.

(6) The entity's aggregate foregone revenue for the calendar year as a result of each property tax reduction or abatement.

(7) A compilation and summary of the entity's total foregone revenue as a result of all property tax reductions or abatements, including a summary of foregone revenue for each kind of reduction or abatement.

(8) The respective shares of the entity's property tax revenues in the reported year that went to each designated public agency, including but not limited to school boards, general funds, public safety agencies, fire departments, park districts, and general administration.

(b) Beginning April 1, 2004 and for each year thereafter, every property-taxing entity in the State shall employ this standardized registry to report to the State Department of Revenue all property tax reductions or abatements that had effect during the previous calendar year.

(c) The Department of Revenue shall, by June 1, 2004 and each year thereafter, compile and publish all data in all of the disclosure registries in both written and electronic form.

(d) If a property-taxing entity fails to comply with subsection (b) of this Section, the Department of Revenue shall, within 10 working days after the April 1 filing deadline, notify the Department of Commerce and Community Affairs of that failure. Upon receipt of the notice, the Department of Commerce and Community Affairs shall suspend within 33 working days any current development assistance activities under its control in the property-taxing entity's jurisdiction, and shall be prohibited from completing any current development assistance or providing any future development assistance in the non-compliant jurisdiction until it receives proof from the Department of Revenue that the property taxing entity has complied with subsection (b) of this Section.

(e) All data generated in compliance with subsections (a) and (b) are fully subject to the Freedom of Information Act.

Section 20. Standardized applications for on-budget development.

(a) On or before April 1, 2004, the Department of Commerce and Community Affairs shall promulgate a standardized application form for on-budget development assistance for use by all granting bodies. The form shall require, but not be limited to, the following data:

(1) An application tracking number that is specific to both the granting agency and to each application.

(2) The name, street and mailing addresses, phone number, and chief officer of the granting body.

(3) The name, street and mailing addresses, phone number, and chief officer of the corporate parent of the applicant corporation.

(4) The name, street and mailing addresses, phone number, 4-digit SIC number, and chief officer of the applicant corporation at the specific project site for which development assistance is sought.

(5) The applicant corporation's total number of employees at the specific project site on the date of the application, broken down by full-time, permanent, part-time, and temporary.

(6) The total number of employees in the State of the applicant corporation's corporate parent, and all subsidiaries thereof, as of December 1 of the year preceding the date of application, broken down by full-time, permanent, part-time, and temporary.

(7) The kind of development assistance and value of assistance being applied for.

(8) The number of new jobs to be created by the development assistance, broken down by full-time, permanent, part-time, and temporary.

(9) The average hourly wage to be paid within one year of hiring to the new employees, broken down by number of full-time, permanent, part-time, and temporary employees, and broken down by wage bands as follows: \$6 or less an hour, \$6.01 to \$7 an hour, \$7.01 to \$8 an hour, \$8.01 to \$9 an hour, \$9.01 to \$10 an hour, \$10.01 to \$11 an hour, \$11.01 to \$12 an hour, \$12.01 to \$13 an hour, \$13.01 to \$14 an hour, and \$14.01 or more per hour.

(10) For applicant project sites located in a Metropolitan Statistical Area, as defined by the U.S. Census Bureau, the average hourly wage paid to non-managerial employees in the applicant's industry in the State, as most recently provided by the U.S. Bureau of Labor Statistics to the 2 or 3-digit SIC number specification, as available.

(11) For applicant project sites located outside of Metropolitan Statistical Areas, the average weekly wage paid in the county, as most recently reported by the U.S. Department of Commerce in its County Business Patterns reports.

(12) The nature of employer-paid health care coverage to be provided within 90 days of hiring to the employees filling the new jobs, including any costs to be borne by the new employees.

(13) A list of all other forms of development assistance the applicant corporation is seeking for the

specific project site, and the name of each granting body from which that development assistance is being sought.

(14) A narrative, if necessary, describing how the applicant's use of the development assistance may reduce employment at any site in any United States jurisdiction controlled by the applicant corporation or its corporate parent, including but not limited to events such as automation, consolidation, merger, acquisition, product line movement, business activity movement, or restructuring by either the applicant corporation or its corporate parent.

(15) Individual certifications by the chief officers of both the applicant corporation and the granting body as to the accuracy of the application, under penalty of perjury.

(b) Beginning April 1, 2004, every granting body in the State, jointly with applicant corporations, shall fill out the standardized application form as prescribed in this Section each time a corporation applies for development assistance.

Section 25. On-budget development assistance disclosure.

(a) Beginning February 1, 2005 and each year thereafter, every granting body in the State shall submit to the Department of Commerce and Community Affairs copies of all the standardized applications forms for development assistance that it has received in the previous calendar year. Upon each form, the granting body shall designate whether the development assistance is pending, was approved, or was not approved, and for those applications that were approved, the date of assistance if the date of assistance occurred in the previous calendar year.

(b) For those applications that were approved but for which the date of assistance did not occur in the same calendar year, each granting body shall report in its next subsequent February 1 annual report to the Department relevant dates of assistance.

(c) For each development assistance application that was approved, except for small businesses as defined in this Act, and for which the date of assistance has occurred in a reporting year, each granting agency shall submit to the Department of Commerce and Community Affairs a progress report that shall include, but not limited to, the following data:

(1) The application tracking number.

(2) The name, street and mailing addresses, phone number, and chief officer of the granting body.

(3) The name, street and mailing addresses, phone number, 4-digit SIC number, and chief officer of the corporation at the specific project site for which the development assistance was approved.

(4) The kind of development assistance and value of assistance that was approved.

(5) The applicant's total level of employment at the specific project site on the date of the application and the applicant's total level of employment at the specific project site on the date of the report, broken down by full-time, permanent, part-time, and temporary, and a computation of the gain or loss in each category.

(6) The number of new jobs the applicant corporation stated in its application would be created by the development assistance, broken down by full-time, permanent, part-time, and temporary.

(7) The total level of employment in the State of the applicant's corporate parent, and all subsidiaries thereof, as of December 31 of the year preceding the date of application and the total level of employment in the State of the applicant's corporate parent, and all subsidiaries thereof, as of each December 31 up through the reporting year, broken down by full-time, permanent, part-time, and temporary, and a statement of the gain or loss in each category from the earliest reported year to the most recent.

(8) The average hourly wage paid as of December 31 of the reporting year to employees filling the new jobs at the specific project site, broken down by full-time, permanent, part-time, and temporary, and broken down by wage bands as follows: \$6.00 or less an hour; \$6.01 to \$7 an hour; \$7.01 to \$8.00 an hour; \$8.01 to \$9.00 an hour; \$9.01 to \$10 an hour; \$10.01 to \$11.00 an hour; \$11.01 to \$12.00 an hour; \$13.01 to \$13.00 an hour; \$13.01 to \$14.00 an hour; and \$14.01 or more an hour. The average hourly wage paid as of December 31 of the reporting year to employees filling the new jobs at the specific project site, broken down by full-time, permanent, part-time, and temporary.

(9) The nature of employer-paid health care coverage being provided within 90 days of hiring to the employees filling the new jobs, including any costs being borne by the new employees.

(10) A narrative, if necessary, describing how the recipient's use of the development assistance during the reporting year has reduced employment at any site in any United States jurisdiction controlled by the applicant or its corporate parent, including but not limited to events such as automation, consolidation, merger, acquisition, product line movement, business activity movement, or restructuring by either the applicant or its corporate parent.

(11) Signed individual certifications by the chief officers of both the applicant corporation and the granting body as to the accuracy of the progress report, under penalty of perjury.

(d) The granting body and the Department of Commerce and Community Affairs, or any successor agency, all have full investigative authority to verify the applicant's progress report data, including but not limited to inspection of the specific project site and analysis of tax and payroll records.

(e) By June 1, 2005 and by June 1 of each year thereafter, the Department of Commerce and Community Affairs shall compile and publish all data in all of the development assistance progress reports in both written and electronic form.

(f) Every aspect all development assistance applications, progress reports, and the Department of Commerce and Community Affairs' compilation of applications and progress reports shall be fully subject to the Freedom of Information Act.

(g) If a granting body fails to comply with subsections (a) through (c), the Department of Commerce and Community Affairs shall, within 10 working days of the February 1 filing deadline, suspend any current development assistance activities under its control in the body's jurisdiction, and shall be prohibited from proceeding with any current or future development assistance activities under its control in the granting body's jurisdiction, until it receives proof that the negligent granting body or recipient has complied with this Act.

#### Section 30. Job creation and job quality standards.

(a) In considering development assistance applications, all granting bodies shall perform 2 analyses concerning the projected wages and benefits. Specifically:

(1) In considering development assistance applications, all granting bodies shall compare the aggregate projected wage with existing wages. To derive the aggregate projected wage, the granting body shall compute the weighted hourly average wage for all new employees, including full-time, permanent, part-time, and temporary employees. If the aggregate projected wage is less than 85% of existing wages, the application shall be denied. For small businesses, if the aggregate projected wage is less than 75% of existing wages, the application shall be denied.

(2) In considering development assistance applications, all granting bodies shall perform a second wage computation to consider the value of health care coverage provided to full-time, permanent employees. If the applicant corporation is not providing health care coverage to full-time, permanent employees, the granting body shall subtract \$1.50 an hour from the projected wage. If the recipient projects some health care costs to be borne by the new full-time, permanent employees, the granting body shall, based on data from the applicant corporation, estimate the hourly cost to the new full-time, permanent employee of those costs and subtract that amount from the projected wage. If the amount resulting from the subtraction is less than 80% of existing wages, the application shall be denied. For small Businesses, if the amount resulting from the subtraction is less than 70% of existing wages, the application shall be denied.

(b) Granting bodies shall perform a third eligibility analysis. In considering development assistance applications, all granting bodies shall divide the value of assistance by the number of projected full-time, permanent jobs. If the resulting sum exceeds \$35,000, the application shall be denied.

(c) Nothing in this Act shall be read to require or authorize any recipient corporation to reduce wages established by any collective bargaining agreement or state or federal prevailing wage law.

#### Section 35. Recapture.

(a) Recipients are required to achieve their job creation and wage and benefit goals within 2 years after the date of assistance. They are also required to maintain their wage and benefit goals as long as the benefit is in effect, or 5 years, whichever is longer. Affiliated groups of recipients are required to maintain at least 90% of their original State employment.

(b) Granting bodies shall within 10 working days after the second anniversary of the date of assistance, fill out a standardized progress report and the recipient shall sign it and certify its accuracy under penalty of perjury. This second anniversary progress report shall be filed by the granting body with the Department of Commerce and Community Affairs along with the granting body's next annual filing of progress reports.

(c) The granting body shall indicate on this second anniversary progress report whether the recipient has achieved its job creation and wage and benefit goals, and whether the affiliated group has maintained 90% of its State employment.

(d) On all subsequent annual progress reports, the granting body shall indicate whether or not the recipient corporation is still in compliance with its job creation and wage and benefit goals, and whether the corporate parent is still in compliance with its State employment maintenance requirement.

(e) If on any progress report occasion, beginning with the second anniversary progress report, a

granting body finds that a recipient corporation has not achieved its job creation or wage or benefit goals, or the affiliated group has not maintained 90% of its State employment the granting body must, within 10 working days, file a finding of development assistance default with the Department of Revenue and the recipient.

(f) If a recipient defaults on development assistance, it must pay back to the granting body that fraction of the development assistance that accrued to its benefit for the calendar year in which the default occurred. For one time forms of development assistance such as grants or land price discounts, a defaulting recipient must pay back to the granting body three-quarters of the value of assistance. Remittance of the payback by the recipient corporation to the granting body shall take place within 60 calendar days of the delivery of the default notice to the recipient, unless the granting body agrees, in writing, to extend such repayment period for cause, up to a maximum of 365 days. For purposes of the preceding, "cause" will mean imminent and demonstrable hardship to the recipient that may result in such recipient's insolvency or discharge of workers.

(g) If a recipient defaults on development assistance, in 3 consecutive calendar years, the granting body shall declare the development assistance void, and shall so notify the Department of Commerce and Community Affairs and the recipient. Upon this declaration, the recipient must pay back to the granting body all remaining value of the development assistance it has not already paid back. Remittance of the void payback by the recipient corporation to the granting body shall take place within 180 calendar days of the delivery of the notice to the recipient, unless the granting body agrees, in writing, to extend such repayment period for cause, up to a maximum of 730 days. For purposes of the preceding, "cause" will mean imminent and demonstrable hardship to the recipient that may result in such recipient's insolvency or discharge of workers.

(h) Every aspect of all development assistance default notices, recapture remittances, associated correspondence, and related proceedings shall be fully subject to the Freedom of Information Act.

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 held on the order of Second Reading.

HOUSE BILL 2866. 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 2866, on page 1, by deleting lines 6 through 29; and by deleting all of pages 2 through 10.

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 bills were taken up, read by title a second time and held on the order of Second Reading: HOUSE BILLS 1475 and 2439

At the hour of 7:45 o'clock p.m., Representative Currie moved that the House do now adjourn until Thursday, April 3, 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

April 02, 2003

0 YEAS

0 NAYS

117 PRESENT

P Acevedo	P Dunkin	P Leitch	P Phelps
P Aguilar	P Dunn	P Lindner	P Pihos
P Bailey	P Eddy	P Lyons, Eileen	P Poe
P Bassi	P Feigenholtz	P Lyons, Joseph	P Reitz
P Beaubien	P Flider	P Mathias	P Rita
P Bellock	P Flowers	P Mautino	P Rose
P Berrios	P Forby	P May	P Ryg
P Biggins	P Franks	P McAuliffe	P Sacia
P Black	A Fritchey	P McCarthy	P Saviano
P Boland	P Froehlich	P McGuire	P Schmitz
P Bost	P Giles	P McKeon	P Scully
P Bradley	P Graham	P Mendoza	P Slone
P Brady	P Granberg	P Meyer	P Smith
P Brauer	P Hamos	P Miller	P Sommer
P Brosnahan	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 Verschoore
P Colvin	P Hultgren	P Mulligan	P Wait
P Coulson	P Jakobsson	P Munson	P Washington
P Cross	P Jefferson	P Myers	P Watson
P Cultra	P Jones	P Nekritz	P Winters
P Currie	P Joyce	P Novak	P Wirsing
P Daniels	P Kelly	P O'Brien	P Yarbrough
P Davis, Monique	P Kosel	P Osmond	P Younge
P Davis, Steve	P Krause	P Osterman	P Mr. Speaker
P Davis, Will	P Kurtz	P Pankau	
P Delgado	P Lang	P Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 1318  
PATIENT HEALTH INFO ACT  
THIRD READING  
PASSED

April 02, 2003

117 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
Y Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	Y Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 89  
 ST DEBT COLLECTION - AUD GEN  
 THIRD READING  
 PASSED

April 02, 2003

117 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
Y Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	Y Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 2598  
 GUARANTEED JOB OP-HUMAN SERV  
 THIRD READING  
 PASSED

April 02, 2003

102 YEAS

0 NAYS

15 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	P Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
P Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	P Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
P Brady	Y Granberg	P Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	P Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	P Munson	Y Washington
P Cross	Y Jefferson	Y Myers	Y Watson
P Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	P Wirsing
P Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	P Osmond	Y Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 1729  
 ENVIRONMENTAL PROTECT-TECH  
 THIRD READING  
 PASSED

April 02, 2003

111 YEAS

5 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 3635  
LAND CONVEY-RELEASE EASEMENTS  
THIRD READING  
PASSED

April 02, 2003

117 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
Y Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	Y Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 962  
STATE FINANCE ACT-TECH  
THIRD READING  
PASSED

April 02, 2003

117 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
Y Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	Y Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 218  
VEH SEAT BELTS-STOPS-SEARCHES  
THIRD READING  
PASSED

April 02, 2003

67 YEAS

46 NAYS

4 PRESENT

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

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 361  
 VEH CD-RACIAL PROFILING  
 THIRD READING  
 PASSED

April 02, 2003

80 YEAS

28 NAYS

9 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 1116  
LIQ CNTRL-IHSA CONTEST-NO LIQR  
THIRD READING  
PASSED

April 02, 2003

115 YEAS

1 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 1191  
 CIV PRO-SUNSHINE IN LITIGATION  
 THIRD READING  
 PASSED

April 02, 2003

71 YEAS

44 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 524  
JUV CT-DETENTION  
THIRD READING  
PASSED

April 02, 2003

117 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
Y Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	Y Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 462  
 MWRD-WORKING CASH FUND TRANSFR  
 THIRD READING  
 PASSED

April 02, 2003

94 YEAS

23 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 3407  
 RESTRICTED CALL-DEFINE-TECH  
 THIRD READING  
 PASSED

April 02, 2003

117 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
Y Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	Y Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 3198  
LONG TERM CARE FAC-APPEAL  
THIRD READING  
PASSED

April 02, 2003

116 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
Y Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	A Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 2531  
 ST EMP INS COVER HEARING AIDS  
 THIRD READING  
 PASSED

April 02, 2003

111 YEAS

1 NAYS

4 PRESENT

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

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 2995  
 LATE TERM GOV APPOINTMENTS  
 THIRD READING  
 PASSED

April 02, 2003

116 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
Y Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	A Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 3044  
 DHS-PUBLIC AID-VIOLENCE VICTIM  
 THIRD READING  
 PASSED

April 02, 2003

115 YEAS

0 NAYS

1 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
P Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	A Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 3316  
DHS-DOC-JOBS FOR EX OFFENDERS  
THIRD READING  
PASSED

April 02, 2003

115 YEAS

1 NAYS

0 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	N Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
Y Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	A Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 274  
WOMEN & MINORITIES-RESEARCH  
THIRD READING  
PASSED

April 02, 2003

115 YEAS

1 NAYS

0 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
Y Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	A Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 1751  
 LOCAL GOVERNMENT-TECH  
 THIRD READING  
 PASSED

April 02, 2003

100 YEAS

11 NAYS

5 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 3695  
DHS-MENTAL HEALTH INITIATIVE  
THIRD READING  
PASSED

April 02, 2003

98 YEAS

0 NAYS

17 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 344  
HIGH ED INST CRIME STATISTICS  
THIRD READING  
PASSED

April 02, 2003

73 YEAS

42 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 3082  
PROCUREMENT-PREVAILING WAGE  
THIRD READING  
PASSED

April 02, 2003

77 YEAS

15 NAYS

23 PRESENT

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

E - Denotes Excused Absence



STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 2572  
CEMETERY PROTECTION ACT-TECH  
THIRD READING  
PASSED

April 02, 2003

115 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
Y Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
A Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	A Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 1352  
HUMAN RIGHTS-SOURCE OF INCOME  
THIRD READING  
LOST

April 02, 2003

39 YEAS

59 NAYS

17 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 1755  
 SOIL WATER CONS DIST ACT-TECH  
 THIRD READING  
 PASSED

April 02, 2003

96 YEAS

20 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 3142  
 STATE INVESTMENT INFO ONLINE  
 THIRD READING  
 PASSED

April 02, 2003

95 YEAS

9 NAYS

11 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 3387  
CD CORR-METH PRECURSOR  
THIRD READING  
PASSED

April 02, 2003

116 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dunkin	Y Leitch	Y Phelps
Y Aguilar	Y Dunn	Y Lindner	Y Pihos
Y Bailey	Y Eddy	Y Lyons, Eileen	Y Poe
Y Bassi	Y Feigenholtz	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Flider	Y Mathias	Y Rita
Y Bellock	Y Flowers	Y Mautino	Y Rose
Y Berrios	Y Forby	Y May	Y Ryg
Y Biggins	Y Franks	Y McAuliffe	Y Sacia
Y Black	A Fritchey	Y McCarthy	Y Saviano
Y Boland	Y Froehlich	Y McGuire	Y Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley	Y Graham	Y Mendoza	Y Slone
Y Brady	Y Granberg	Y Meyer	Y Smith
Y Brauer	Y Hamos	Y Miller	Y Sommer
Y Brosnahan	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 Verschoore
Y Colvin	Y Hultgren	Y Mulligan	Y Wait
Y Coulson	Y Jakobsson	Y Munson	Y Washington
Y Cross	Y Jefferson	Y Myers	Y Watson
Y Cultra	Y Jones	Y Nekritz	Y Winters
Y Currie	Y Joyce	Y Novak	Y Wirsing
Y Daniels	Y Kelly	Y O'Brien	Y Yarbrough
Y Davis, Monique	Y Kosel	Y Osmond	A Younge
Y Davis, Steve	Y Krause	Y Osterman	Y Mr. Speaker
Y Davis, Will	Y Kurtz	Y Pankau	
Y Delgado	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 506  
CRIMINAL LAW-TECH  
THIRD READING  
PASSED

April 02, 2003

108 YEAS

6 NAYS

1 PRESENT

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

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