

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-THIRD GENERAL ASSEMBLY**

**100TH LEGISLATIVE DAY**

**WEDNESDAY, FEBRUARY 25, 2004**

**12:00 O'CLOCK NOON**

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

Speaker Madigan in the chair.

Prayer by Reverend Alfonzo Lyons of the Mt. Zion Baptist Church in Peoria, IL.

Representative Giles 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:

115 present. (ROLL CALL 1)

By unanimous consent, Representatives Capparelli, Currie and Sommer were excused from attendance.

### **TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Lang replaced Representative Currie in the Committee on Rules for today only.

### **COMMITTEE ON RULES REFERRALS**

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

Aging: HOUSE BILL 5058.

Consumer Protection: HOUSE BILL 7046.

Elections & Campaign Reform: HOUSE BILL 3900.

Elementary & Secondary Education: HOUSE BILLS 3970, 3971, 3974, 4522 and 5215.

Executive: HOUSE BILLS 4361, 4960 and 5747.

Financial Institutions: HOUSE BILL 6740.

Health Care Availability Access: HOUSE BILL 4245.

Higher Education: HOUSE BILL 6621.

Human Services: HOUSE BILL 3975, 4476, 4558 and 4870.

Insurance: HOUSE BILL 4478.

Judiciary I - Civil Law: HOUSE BILLS 4702, 4895 and 5071.

Judiciary II - Criminal Law: HOUSE BILLS 3978, 4739, 5016, 5021, 5061 and 6786.

Labor: HOUSE BILL 4374.

Local Government: HOUSE BILL 3890.

Personnel & Pensions: HOUSE BILLS 4109 and 6897.

Registration & Regulation: HOUSE BILLS 4200 and 4410.

Revenue: HOUSE BILLS 4400, 4700 and 6941.

State Government Administration: HOUSE BILLS 4004, 4103, 4269, 4621 and 6648.

Transportation & Motor Vehicles: HOUSE BILL 6567.

Veterans Affairs: HOUSE BILL 4372.

Gaming: HOUSE BILL 4283.

### **COMMITTEE ON RULES REASSIGNMENTS**

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

HOUSE BILL 4003 was recalled from the Committee on State Government Administration and reassigned to the Committee on Executive.

HOUSE BILL 4302 was recalled from the Committee on Consumer Protection and reassigned to the Committee on Human Services.

### **HOUSING AFFORDABILITY IMPACT NOTES SUPPLIED**

Housing Affordability Impact Notes have been supplied for HOUSE BILLS 4285, 4635 and 5884.

### REPORTS FROM STANDING COMMITTEES

Representative Steve Davis, Chairperson, from the Committee on Public Utilities to which the following were referred, action taken on February 24, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 5216.

The committee roll call vote on House Bill 5216 is as follows:

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

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

Representative Mautino, Chairperson, from the Committee on Insurance to which the following were referred, action taken on February 24, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4180.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 393.

The committee roll call vote on House Bill 4180 is as follows:

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

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

The committee roll call vote on House Bill 393 is as follows:

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

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

Representative Hoffman, Chairperson, from the Committee on Transportation & Motor Vehicles to which the following were referred, action taken on February 24, 2004, and reported the same back with the following recommendations:

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

Amendment No. 1 to SENATE BILL 1611.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: SENATE JOINT RESOLUTION 3.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4012.

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4966.

The committee roll call vote on Amendment No. 1 to Senate Bill 1611 is as follows:

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

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

The committee roll call vote on House Bills 4012 and 4966, and Senate Joint Resolution 3 is as follows:

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

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

Representative Flowers, Chairperson, from the Committee on Health Care Availability Access to which the following were referred, action taken on February 24, 2004, 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 BILLS 3857 and 4980.

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4847 and 6577.

The committee roll call vote on House Bill 3857 is as follows:

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

Y Flowers, Mary(D), Chairperson	Y Aguilar, Frank(R)
Y Bailey, Patricia(D)	Y Berrios, Maria(D)
Y Chapa LaVia, Linda(D)	Y Coulson, Elizabeth(R)
Y Fritchey, John(D)	Y Graham, Deborah(D)
Y Hassert, Brent(R)	Y Howard, Constance(D)
Y Krause, Carolyn(R)	Y Kurtz, Rosemary(R), Republican Spokesperson
Y May, Karen(D), Vice-Chairperson	A Miller, David(D)
Y Mulligan, Rosemary(R)	Y Munson, Ruth(R)
Y Ryg, Kathleen(D)	Y Slone, Ricca(D)
Y Sommer, Keith(R)	N Stephens, Ron(R)

The committee roll call vote on House Bill 4980 and 4847 is as follows:

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

Y Flowers,Mary(D), Chairperson	Y Aguilar,Frank(R)
Y Bailey,Patricia(D)	Y Berrios,Maria(D)
Y Chapa LaVia,Linda(D)	Y Coulson,Elizabeth(R)
Y Fritchey,John(D)	Y Graham,Deborah(D)
Y Hassert,Brent(R)	Y Howard,Constance(D)
Y Krause,Carolyn(R)	Y Kurtz,Rosemary(R), Republican Spokesperson
Y May,Karen(D), Vice-Chairperson	Y Miller,David(D)
Y Mulligan,Rosemary(R)	Y Munson,Ruth(R)
Y Ryg,Kathleen(D)	Y Slone,Ricca(D)
Y Sommer,Keith(R)	Y Stephens,Ron(R)

The committee roll call vote on House Bill 6577 is as follows:

13, Yeas; 5, Nays; 1, Answering Present.

N Flowers,Mary(D), Chairperson	N Aguilar,Frank(R)
Y Bailey,Patricia(D)	Y Berrios,Maria(D)
Y Chapa LaVia,Linda(D)	Y Coulson,Elizabeth(R)
Y Fritchey,John(D)	Y Graham,Deborah(D)
N Hassert,Brent(R)	Y Howard,Constance(D)
Y Krause,Carolyn(R)	Y Kurtz,Rosemary(R), Republican Spokesperson
Y May,Karen(D), Vice-Chairperson	A Miller,David(D)
Y Mulligan,Rosemary(R)	P Munson,Ruth(R)
Y Ryg,Kathleen(D)	Y Slone,Ricca(D)
N Sommer,Keith(R)	N Stephens,Ron(R)

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

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 3957, 4176, 4197, 4894, 5889 and 6849.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4818.

The committee roll call vote on House Bill 3957, 4176, 4197, 4894, 5889, 6849 and 4818 is as follows: 8, Yeas; 0, Nays; 0, Answering Present.

Y Delgado,William(D), Chairperson	Y Bellock,Patricia(R), Republican Spokesperson
Y Feigenholtz,Sara(D), Vice-Chairperson	Y Flowers,Mary(D)
Y Howard,Constance(D)	Y Kurtz,Rosemary(R)
Y Lindner,Patricia(R)	Y Ryg,Kathleen(D)
A Sullivan,Ed(R)	

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

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4154 and 4944.

The committee roll call vote on House Bill 4154 is as follows:

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

Y Giles,Calvin(D), Chairperson	Y Bassi,Suzanne(R)
Y Collins,Annazette(D)	Y Colvin,Marlow(D)
Y Currie,Barbara(D) (Verschoore)	Y Davis,Monique(D), Vice-Chairperson
Y Eddy,Roger(R)	A Joyce,Kevin(D)
Y Kosel,Renee(R), Republican Spokesperson	Y Krause,Carolyn(R)
A Miller,David(D)	Y Mitchell,Jerry(R) (Dunn)

Y Moffitt,Donald(R)	Y Mulligan,Rosemary(R)
Y Osterman,Harry(D)	Y Smith,Michael(D)
Y Watson,Jim(R)	A Yarbrough,Karen(D)

The committee roll call vote on House Bill 4944 is as follows:

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

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

Representative Fritchey, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 3981, 4318, 4393, 4481, 4962 and 6846.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 6813.

The committee roll call vote on House Bill 3981 is as follows:

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

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

The committee roll call vote on House Bill 4318 is as follows:

16, Yeas; 2, Nays; 1, Answering Present.

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

The committee roll call vote on House Bill 4393 is as follows:

14, Yeas; 0, Nays; 2, Answering Present.

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

The committee roll call vote on House Bill 4481 is as follows:

12, Yeas; 2, Nays; 5, Answering Present.

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

The committee roll call vote on House Bill 4962 is as follows:

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

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

The committee roll call vote on House Bill 6846 is as follows:

11, Yeas; 8, Nays; 0, Answering Present.

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

The committee roll call vote on House Bill 6813 is as follows:

15, Yeas; 1, Nays; 3, Answering Present.

Y Fritchey, John(D), Chairperson	Y Bailey, Patricia(D)
Y Berrios, Maria(D)	Y Bradley, John(D)

Y Brosnahan,James(D)  
 Y Froehlich,Paul(R)  
 Y Hoffman,Jay(D)  
 Y Lang,Lou(D)  
 Y May,Karen(D)  
 Y Osmond,JoAnn(R)  
 P Sacia,Jim(R)  
 Y Wait,Ronald(R)

N Cultra,Shane(R)  
 Y Hamos,Julie(D)  
 P Hultgren,Randall(R), Republican Spokesperson  
 Y Mathias,Sidney(R)  
 Y Nekritz,Elaine(D)  
 P Rose,Chapin(R)  
 Y Scully,George(D), Vice-Chairperson

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

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 5892.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4218.

The committee roll call vote on House Bill 4218 and 5892 is as follows:

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

Y Saviano,Angelo(R), Chairperson  
 Y Burke,Daniel(D)  
 Y Davis,Monique(D)  
 Y Fritchey,John(D), Vice-Chairperson  
 A Kosel,Renee(R)  
 Y Lyons,Eileen(R)  
 Y Millner,John(R)  
 Y Reitz,Dan(D)

Y Bradley,Richard(D)  
 Y Coulson,Elizabeth(R), Republican Spokesperson  
 Y Davis,Steve(D)  
 Y Granberg,Kurt(D)  
 Y Krause,Carolyn(R)  
 Y McAuliffe,Michael(R)  
 Y Mulligan,Rosemary(R)  
 Y Sullivan,Ed(R)

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

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4428.

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4241.

The committee roll call vote on House Bill 4428 is as follows:

12, Yeas; 2, Nays; 0, Answering Present.

Y McKeon,Larry(D), Chairperson  
 N Bellock,Patricia(R)  
 Y Delgado,William(D)  
 Y Howard,Constance(D)  
 Y Jefferson,Charles(D)  
 Y Parke,Terry(R)  
 Y Tenhouse,Art(R)

Y Acevedo,Edward(D)  
 N Cultra,Shane(R)  
 Y Hoffman,Jay(D)  
 Y Hultgren,Randall(R)  
 Y Joyce,Kevin(D)  
 Y Soto,Cynthia(D), Vice-Chairperson  
 Y Winters,Dave(R), Republican Spokesperson

The committee roll call vote on House Bill 4241 is as follows:

10, Yeas; 3, Nays; 1, Answering Present.

Y McKeon,Larry(D), Chairperson  
 P Bellock,Patricia(R)  
 Y Delgado,William(D)  
 Y Howard,Constance(D)  
 Y Jefferson,Charles(D)  
 N Parke,Terry(R)  
 Y Tenhouse,Art(R)

Y Acevedo,Edward(D)  
 N Cultra,Shane(R)  
 Y Hoffman,Jay(D)  
 Y Hultgren,Randall(R)  
 Y Joyce,Kevin(D)  
 Y Soto,Cynthia(D), Vice-Chairperson  
 N Winters,Dave(R), Republican Spokesperson

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

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4099, 4370 and 5017.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4840.

The committee roll call vote on House Bill 4099 is as follows:

13, Yeas; 6, Nays; 2, Answering Present.

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

The committee roll call vote on House Bill 4370 is as follows:

15, Yeas; 6, Nays; 0, Answering Present.

Y Osterman,Harry(D), Chairperson	Y Biggins,Bob(R)
A Colvin,Marlow(D), Vice-Chairperson	Y Davis,William(D)
N Flider,Robert(D)	Y Froehlich,Paul(R)
N Grunloh,William(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 Moffitt,Donald(R)
N Nekritz,Elaine(D)	Y Phelps,Brandon(D) (Hamos)
Y Pihos,Sandra(R)	N Pritchard,Robert(R)
N Ryg,Kathleen(D)	Y Slone,Ricca(D)
Y Sommer,Keith(R) (Hassert)	N Watson,Jim(R)

The committee roll call vote on House Bill 5017 is as follows:

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

Y Osterman,Harry(D), Chairperson	Y Biggins,Bob(R)
A Colvin,Marlow(D), Vice-Chairperson	Y Davis,William(D)
Y Flider,Robert(D)	Y Froehlich,Paul(R)
Y Grunloh,William(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 Moffitt,Donald(R)
Y Nekritz,Elaine(D)	A Phelps,Brandon(D)
Y Pihos,Sandra(R)	Y Pritchard,Robert(R)
Y Ryg,Kathleen(D)	A Slone,Ricca(D)
Y Sommer,Keith(R) (Hassert)	Y Watson,Jim(R)

The committee roll call vote on House Bill 4840 is as follows:

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

Y Osterman,Harry(D), Chairperson	Y Biggins,Bob(R)
Y Colvin,Marlow(D), Vice-Chairperson	Y Davis,William(D)
Y Flider,Robert(D)	Y Froehlich,Paul(R)
Y Grunloh,William(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 Moffitt,Donald(R)
Y Nekritz,Elaine(D)	Y Phelps,Brandon(D) (Hamos)
Y Pihos,Sandra(R)	Y Pritchard,Robert(R)
Y Ryg,Kathleen(D)	Y Slone,Ricca(D)
Y Sommer,Keith(R) (Hassert)	Y Watson,Jim(R)

Representative Franks, Chairperson, from the Committee on State Government Administration to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4233, 4567, 4886 and 5105.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4171 and 5180.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Standard Debate: HOUSE BILL 6574.

The committee roll call vote on House Bill 4233 is as follows:

7, Yeas; 1, Nays; 2, Answering Present.

Y Franks,Jack(D), Chairperson	Y Brady,Dan(R)
P Brauer,Rich(R)	Y Chapa LaVia,Linda(D)
Y Jakobsson,Naomi(D)	N Lindner,Patricia(R) (Schmitz)
P Myers,Richard(R), Republican Spokesperson	A Rose,Chapin(R)
Y Smith,Michael(D), Vice-Chairperson	Y Verschoore,Patrick(D)
Y Washington,Eddie(D)	

The committee roll call vote on House Bill 4171, 4567, 4886, 5105 and 5180 is as follows:

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

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

The committee roll call vote on House Bill 6574 is as follows:

6, Yeas; 0, Nays; 4, Answering Present.

Y Franks,Jack(D), Chairperson	Y Brady,Dan(R)
Y Brauer,Rich(R)	P Chapa LaVia,Linda(D)
Y Jakobsson,Naomi(D)	Y Lindner,Patricia(R) (Schmitz)
Y Myers,Richard(R), Republican Spokesperson	A Rose,Chapin(R)
P Smith,Michael(D), Vice-Chairperson	P Verschoore,Patrick(D)
P Washington,Eddie(D)	

#### CHANGE OF SPONSORSHIP

Representative Mautino asked and obtained unanimous consent to be removed as chief sponsor and Representative Madigan asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4104.

Representative Saviano asked and obtained unanimous consent to be removed as chief sponsor and Representative Brauer asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4960.

Representative Gordon asked and obtained unanimous consent to be removed as chief sponsor and Representative Osterman asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4424.

Representative Saviano asked and obtained unanimous consent to be removed as chief sponsor and Representative Brauer asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4410.

Representative Saviano asked and obtained unanimous consent to be removed as chief sponsor and Representative Hassert asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4229.

Representative McKeon asked and obtained unanimous consent to be removed as chief sponsor and Representative Reitz asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4883.

Representative Beaubien asked and obtained unanimous consent to be removed as chief sponsor and Representative Osmond asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4351.

Representative Grunloh asked and obtained unanimous consent to be removed as chief sponsor and Representative Reitz asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 7017.

Representative Hannig asked and obtained unanimous consent to be removed as chief sponsor and Representative Burke asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4840.

Representative Hoffman asked and obtained unanimous consent to be removed as chief sponsor and Representative Steve Davis asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 6655.

Representative Saviano asked and obtained unanimous consent to be removed as chief sponsor and Representative McKeon asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4868.

Representative Kelly asked and obtained unanimous consent to be removed as chief sponsor and Representative Aguilar asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4773.

Representative Mautino asked and obtained unanimous consent to be removed as chief sponsor and Representative Jefferson asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4572.

Representative Hoffman asked and obtained unanimous consent to be removed as chief sponsor and Representative Granberg asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 6843.

Representative Saviano asked and obtained unanimous consent to be removed as chief sponsor and Representative Hassert asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4229.

Representative Saviano asked and obtained unanimous consent to be removed as chief sponsor and Representative Hassert asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4569.

#### **INTRODUCTION AND FIRST READING OF BILLS**

The following bills were introduced, read by title a first time, ordered printed and placed in the Committee on Rules:

HOUSE BILL 7263. Introduced by Representative Pritchard, AN ACT concerning flag displays.

HOUSE BILL 7264. Introduced by Representatives Madigan - Hannig - Davis, Monique, AN ACT making appropriations.

HOUSE BILL 7265. Introduced by Representatives Madigan - Hannig - Davis, Monique, AN ACT concerning appropriations.

HOUSE BILL 7266. Introduced by Representatives Madigan - Hannig - Davis, Monique, AN ACT making appropriations.

HOUSE BILL 7267. Introduced by Representatives Madigan - Hannig - Morrow, AN ACT making appropriations.

HOUSE BILL 7268. Introduced by Representatives Madigan - Hannig - Morrow, AN ACT making appropriations.

HOUSE BILL 7269. Introduced by Representatives Madigan - Hannig - Morrow, AN ACT concerning appropriations.

HOUSE BILL 7270. Introduced by Representatives Capparelli - Lyons, Joseph - Bradley, Richard, AN ACT in relation to public employee benefits.

## RESOLUTIONS

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

### HOUSE RESOLUTION 701

Offered by Representative Coulson:

WHEREAS, Pursuant to House Resolution 147, the Department of Public Health, in conjunction with the State Board of Education, has conducted a sugar consumption study to determine the effect of sugar consumption on the overall health of school children; and

WHEREAS, The January 2004 study, which reviewed the literature on the relationships between increased sugar consumption in children's diets and health outcomes, found no clear, direct link between cavities and modest school-age consumption of sugared soft drinks; and

WHEREAS, As a result of such lack of data, the Department of Public Health is currently conducting a statewide survey to collect current cavities' data; and

WHEREAS, The study has found that an inactive lifestyle and sedentary behavior is troubling and has a deleterious effect on childhood obesity and its health-related consequences; and

WHEREAS, the Department of Public Health's report on sugar consumption stated a suggestion to "create a Nutritional Advisory Committee to recommend state-wide school standards for nutrition including formulating a state-wide policy on vending machines in all schools"; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recommend the creation of the Nutrition Advisory Committee, to be made up of 15 members as follows: the President of the Senate or designee, the Minority Leader of the Senate or designee, the Speaker of the House or designee, the Minority Leader of the House or designee, the Director of Public Health or designee, and the State Superintendent of Education or designee; and the following appointed by the Governor: 2 representatives of the soft drink industry, 2 representatives of the non-beverage snack food industry, one representative of the Illinois State Dental Society, one licensed dietician who works with school-age children, one physical education instructor who works with school-age children, one representative of the Illinois Coaches Association, and one member of the Illinois Association of School Boards; and be it further

RESOLVED, That Committee members shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated for that purpose, that the Committee shall meet initially at the joint call of the 4 legislative leaders, that the Committee shall select one member as chairperson at its initial meeting and thereafter meet at the call of the chairperson, that the Committee shall receive the assistance of staff of the Department of Public Health, and that the Committee shall report its findings and recommendations concerning school standards for nutrition to the General Assembly on or before September 1, 2005; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President of the Senate, the Minority Leader of the Senate, the Director of Public Health, the State Superintendent of Education, and the Governor.

## HOUSE RESOLUTION 703

Offered by Representative Delgado:

WHEREAS, Hemophilia is a genetic condition affecting approximately 700 persons in the State of Illinois; hemophilia is characterized by the absence of one of the several clotting factors necessary to control bleeding; the standard care for the treatment of hemophilia is to replace the absent clotting factors necessary to control bleeding; and

WHEREAS, Without treatment, people with hemophilia face frequent, spontaneous bleeding episodes in their joints causing swelling in the joint, muscles, internal organs, and brain; repeated bleeding episodes in joints result in a chronic degenerative arthritic condition, which often leads to frequent hospitalizations, permanent disability, and chronic pain; bleeding episodes involving internal organs and the brain can cause permanent damage, disability, and even death; and

WHEREAS, Severe bleeding episodes result in lost time at work and school, decreased quality of life, and inability to perform basic living activities; and

WHEREAS, With proper care and access to comprehensive medical resources, persons with hemophilia can control bleeding episodes and can lead productive lives; and

WHEREAS, The Medical and Scientific Advisory Committee of the National Hemophilia Foundation recommends recombinant factor products as the treatment of choice for persons with hemophilia VIII and IX; and

WHEREAS, Visits to Hemophilia Treatment Centers reduced morbidity by 60 percent; and

WHEREAS, The State of Illinois is committed to the proper medical treatment of hemophilia; and

WHEREAS, Hemophilia and its complications are not well understood by the general public; and

WHEREAS, The State of Illinois encourages efforts to promote the understanding of hemophilia so that it is treated properly; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that March, 2004, and each March thereafter be designated Hemophilia Awareness Month to enhance the understanding and proper treatment of hemophilia and to encourage participation in activities to support programs to properly treat hemophilia.

## HOUSE RESOLUTION 704

Offered by Representative Watson:

WHEREAS, It has long been the policy of this State to authorize various efforts to supplement educational and home-based activities in support of developing youth; and

WHEREAS, Although current efforts to support developing youth are well-intended, laudable, and, in some cases, well-received, they are unable to fill the broad spectrum of existing need; and

WHEREAS, It has been clearly demonstrated that community-based one-to-one mentoring relationships between youth and caring volunteer adults have proven to reduce the likelihood of drug and alcohol use by 27%-46%, deter juvenile delinquency, improve classroom performance and school attendance by 58%, and improve family relationships; and

WHEREAS, the extremely worthwhile nature of one-to-one mentoring efforts has been documented by a comprehensive study conducted by the highly respected Public Private Ventures Study, declaring a need for a national initiative to encourage and expand mentoring efforts; and

WHEREAS, it is necessary to study and design a more inclusive delivery system for the support of at-risk youth through one-to-one mentoring programs; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that a new, sustainable, community-based one-to-one mentoring effort is necessary to maximize the potential of the estimated 475,000 at-risk young people of this State; and be it further

RESOLVED, That a Task Force on One-to-One Mentoring Programs is established and shall be composed of 4 members appointed by the Speaker and 4 members appointed by the Minority Leader; and be it further

RESOLVED, That the Task Force is directed to convene hearings, at the earliest possible date, in Springfield, Chicago, and other sites determined by the Task Force, in order to take testimony concerning

the best course of action to meet its goal of providing one-to-one mentoring programs to at-risk youth; and be it further

RESOLVED, That the Task Force report to the House of Representatives no later than January 1, 2005 concerning its recommendations for program modifications and expansions for consideration during the 94th General Assembly.

#### HOUSE JOINT RESOLUTION 68

Offered by Representative Brauer:

WHEREAS, Springfield is the home of many Abraham Lincoln historic sites, such as the Lincoln Home, the Lincoln-Herndon Law Offices, the Old State Capitol, Lincoln's Tomb, and the soon to be completed Abraham Lincoln Presidential Library; and

WHEREAS, Many people visiting Abraham Lincoln historic sites travel by car; and

WHEREAS, A majority of Business Route 55 extending from Sherman through Springfield affords easy access to many of the important Abraham Lincoln historic sites in Springfield; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the portion of Business Route 55 extending from Sherman to Jefferson Street and Madison Street in Springfield, the portions of Jefferson Street and Madison Street extending from 9th Street to 5th Street and 6th Street, and the portions of 5th Street and 6th Street extending from Jefferson Street and Madison Street southward through Springfield to Interstate 55 be collectively designated the Abraham Lincoln Parkway; and be it further

RESOLVED, That the Department of Transportation is requested to erect appropriate plaques or signs giving notice of the Abraham Lincoln Parkway; and be it further.

RESOLVED, That copies of this resolution be delivered to the Secretary of Transportation and to the communities of Sherman, Springfield, and Southern View.

#### HOUSE JOINT RESOLUTION 69

Offered by Representative Brauer:

WHEREAS, 600,000 people visit Lincoln's New Salem State historic site each year; and

WHEREAS, Most people visiting Abraham Lincoln historic sites travel by car; and

WHEREAS, The portion of Illinois Route 123 extending from Williamsville (Route 55) to New Salem, the portion of Route 97 extending from Springfield (Route 55) to New Salem, and the portion of the Athens Blacktop extending from Athens (Route 29) to New Salem afford access to the important Abraham Lincoln historic site at New Salem; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the portion of Illinois Route 123 extending from Williamsville to New Salem, the portion of Route 97 extending from Springfield to New Salem, and the portion of the Athens Blacktop extending from Athens to New Salem be collectively designated the Abraham Lincoln Highway; and be it further

RESOLVED, That the portion of Illinois Route 123 extending from Williamsville to New Salem, the portion of Route 97 extending from Springfield to New Salem, and the portion of the Athens Blacktop extending from Athens to New Salem be designated the Northern Trail, the Southern Trail, and the Central Trail, respectively, of the Abraham Lincoln Highway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect appropriate plaques or signs giving notice of the Abraham Lincoln Highway and the Northern Trail, the Southern Trail, and the Central Trail of the Abraham Lincoln Highway; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Secretary of the Illinois Department of Transportation and to the communities of Williamsville, Petersburg, Springfield, and Athens.



## AGREED RESOLUTIONS

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

### HOUSE RESOLUTION 695

Offered by Representative Jones:

WHEREAS, The members of the House of Representatives of the State of Illinois learned with regret of the death of C. Vincent Bakeman, Ph.D., on February 15, 2004; and

WHEREAS, C. Vincent Bakeman was born on June 23, 1933; and

WHEREAS, Dr. Bakeman served for 30 years as President/CEO and Co-founder of Human Resources Development Institute, Inc., a leading behavioral healthcare provider of mental health, community health, case management, child welfare, and alcohol and substance abuse prevention and treatment services; and

WHEREAS, During his time, Dr. Bakeman served as Deputy President for the International Council of Alcohol and Addictions (ICAA) and was the ICAA representative to the United Nations Economic and Social Council's Commission on Narcotic Drugs; he also served on several international planning and policy making bodies, was a representative of the International Labor Council, and regularly conducted substance abuse and rehabilitation training programs for health care professionals in Africa, North America, and Europe; he served as a substance abuse demand reduction expert for the United Nations Drug Control Program and the U.S. Department of State; he was a member of the Center for Substance Abuse Prevention (CSAP) National Advisory Council; in January 1999, Dr. Bakeman was appointed to the Illinois Government Task Force, as a member of the Healthcare and Substance Abuse Committee for Governor George Ryan's Transition Team; and

WHEREAS, A highly regarded lecturer, educator, and consultant, Dr. Bakeman worked in an advisory capacity for a number of business, health, and community service organizations, including the National Institute of Mental Health, the Chicago Board of Education, and Family Services of America; and

WHEREAS, During his lengthy career, Dr. Bakeman also served as the President of the Illinois Alcoholism and Drug Dependence Association and Chairman of the Policies and Systems Committee of the Illinois Governor's Task Force that created the Department of Alcoholism and Substance Abuse; he was most recently a member of the Illinois Advisory Committee to the Human Services Legislative Reorganization Task Force; other appointments for Dr. Bakeman have included the Illinois Governor's Planning Council and review consultant for the Office of Treatment Improvement in Washington, D.C.; and

WHEREAS, Dr. Bakeman held doctorate and master's degrees in public policy and administration from Nova University, as well as a master's degree in counseling from Chicago State University; he held certificates in international and U.S. public policy from the Brookings Institution and the Mexican National Public Administration Institute; he was a graduate of Kentucky State University and held a bachelor's degree in health and physical education; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of C. Vincent Bakeman, Ph.D., and we extend our deepest sympathy to his family, friends, colleagues, and all who knew and loved him; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of C. Vincent Bakeman, Ph.D. as an expression of our sincere condolences during their time of bereavement.

### HOUSE RESOLUTION 696

Offered by Representatives Sullivan, Beaubien, Mathias, Osmond, Churchill, Washington, Ryg and May:

WHEREAS, The members of the Illinois House of Representatives congratulate the Carmel High School Corsairs football team of Mundelein on winning its first IHSA Class 6A State Football Championship and finishing the 2003 season with an undefeated 14-0 record; and

WHEREAS, The Corsairs defeated the undefeated Bloomington High School by a score of 54-26 to

claim the 6A Championship title and had a regular season victory over Class 5A State Champion Joliet (Catholic); in their 2003 season, they also defeated throughout the playoffs Niles (Notre Dame), Crystal Lake (South), Rockford (Boylan), Minooka, and Bloomington; and

WHEREAS, The members of the team are John Brennan, Tom Kloss, Mark Venegoni, John Solan, Matt DeSpain, Peter Nozicka, Tyler Ankney, John Petrocelli, James Looby, Jim Magna, Steve Hironimus, Jim Potempa, Dan Hauser, Mike Serio, Bill Malzow, Mitch Miranda, Peter Lynch, Rob McKay, Kevin Dolan, Sean McCreary, Kevin Devitt, Cory Williams, Darren Davis, Anthony Powers, Sean Murnane, Brendan Cerney, Chris Miller, Nick Quillen, Ryan Coli, Joe Scully, Patrick Kimener, Michael Berrones, Jon Popovitch, James Larson, Jordan Snittjer, Colin Simmons, Grant Uhler, Adam Hall, Phil Adrien, John Baillargeon, John Zegar, Peter Hiss, Dan McElwee, Damion Ellis, Joey Parisi, Billy Maloney, Jeremy Henson, Jaran Rutledge, Luke Krombach, Gerry Goshgarian, Joe Novak, Thomas Deibler, Alex Schuster, Jack Lawlor, Jim Clinton, Paul Lyons, Dan Kipp, Kevin Ryan, Drew Cairo-Gross, Bud Sievert, Jordan Walton, Luis Cuevas, Vince Masse, Jerry Root, Jon Krizman, Joe Rejc, Eddie Adamski, Dan Osterhout, Jason Kwasigroch, Nick Rill, Steve Jeka, Will Mullen, John Coffey, Jack Simmons, Nate Boston, Kevin Cook, Mike Morrissey, Peter Baker, Mark Erskine, Brian Psak, Patrick Love, Louis Cairo, Chris Koziol, and Sean McGrath; the team captains are Mark Venegoni, and Matt DeSpain; and

WHEREAS, The Corsairs are lead by head coach, Andy Bitto, who is in his 6th season as head coach, and assistant coaches Ben Berg, Michael Fitzgibbons, Brian Glashagel, Tom Kelly, Bill Mack, Jim Rejc, Joe Rejczyk, and Nick Yeager; and

WHEREAS, In addition to the players and coaches, congratulations go to Carmel High School President, Sister Mary Frances McLaughlin; Principal, Father Robert Carroll; and boys athletic director, Andy Bitto; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Carmel High School Corsairs football team on winning its first IHSA Class 6A State Football Championship and wish the team well in all of their future endeavors; and be it further

RESOLVED, That suitable copies of this resolution be presented to the president, principal, athletic director, and each coach and member of the team as an expression of our respect and esteem.

#### HOUSE RESOLUTION 698

Offered by Representative McGuire:

WHEREAS, The members of the House of Representatives are pleased to congratulate Captain Kevin W. Shaughnessy on the occasion of his retirement as Commander of State Police District 5 in Joliet after 25 years with the State Police; and

WHEREAS, Kevin W. Shaughnessy entered the Illinois State Police Academy in June of 1978; he was a member of the first class of agents; upon graduation in October of 1978, he was assigned to the Division of Criminal Investigations, Financial Fraud and Forgery Unit; and

WHEREAS, He was promoted to Master Sergeant in 1988 and became the Squad Supervisor of the Financial Fraud and Forgery Unit; through the years, he coordinated and was a supervisor for several State Police units; and

WHEREAS, In 1995, Sergeant Shaughnessy was promoted to Lieutenant and was assigned to District Chicago with assignments in Investigations and Patrol; he was also assigned as Commander of the South Suburban Major Crimes Task Force; and

WHEREAS, Lieutenant Shaughnessy was promoted to Captain in 1999 and was made Commander of District 5 in Joliet; and

WHEREAS, Captain Shaughnessy has been the recipient of the Illinois State Police Director's Award of Honor, the Director's Award of Merit, and numerous departmental commendations; he was named the M.A.D.D. Officer of the year for Will County in 2002; and

WHEREAS, Captain Shaughnessy has instructed over 3,000 Law Enforcement Officers on a variety of topics; he is a State certified instructor with the Law Enforcement Training and Standards Board, Springfield, and he has taught at the Illinois State Police Academy, with Northeast Multi-Regional Training, and Northwestern University Traffic Institute; he is a member of the International Association of Chiefs of Police, the Illinois Association of Chiefs of Police, the Greater Cook County Council-Chiefs of Police (President 2002 to 2003), the Kendall County Chiefs of Police, the Will County Chiefs of Police, the

Illinois Polygraph Society, and the Grundy County Law Enforcement Executives Association; and

WHEREAS, Captain Shaughnessy is married to Colleen; he has three children, Ryan, Kelly, and Mary Beth; he enjoys playing golf and is an avid player of games of chance; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Captain Kevin W. Shaughnessy on the occasion of his retirement from the Illinois State Police; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Captain Shaughnessy as an expression of our esteem.

#### HOUSE RESOLUTION 699

Offered by Representative Bassi:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Consolidated Community School District 15 (CCSD 15) of Palatine on being awarded the Malcolm Baldrige National Quality Award; and

WHEREAS, The Baldrige Award is given by the President of the United States to businesses, education, and health care organizations that apply and are judged to be outstanding in seven areas: leadership, strategic planning, customer and market focus, information and analysis, human resource focus, process management, and business results; and

WHEREAS, The U.S. Congress established the award program in 1987 to recognize organizations for their achievements in quality and performance and to raise awareness about the importance of quality and performance excellence as a competitive edge; and

WHEREAS, Several years ago, CCSD 15 began a journey of continuous quality improvement centered on accountability to its constituents; as a framework for the district's efforts, the Board of Education and district administrators adopted the criteria of the Baldrige Award; the district is among only 3 other education organizations to win the Baldrige Award; and

WHEREAS, Throughout the process, CCSD 15 developed a mission, implemented multi-year strategic planning, maintained a high performing quality staff, set challenging goals, and was accountable to the community through feedback; the district paid special attention to aligning its mission, goals, and student performance targets; and

WHEREAS, The District 15 Board of Education enthusiastically endorsed the continuous improvement process as a way to develop a world-class school system; members of the superintendent's cabinet and others on the administrative team took ownership of the Baldrige process and led the way to implementing it across the entire district organization; and

WHEREAS, CCSD 15 has created a number of unique programs designed to respond to the specific needs of various groups; these range from the strategic planning process to reading intervention programs, from on-time bus delivery to teacher mentoring; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the administrators, Board of Education, and the entire staff of Consolidated Community School District 15 of Palatine on being awarded the Malcolm Baldrige National Quality Award; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Consolidated Community School District 15 as an expression of our esteem.

#### HOUSE RESOLUTION 700

Offered by Representative Holbrook:

WHEREAS, Katie Lundy, an esteemed resident of Belleville and a student at Central Junior High School, has achieved national recognition for exemplary volunteer service by receiving a 2004 Prudential Spirit of the Community Award; and

WHEREAS, This prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Ms. Lundy earned this award by giving generously of her time and energy to raise more than \$40,000 over the past three years through charity golf tournaments for the Make-A-Wish Foundation, the Children's Miracle Network, and local hospitals; she embarked on her fund-raising after undergoing brain surgery and seeing other kids in the hospital whom she wanted to help; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate and honor Katie Lundy as a recipient of a Prudential Spirit of Community Award, and we recognize her outstanding record of volunteer service, peer leadership, and community spirit; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Katie Lundy as an expression of our respect and esteem and with best wishes for her continued success and happiness.

#### HOUSE RESOLUTION 702

Offered by Representative Dunkin:

WHEREAS, The members of the House of Representatives of the State of Illinois learned with regret of the death of Patricia Susan O'Brien of Chicago on Sunday, February 15, 2004; and

WHEREAS, Patricia Susan O'Brien grew up in Oak Park and Chicago; she graduated from high school a year early, in 1971; she received a degree in special education from Loretta Heights College in Denver; and

WHEREAS, Ms. O'Brien lived in Melbourne, Australia, working as a special education teacher and part-time model and in Naples, Florida, working in real estate; she returned to Chicago and was a consultant at a solid-waste-disposal company, when she began researching what became her passion, the legalization of industrial hemp; and

WHEREAS, In 1996, Ms. O'Brien opened a store called O'Fields in Old Town that was dedicated to a variety of products made from hemp, including clothing, hats, soaps, and housewares; she was a driving force behind two pieces of legislation mandating research into industrial hemp; the bills were vetoed, but she continued her fight; and

WHEREAS, The passing of Patricia Susan O'Brien has been deeply felt by many, especially her sons, Jeffrey and Daniel Mandalis; her granddaughter, Emma Rose; her parents, Mary D. and Daniel P. O'Brien Sr.; and her siblings, Maureen O'Brien, Peggy (Richard) Schulze, and Peter (Mimi) O'Brien; she was a beloved aunt and cousin to many and will be greatly missed by her many dear friends; and

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of Patricia Susan O'Brien, and we extend our sincere condolences to her friends, family, and all who knew and loved her; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Patricia O'Brien as an expression of our deepest sympathy.

#### HOUSE RESOLUTION 705

Offered by Representative Meyer:

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Battalion Chief Daniel F. Cook on the occasion of his retirement from the Lisle Woodridge Fire District; and

WHEREAS, Battalion Chief Daniel F. Cook is currently assigned to the Gold shift; he started with the District in June of 1970 and became a full-time firefighter in June of 1973; and

WHEREAS, Battalion Chief Cook and his twin brother, Bureau Chief Donald R. Cook, were the first career firefighters who were brothers; their father, John, was a paid on-call officer for the District at the time that Battalion Chief Cook joined; and

WHEREAS, Battalion Chief Cook was involved in the formation of the Cause and Origin team for the District; he is the father of one daughter, Heather; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Battalion Chief Daniel F. Cook on the occasion of his retirement from the Lisle Woodridge Fire District; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Battalion Chief Daniel F. Cook as an

expression of our deepest respect and esteem, and with our many thanks for his devotion to the protection of the citizens of the Lisle Woodridge Fire District, along with our best wishes for a relaxing retirement.

#### HOUSE RESOLUTION 706

Offered by Representative Meyer:

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Bureau Chief Donald R. Cook on the occasion of his retirement from the Lisle Woodridge Fire District; and

WHEREAS, Bureau Chief Donald R. Cook is in charge of Maintenance for the District; he began his career with the District in June of 1970; he and his twin brother, Battalion Chief Daniel F. Cook were the first career firefighters who were brothers, and their father also served as a paid on-call officer; and

WHEREAS, In April of 1974, Bureau Chief Cook was hired full-time by the District; most of his career has been dedicated to the improvement of the maintenance of vehicles and stations for the District; he was also active in the formation of the Cause and Origin team for the District; and

WHEREAS, Bureau Chief Cook is married to Tracey and is the father of Carla and Donald John; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Bureau Chief Donald R. Cook on the occasion of his retirement from the Lisle Woodridge Fire District; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Bureau Chief Donald R. Cook as an expression of our deepest respect and esteem, and with our many thanks for his devotion to the protection of the citizens of the Lisle Woodridge Fire District, along with our best wishes for a relaxing retirement.

#### HOUSE RESOLUTION 707

Offered by Representative Meyer:

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Deputy Chief James R. Simon on the occasion of his retirement from the Lisle Woodridge Fire District; and

WHEREAS, Deputy Chief James R. Simon has been with the Lisle Woodridge Fire District since July of 1971; and

WHEREAS, Deputy Chief Simon became full-time in June of 1972 and worked his way up through the ranks to his current position, which he was promoted to in December of 1979; and

WHEREAS, Deputy Chief Simon's father was a paid on-call officer and his son, Jason, was recently hired by the District, making their family the first three generation firefighting family in the District; and

WHEREAS, Deputy Chief Simon is married to Barbara and is the father of James, Mark, and Jason; and

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Deputy Chief James R. Simon on the occasion of his retirement from the Lisle Woodridge Fire District; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Deputy Chief James R. Simon as an expression of our deepest respect and esteem, and with our many thanks for his devotion to the protection of the citizens of the Lisle Woodridge Fire District, along with our best wishes for a relaxing retirement.

#### HOUSE RESOLUTION 708

Offered by Representative Dugan:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to honor Irma Lambert of Bourbonnais for her volunteer service at the Illinois Veterans Home of Manteno; and

WHEREAS, Ms. Lambert has volunteered her service at the Illinois Veterans Home totaling over 22,915 hours; and

WHEREAS, Volunteers at the Veterans Home do a myriad of chores, ranging from entertaining with music to calling bingo to wheeling veterans around to just holding a conversation; and

WHEREAS, Ms. Lambert serves in the Commissary and helps with outings for the veterans; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we honor Irma Lambert for her volunteer service at the Illinois Veterans Home of Manteno, and we thank her for her devotion to helping the veterans; and be it further

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

#### HOUSE RESOLUTION 709

Offered by Representative Kurtz:

WHEREAS, The members of the Illinois House of Representatives were saddened to learn of the death of Thomas R. Schober of Algonquin on Sunday, January 25, 2004; and

WHEREAS, Mr. Schober was born and raised in Bloomfield, New Jersey; he graduated from Rutgers University in New Brunswick, New Jersey; and

WHEREAS, Mr. Schober was a volunteer with the non-profit educational group Junior Achievement from the time he was 16; he met his wife, Jean, at a Junior Achievement conference, and they were married in 1970; and

WHEREAS, Mr. Schober worked as a salesman in the cosmetics and fragrance industry, a job that took the couple to California, Ohio, and New Jersey, before they reached Algonquin in the early 1980s; and

WHEREAS, Mr. Schober was appointed to Algonquin's Zoning Board of Appeals, was a village trustee from 1989 to 1993, and was Algonquin Township supervisor until 1997; he left his township duties to become director of consumer services for the Office of Banks and Real Estate, Community Services Division; and

WHEREAS, Mr. Schober's first passion was his family; from T-ball to college, he very rarely missed any of his children's games; he was devoted to his children; and

WHEREAS, The passing of Thomas R. Schober has been deeply felt by many, especially his wife, Jean; his children, Bryan Thomas, Kevin Richard, and Debra Jean; his brothers, Charles and Warren; and his two granddaughters, Gabriela Jean and Makayla Sylvia; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of Thomas R. Schober, and we extend our deepest sympathy to his friends, family, and all who knew and loved him; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Mr. Schober as an expression of our sincerest condolences during their time of bereavement.

#### ACTION ON MOTIONS

Representative Chapa LaVia asked and obtained unanimous consent to table House Bill 3913.  
The motion prevailed.

#### RESOLUTION

Having been reported out of the Committee on Rules on February 19, 2004, HOUSE RESOLUTION 686 was taken up for consideration.

Representative Yarbrough moved the adoption of the resolution.  
The motion prevailed and the Resolution was adopted.

#### ACTION ON MOTIONS

Representative May asked and obtained unanimous consent to table House Bill 4734.  
The motion prevailed.  
Representative Osmond asked and obtained unanimous consent to table House Bill 4352.  
The motion prevailed.  
Representative Sullivan asked and obtained unanimous consent to table House Bills 4178 and 4658.  
The motion prevailed.  
Representative Mautino asked and obtained unanimous consent to table House Bill 4175.  
The motion prevailed.  
Representative Pankau asked and obtained unanimous consent to table House Bill 4659.  
The motion prevailed.  
Representative Delgado asked and obtained unanimous consent to table House Bill 4144 and 4925.  
The motion prevailed.

#### **AGREED RESOLUTION**

HOUSE RESOLUTION 655 was taken up for consideration.  
Representative Kosel moved the adoption of the agreed resolution.  
The motion prevailed and the Agreed Resolution was adopted.

#### **ACTION ON MOTIONS**

Representative Mathias asked and obtained unanimous consent to table House Bill 6707.  
The motion prevailed.

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

HOUSE BILL 4075. Having been printed, was taken up and read by title a second time.  
The following amendment was offered in the Committee on Judiciary II - Criminal Law, adopted and printed:

AMENDMENT NO.   1  . Amend House Bill 4075 on page 1, by replacing line 11 with the following:  
"the violation is based on the use or possession of a".

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 4076.

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 4132.

HOUSE BILL 4234. Having been printed, was taken up and read by title a second time.  
The following amendment was offered in the Committee on Revenue, adopted and printed:

AMENDMENT NO.   1  . Amend House Bill 4234 by replacing everything after the enacting clause with the following:  
"Section 5. The Use Tax Act is amended by changing Section 3-85 as follows:  
(35 ILCS 105/3-85)

Sec. 3-85. Manufacturer's Purchase Credit. For purchases of machinery and equipment made on and after January 1, 1995 and through June 30, 2003, a purchaser of manufacturing machinery and equipment that qualifies for the exemption provided by paragraph (18) of Section 3-5 of this Act earns a credit in an amount equal to a fixed percentage of the tax which would have been incurred under this Act on those purchases. For purchases of graphic arts machinery and equipment made on or after July 1, 1996 and through June 30, 2003, a purchaser of graphic arts machinery and equipment that qualifies for the exemption provided by paragraph (6) of Section 3-5 of this Act earns a credit in an amount equal to a fixed percentage of the tax that would have been incurred under this Act on those purchases. The credit earned for purchases of manufacturing machinery and equipment or graphic arts machinery and equipment shall be referred to as the Manufacturer's Purchase Credit. A graphic arts producer is a person engaged in graphic arts production as defined in Section 2-30 of the Retailers' Occupation Tax Act. Beginning July 1, 1996, all references in this Section to manufacturers or manufacturing shall also be deemed to refer to graphic arts producers or graphic arts production.

The amount of credit shall be a percentage of the tax that would have been incurred on the purchase of manufacturing machinery and equipment or graphic arts machinery and equipment if the exemptions provided by paragraph (6) or paragraph (18) of Section 3-5 of this Act had not been applicable. The percentage shall be as follows:

- (1) 15% for purchases made on or before June 30, 1995.
- (2) 25% for purchases made after June 30, 1995, and on or before June 30, 1996.
- (3) 40% for purchases made after June 30, 1996, and on or before June 30, 1997.
- (4) 50% for purchases made on or after July 1, 1997.

A purchaser of production related tangible personal property desiring to use the Manufacturer's Purchase Credit shall certify to the seller prior to October 1, ~~2005~~ ~~2003~~ that the purchaser is satisfying all or part of the liability under the Use Tax Act or the Service Use Tax Act that is due on the purchase of the production related tangible personal property by use of Manufacturer's Purchase Credit. The Manufacturer's Purchase Credit certification must be dated and shall include the name and address of the purchaser, the purchaser's registration number, if registered, the credit being applied, and a statement that the State Use Tax or Service Use Tax liability is being satisfied with the manufacturer's or graphic arts producer's accumulated purchase credit. Certification may be incorporated into the manufacturer's or graphic arts producer's purchase order. Manufacturer's Purchase Credit certification provided by the manufacturer or graphic arts producer prior to October 1, ~~2005~~ ~~2003~~ may be used to satisfy the retailer's or serviceman's liability under the Retailers' Occupation Tax Act or Service Occupation Tax Act for the credit claimed, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase, but only if the retailer or serviceman reports the Manufacturer's Purchase Credit claimed as required by the Department. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, ~~2005~~ ~~2003~~ shall be disallowed. The Manufacturer's Purchase Credit earned by purchase of exempt manufacturing machinery and equipment or graphic arts machinery and equipment is a non-transferable credit. A manufacturer or graphic arts producer that enters into a contract involving the installation of tangible personal property into real estate within a manufacturing or graphic arts production facility may, prior to October 1, ~~2005~~ ~~2003~~, authorize a construction contractor to utilize credit accumulated by the manufacturer or graphic arts producer to purchase the tangible personal property. A manufacturer or graphic arts producer intending to use accumulated credit to purchase such tangible personal property shall execute a written contract authorizing the contractor to utilize a specified dollar amount of credit. The contractor shall furnish, prior to October 1, ~~2005~~ ~~2003~~, the supplier with the manufacturer's or graphic arts producer's name, registration or resale number, and a statement that a specific amount of the Use Tax or Service Use Tax liability, not to exceed 6.25% of the selling price, is being satisfied with the credit. The manufacturer or graphic arts producer shall remain liable to timely report all information required by the annual Report of Manufacturer's Purchase Credit Used for all credit utilized by a construction contractor.

The Manufacturer's Purchase Credit may be used to satisfy liability under the Use Tax Act or the Service Use Tax Act due on the purchase of production related tangible personal property (including purchases by a manufacturer, by a graphic arts producer, or by a lessor who rents or leases the use of the property to a manufacturer or graphic arts producer) that does not otherwise qualify for the manufacturing machinery and equipment exemption or the graphic arts machinery and equipment exemption. "Production related tangible personal property" means (i) all tangible personal property used or consumed by the purchaser in a manufacturing facility in which a manufacturing process described in Section 2-45 of the Retailers' Occupation Tax Act takes place, including tangible personal property purchased for incorporation into real estate within a manufacturing facility and including, but not limited to, tangible personal property used or



consumed in activities such as preproduction material handling, receiving, quality control, inventory control, storage, staging, and packaging for shipping and transportation purposes; (ii) all tangible personal property used or consumed by the purchaser in a graphic arts facility in which graphic arts production as described in Section 2-30 of the Retailers' Occupation Tax Act takes place, including tangible personal property purchased for incorporation into real estate within a graphic arts facility and including, but not limited to, all tangible personal property used or consumed in activities such as graphic arts preliminary or pre-press production, pre-production material handling, receiving, quality control, inventory control, storage, staging, sorting, labeling, mailing, tying, wrapping, and packaging; and (iii) all tangible personal property used or consumed by the purchaser for research and development. "Production related tangible personal property" does not include (i) tangible personal property used, within or without a manufacturing facility, in sales, purchasing, accounting, fiscal management, marketing, personnel recruitment or selection, or landscaping or (ii) tangible personal property required to be titled or registered with a department, agency, or unit of federal, state, or local government. The Manufacturer's Purchase Credit may be used, prior to October 1, ~~2005~~ ~~2003~~, to satisfy the tax arising either from the purchase of machinery and equipment on or after January 1, 1995 for which the exemption provided by paragraph (18) of Section 3-5 of this Act was erroneously claimed, or the purchase of machinery and equipment on or after July 1, 1996 for which the exemption provided by paragraph (6) of Section 3-5 of this Act was erroneously claimed, but not in satisfaction of penalty, if any, and interest for failure to pay the tax when due. A purchaser of production related tangible personal property who is required to pay Illinois Use Tax or Service Use Tax on the purchase directly to the Department may, prior to October 1, ~~2005~~ ~~2003~~, utilize the Manufacturer's Purchase Credit in satisfaction of the tax arising from that purchase, but not in satisfaction of penalty and interest. A purchaser who uses the Manufacturer's Purchase Credit to purchase property which is later determined not to be production related tangible personal property may be liable for tax, penalty, and interest on the purchase of that property as of the date of purchase but shall be entitled to use the disallowed Manufacturer's Purchase Credit, so long as it has not expired and is used prior to October 1, ~~2005~~ ~~2003~~, on qualifying purchases of production related tangible personal property not previously subject to credit usage. The Manufacturer's Purchase Credit earned by a manufacturer or graphic arts producer expires the last day of the second calendar year following the calendar year in which the credit arose. No Manufacturer's Purchase Credit may be used after September 30, ~~2005~~ ~~2003~~ regardless of when that credit was earned.

A purchaser earning Manufacturer's Purchase Credit shall sign and file an annual Report of Manufacturer's Purchase Credit Earned for each calendar year no later than the last day of the sixth month following the calendar year in which a Manufacturer's Purchase Credit is earned. A Report of Manufacturer's Purchase Credit Earned shall be filed on forms as prescribed or approved by the Department and shall state, for each month of the calendar year: (i) the total purchase price of all purchases of exempt manufacturing or graphic arts machinery on which the credit was earned; (ii) the total State Use Tax or Service Use Tax which would have been due on those items; (iii) the percentage used to calculate the amount of credit earned; (iv) the amount of credit earned; and (v) such other information as the Department may reasonably require. A purchaser earning Manufacturer's Purchase Credit shall maintain records which identify, as to each purchase of manufacturing or graphic arts machinery and equipment on which the purchaser earned Manufacturer's Purchase Credit, the vendor (including, if applicable, either the vendor's registration number or Federal Employer Identification Number), the purchase price, and the amount of Manufacturer's Purchase Credit earned on each purchase.

A purchaser using Manufacturer's Purchase Credit shall sign and file an annual Report of Manufacturer's Purchase Credit Used for each calendar year no later than the last day of the sixth month following the calendar year in which a Manufacturer's Purchase Credit is used. A Report of Manufacturer's Purchase Credit Used shall be filed on forms as prescribed or approved by the Department and shall state, for each month of the calendar year: (i) the total purchase price of production related tangible personal property purchased from Illinois suppliers; (ii) the total purchase price of production related tangible personal property purchased from out-of-state suppliers; (iii) the total amount of credit used during such month; and (iv) such other information as the Department may reasonably require. A purchaser using Manufacturer's Purchase Credit shall maintain records that identify, as to each purchase of production related tangible personal property on which the purchaser used Manufacturer's Purchase Credit, the vendor (including, if applicable, either the vendor's registration number or Federal Employer Identification Number), the purchase price, and the amount of Manufacturer's Purchase Credit used on each purchase.

No annual report shall be filed before May 1, 1996 or after June 30, 2004. A purchaser that fails to file an annual Report of Manufacturer's Purchase Credit Earned or an annual Report of Manufacturer's Purchase Credit Used by the last day of the sixth month following the end of the calendar year shall forfeit

all Manufacturer's Purchase Credit for that calendar year unless it establishes that its failure to file was due to reasonable cause. Manufacturer's Purchase Credit reports may be amended to report and claim credit on qualifying purchases not previously reported at any time before the credit would have expired, unless both the Department and the purchaser have agreed to an extension of the statute of limitations for the issuance of a notice of tax liability as provided in Section 4 of the Retailers' Occupation Tax Act. If the time for assessment or refund has been extended, then amended reports for a calendar year may be filed at any time prior to the date to which the statute of limitations for the calendar year or portion thereof has been extended. No Manufacturer's Purchase Credit report filed with the Department for periods prior to January 1, 1995 shall be approved. Manufacturer's Purchase Credit claimed on an amended report may be used, until October 1, ~~2005~~ 2003, to satisfy tax liability under the Use Tax Act or the Service Use Tax Act (i) on qualifying purchases of production related tangible personal property made after the date the amended report is filed or (ii) assessed by the Department on qualifying purchases of production related tangible personal property made in the case of manufacturers on or after January 1, 1995, or in the case of graphic arts producers on or after July 1, 1996.

If the purchaser is not the manufacturer or a graphic arts producer, but rents or leases the use of the property to a manufacturer or graphic arts producer, the purchaser may earn, report, and use Manufacturer's Purchase Credit in the same manner as a manufacturer or graphic arts producer.

A purchaser shall not be entitled to any Manufacturer's Purchase Credit for a purchase that is required to be reported and is not timely reported as provided in this Section. A purchaser remains liable for (i) any tax that was satisfied by use of a Manufacturer's Purchase Credit, as of the date of purchase, if that use is not timely reported as required in this Section and (ii) for any applicable penalties and interest for failing to pay the tax when due. No Manufacturer's Purchase Credit may be used after September 30, ~~2005~~ 2003 to satisfy any tax liability imposed under this Act, including any audit liability.

(Source: P.A. 93-24, eff. 6-20-03.)

Section 10. The Service Use Tax Act is amended by changing Section 3-70 as follows:

(35 ILCS 110/3-70)

Sec. 3-70. Manufacturer's Purchase Credit. For purchases of machinery and equipment made on and after January 1, 1995 and through June 30, 2003, a purchaser of manufacturing machinery and equipment that qualifies for the exemption provided by Section 2 of this Act earns a credit in an amount equal to a fixed percentage of the tax which would have been incurred under this Act on those purchases. For purchases of graphic arts machinery and equipment made on or after July 1, 1996 and through June 30, 2003, a purchase of graphic arts machinery and equipment that qualifies for the exemption provided by paragraph (5) of Section 3-5 of this Act earns a credit in an amount equal to a fixed percentage of the tax that would have been incurred under this Act on those purchases. The credit earned for the purchase of manufacturing machinery and equipment and graphic arts machinery and equipment shall be referred to as the Manufacturer's Purchase Credit. A graphic arts producer is a person engaged in graphic arts production as defined in Section 3-30 of the Service Occupation Tax Act. Beginning July 1, 1996, all references in this Section to manufacturers or manufacturing shall also refer to graphic arts producers or graphic arts production.

The amount of credit shall be a percentage of the tax that would have been incurred on the purchase of the manufacturing machinery and equipment or graphic arts machinery and equipment if the exemptions provided by Section 2 or paragraph (5) of Section 3-5 of this Act had not been applicable.

All purchases prior to October 1, 2003 of manufacturing machinery and equipment and graphic arts machinery and equipment that qualify for the exemptions provided by paragraph (5) of Section 2 or paragraph (5) of Section 3-5 of this Act qualify for the credit without regard to whether the serviceman elected, or could have elected, under paragraph (7) of Section 2 of this Act to exclude the transaction from this Act. If the serviceman's billing to the service customer separately states a selling price for the exempt manufacturing machinery or equipment or the exempt graphic arts machinery and equipment, the credit shall be calculated, as otherwise provided herein, based on that selling price. If the serviceman's billing does not separately state a selling price for the exempt manufacturing machinery and equipment or the exempt graphic arts machinery and equipment, the credit shall be calculated, as otherwise provided herein, based on 50% of the entire billing. If the serviceman contracts to design, develop, and produce special order manufacturing machinery and equipment or special order graphic arts machinery and equipment, and the billing does not separately state a selling price for such special order machinery and equipment, the credit shall be calculated, as otherwise provided herein, based on 50% of the entire billing. The provisions of this paragraph are effective for purchases made on or after January 1, 1995.

The percentage shall be as follows:

- (1) 15% for purchases made on or before June 30, 1995.
- (2) 25% for purchases made after June 30, 1995, and on or before June 30, 1996.
- (3) 40% for purchases made after June 30, 1996, and on or before June 30, 1997.
- (4) 50% for purchases made on or after July 1, 1997.

A purchaser of production related tangible personal property desiring to use the Manufacturer's Purchase Credit shall certify to the seller prior to October 1, ~~2005~~ ~~2003~~ that the purchaser is satisfying all or part of the liability under the Use Tax Act or the Service Use Tax Act that is due on the purchase of the production related tangible personal property by use of a Manufacturer's Purchase Credit. The Manufacturer's Purchase Credit certification must be dated and shall include the name and address of the purchaser, the purchaser's registration number, if registered, the credit being applied, and a statement that the State Use Tax or Service Use Tax liability is being satisfied with the manufacturer's or graphic arts producer's accumulated purchase credit. Certification may be incorporated into the manufacturer's or graphic arts producer's purchase order. Manufacturer's Purchase Credit certification provided by the manufacturer or graphic arts producer prior to October 1, ~~2005~~ ~~2003~~ may be used to satisfy the retailer's or serviceman's liability under the Retailers' Occupation Tax Act or Service Occupation Tax Act for the credit claimed, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase, but only if the retailer or serviceman reports the Manufacturer's Purchase Credit claimed as required by the Department. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, ~~2005~~ ~~2003~~ shall be disallowed. The Manufacturer's Purchase Credit earned by purchase of exempt manufacturing machinery and equipment or graphic arts machinery and equipment is a non-transferable credit. A manufacturer or graphic arts producer that enters into a contract involving the installation of tangible personal property into real estate within a manufacturing or graphic arts production facility, prior to October 1, ~~2005~~ ~~2003~~, may authorize a construction contractor to utilize credit accumulated by the manufacturer or graphic arts producer to purchase the tangible personal property. A manufacturer or graphic arts producer intending to use accumulated credit to purchase such tangible personal property shall execute a written contract authorizing the contractor to utilize a specified dollar amount of credit. The contractor shall furnish, prior to October 1, ~~2005~~ ~~2003~~, the supplier with the manufacturer's or graphic arts producer's name, registration or resale number, and a statement that a specific amount of the Use Tax or Service Use Tax liability, not to exceed 6.25% of the selling price, is being satisfied with the credit. The manufacturer or graphic arts producer shall remain liable to timely report all information required by the annual Report of Manufacturer's Purchase Credit Used for credit utilized by a construction contractor.

The Manufacturer's Purchase Credit may be used to satisfy liability under the Use Tax Act or the Service Use Tax Act due on the purchase of production related tangible personal property (including purchases by a manufacturer, by a graphic arts producer, or a lessor who rents or leases the use of the property to a manufacturer or graphic arts producer) that does not otherwise qualify for the manufacturing machinery and equipment exemption or the graphic arts machinery and equipment exemption. "Production related tangible personal property" means (i) all tangible personal property used or consumed by the purchaser in a manufacturing facility in which a manufacturing process described in Section 2-45 of the Retailers' Occupation Tax Act takes place, including tangible personal property purchased for incorporation into real estate within a manufacturing facility and including, but not limited to, tangible personal property used or consumed in activities such as pre-production material handling, receiving, quality control, inventory control, storage, staging, and packaging for shipping and transportation purposes; (ii) all tangible personal property used or consumed by the purchaser in a graphic arts facility in which graphic arts production as described in Section 2-30 of the Retailers' Occupation Tax Act takes place, including tangible personal property purchased for incorporation into real estate within a graphic arts facility and including, but not limited to, all tangible personal property used or consumed in activities such as graphic arts preliminary or pre-press production, pre-production material handling, receiving, quality control, inventory control, storage, staging, sorting, labeling, mailing, tying, wrapping, and packaging; and (iii) all tangible personal property used or consumed by the purchaser for research and development. "Production related tangible personal property" does not include (i) tangible personal property used, within or without a manufacturing or graphic arts facility, in sales, purchasing, accounting, fiscal management, marketing, personnel recruitment or selection, or landscaping or (ii) tangible personal property required to be titled or registered with a department, agency, or unit of federal, state, or local government. The Manufacturer's Purchase Credit may be used, prior to October 1, ~~2005~~ ~~2003~~, to satisfy the tax arising either from the purchase of machinery and equipment on or after January 1, 1995 for which the manufacturing machinery and equipment exemption provided by Section 2 of this Act was erroneously claimed, or the purchase of machinery and equipment on or after July 1, 1996 for which the exemption provided by paragraph (5) of

Section 3-5 of this Act was erroneously claimed, but not in satisfaction of penalty, if any, and interest for failure to pay the tax when due. A purchaser of production related tangible personal property who is required to pay Illinois Use Tax or Service Use Tax on the purchase directly to the Department may, prior to October 1, ~~2005~~ ~~2003~~, utilize the Manufacturer's Purchase Credit in satisfaction of the tax arising from that purchase, but not in satisfaction of penalty and interest. A purchaser who uses the Manufacturer's Purchase Credit to purchase property which is later determined not to be production related tangible personal property may be liable for tax, penalty, and interest on the purchase of that property as of the date of purchase but shall be entitled to use the disallowed Manufacturer's Purchase Credit, so long as it has not expired and is used prior to October 1, ~~2005~~ ~~2003~~, on qualifying purchases of production related tangible personal property not previously subject to credit usage. The Manufacturer's Purchase Credit earned by a manufacturer or graphic arts producer expires the last day of the second calendar year following the calendar year in which the credit arose. No Manufacturer's Purchase Credit may be used after September 30, ~~2005~~ ~~2003~~ regardless of when that credit was earned.

A purchaser earning Manufacturer's Purchase Credit shall sign and file an annual Report of Manufacturer's Purchase Credit Earned for each calendar year no later than the last day of the sixth month following the calendar year in which a Manufacturer's Purchase Credit is earned. A Report of Manufacturer's Purchase Credit Earned shall be filed on forms as prescribed or approved by the Department and shall state, for each month of the calendar year: (i) the total purchase price of all purchases of exempt manufacturing or graphic arts machinery on which the credit was earned; (ii) the total State Use Tax or Service Use Tax which would have been due on those items; (iii) the percentage used to calculate the amount of credit earned; (iv) the amount of credit earned; and (v) such other information as the Department may reasonably require. A purchaser earning Manufacturer's Purchase Credit shall maintain records which identify, as to each purchase of manufacturing or graphic arts machinery and equipment on which the purchaser earned Manufacturer's Purchase Credit, the vendor (including, if applicable, either the vendor's registration number or Federal Employer Identification Number), the purchase price, and the amount of Manufacturer's Purchase Credit earned on each purchase.

A purchaser using Manufacturer's Purchase Credit shall sign and file an annual Report of Manufacturer's Purchase Credit Used for each calendar year no later than the last day of the sixth month following the calendar year in which a Manufacturer's Purchase Credit is used. A Report of Manufacturer's Purchase Credit Used shall be filed on forms as prescribed or approved by the Department and shall state, for each month of the calendar year: (i) the total purchase price of production related tangible personal property purchased from Illinois suppliers; (ii) the total purchase price of production related tangible personal property purchased from out-of-state suppliers; (iii) the total amount of credit used during such month; and (iv) such other information as the Department may reasonably require. A purchaser using Manufacturer's Purchase Credit shall maintain records that identify, as to each purchase of production related tangible personal property on which the purchaser used Manufacturer's Purchase Credit, the vendor (including, if applicable, either the vendor's registration number or Federal Employer Identification Number), the purchase price, and the amount of Manufacturer's Purchase Credit used on each purchase.

No annual report shall be filed before May 1, 1996 or after June 30, 2004. A purchaser that fails to file an annual Report of Manufacturer's Purchase Credit Earned or an annual Report of Manufacturer's Purchase Credit Used by the last day of the sixth month following the end of the calendar year shall forfeit all Manufacturer's Purchase Credit for that calendar year unless it establishes that its failure to file was due to reasonable cause. Manufacturer's Purchase Credit reports may be amended to report and claim credit on qualifying purchases not previously reported at any time before the credit would have expired, unless both the Department and the purchaser have agreed to an extension of the statute of limitations for the issuance of a notice of tax liability as provided in Section 4 of the Retailers' Occupation Tax Act. If the time for assessment or refund has been extended, then amended reports for a calendar year may be filed at any time prior to the date to which the statute of limitations for the calendar year or portion thereof has been extended. No Manufacturer's Purchase Credit report filed with the Department for periods prior to January 1, 1995 shall be approved. Manufacturer's Purchase Credit claimed on an amended report may be used, prior to October 1, ~~2005~~ ~~2003~~, to satisfy tax liability under the Use Tax Act or the Service Use Tax Act (i) on qualifying purchases of production related tangible personal property made after the date the amended report is filed or (ii) assessed by the Department on qualifying purchases of production related tangible personal property made in the case of manufacturers on or after January 1, 1995, or in the case of graphic arts producers on or after July 1, 1996.

If the purchaser is not the manufacturer or a graphic arts producer, but rents or leases the use of the property to a manufacturer or a graphic arts producer, the purchaser may earn, report, and use

Manufacturer's Purchase Credit in the same manner as a manufacturer or graphic arts producer.

A purchaser shall not be entitled to any Manufacturer's Purchase Credit for a purchase that is required to be reported and is not timely reported as provided in this Section. A purchaser remains liable for (i) any tax that was satisfied by use of a Manufacturer's Purchase Credit, as of the date of purchase, if that use is not timely reported as required in this Section and (ii) for any applicable penalties and interest for failing to pay the tax when due. No Manufacturer's Purchase Credit may be used after September 30, 2005 ~~2003~~ to satisfy any tax liability imposed under this Act, including any audit liability.

(Source: P.A. 93-24, eff. 6-20-03.)

Section 15. The Service Occupation Tax Act is amended by changing Section 9 as follows:  
(35 ILCS 115/9) (from Ch. 120, par. 439.109)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax at the time when he is required to file his return for the period during which such tax was collectible, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or \$5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the serviceman, in collecting the tax may collect, for each tax return period, only the tax applicable to the part of the selling price actually received during such tax return period.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable rules and regulations to be promulgated by the Department of Revenue. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
- 5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Prior to October 1, 2005 ~~2003~~, a serviceman may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Service Use Tax as provided in Section 3-70 of the Service Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-70 of the Service Use Tax Act. A Manufacturer's Purchase Credit certification, accepted prior to October 1, 2005 ~~2003~~ by a serviceman as provided in Section 3-70 of the Service Use Tax Act, may be used by that serviceman to satisfy Service Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2005 ~~2003~~ shall be disallowed. No Manufacturer's Purchase Credit may be used after September 30, 2005 ~~2003~~ to satisfy any tax liability imposed under this Act, including any audit liability.

If the serviceman's average monthly tax liability to the Department does not exceed \$200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and

December of a given year being due by January 20 of the following year.

If the serviceman's average monthly tax liability to the Department does not exceed \$50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of \$150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of \$100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of \$50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of \$200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Where a serviceman collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Occupation Tax, Service Use Tax, Retailers' Occupation Tax or Use Tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, the Use Tax Act or the Service Use Tax Act, to furnish all the return information required by all said Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registrations hereunder, such serviceman shall file separate returns for each registered business.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund the revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit

District Fund 4% of the revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit
1993	\$0

1994	53,000,000
1995	58,000,000
1996	61,000,000
1997	64,000,000
1998	68,000,000
1999	71,000,000
2000	75,000,000
2001	80,000,000
2002	93,000,000
2003	99,000,000
2004	103,000,000
2005	108,000,000
2006	113,000,000
2007	119,000,000
2008	126,000,000
2009	132,000,000
2010	139,000,000
2011	146,000,000
2012	153,000,000
2013	161,000,000
2014	170,000,000
2015	179,000,000
2016	189,000,000
2017	199,000,000
2018	210,000,000
2019	221,000,000
2020	233,000,000
2021	246,000,000
2022	260,000,000
2023 and	275,000,000

each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2042.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Community



~~Affairs~~ Law of the Civil Administrative Code of Illinois.

Remaining moneys received by the Department pursuant to this Act shall be paid into the General Revenue Fund of the State Treasury.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the taxpayer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the taxpayer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The taxpayer's annual return to the Department shall also disclose the cost of goods sold by the taxpayer during the year covered by such return, opening and closing inventories of such goods for such year, cost of goods used from stock or taken from stock and given away by the taxpayer during such year, pay roll information of the taxpayer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such taxpayer as hereinbefore provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The foregoing portion of this Section concerning the filing of an annual information return shall not apply to a serviceman who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, it shall be permissible for manufacturers, importers and wholesalers whose products are sold by numerous servicemen in Illinois, and who wish to do so, to assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the servicemen who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 92-12, eff. 7-1-01; 92-208, eff. 8-2-01; 92-492, eff. 1-1-02; 92-600, eff. 6-28-02; 92-651, eff. 7-11-02; 93-24, eff. 6-20-03; revised 10-15-03.)

Section 20. The Retailers' Occupation Tax Act is amended by changing Section 3 as follows:  
(35 ILCS 120/3) (from Ch. 120, par. 442)

Sec. 3. Except as provided in this Section, on or before the twentieth day of each calendar month, every person engaged in the business of selling tangible personal property at retail in this State during the preceding calendar month shall file a return with the Department, stating:

1. The name of the seller;
2. His residence address and the address of his principal place of business and the address of the principal place of business (if that is a different address) from which he engages in the business of selling tangible personal property at retail in this State;
3. Total amount of receipts received by him during the preceding calendar month or quarter, as the case may be, from sales of tangible personal property, and from services furnished, by him during such preceding calendar month or quarter;
4. Total amount received by him during the preceding calendar month or quarter on

charge and time sales of tangible personal property, and from services furnished, by him prior to the month or quarter for which the return is filed;

5. Deductions allowed by law;
6. Gross receipts which were received by him during the preceding calendar month or quarter and upon the basis of which the tax is imposed;
7. The amount of credit provided in Section 2d of this Act;
8. The amount of tax due;
9. The signature of the taxpayer; and
10. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Each return shall be accompanied by the statement of prepaid tax issued pursuant to Section 2e for which credit is claimed.

Prior to October 1, ~~2005~~ ~~2003~~, a retailer may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Use Tax as provided in Section 3-85 of the Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-85 of the Use Tax Act. A Manufacturer's Purchase Credit certification, accepted by a retailer prior to October 1, ~~2005~~ ~~2003~~ as provided in Section 3-85 of the Use Tax Act, may be used by that retailer to satisfy Retailers' Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, ~~2005~~ ~~2003~~ shall be disallowed. No Manufacturer's Purchase Credit may be used after September 30, ~~2005~~ ~~2003~~ to satisfy any tax liability imposed under this Act, including any audit liability.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due; and
6. Such other reasonable information as the Department may require.

Beginning on October 1, 2003, any person who is not a licensed distributor, importing distributor, or manufacturer, as defined in the Liquor Control Act of 1934, but is engaged in the business of selling, at retail, alcoholic liquor shall file a statement with the Department of Revenue, in a format and at a time prescribed by the Department, showing the total amount paid for alcoholic liquor purchased during the preceding month and such other information as is reasonably required by the Department. The Department may adopt rules to require that this statement be filed in an electronic or telephonic format. Such rules may provide for exceptions from the filing requirements of this paragraph. For the purposes of this paragraph, the term "alcoholic liquor" shall have the meaning prescribed in the Liquor Control Act of 1934.

Beginning on October 1, 2003, every distributor, importing distributor, and manufacturer of alcoholic liquor as defined in the Liquor Control Act of 1934, shall file a statement with the Department of Revenue, no later than the 10th day of the month for the preceding month during which transactions occurred, by electronic means, showing the total amount of gross receipts from the sale of alcoholic liquor sold or distributed during the preceding month to purchasers; identifying the purchaser to whom it was sold or distributed; the purchaser's tax registration number; and such other information reasonably required by the Department. A copy of the monthly statement shall be sent to the retailer no later than the 10th day of the month for the preceding month during which transactions occurred.

If a total amount of less than \$1 is payable, refundable or creditable, such amount shall be disregarded if it is less than 50 cents and shall be increased to \$1 if it is 50 cents or more.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of \$150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of \$100,000 or more shall make all

payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of \$50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of \$200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Any amount which is required to be shown or reported on any return or other document under this Act shall, if such amount is not a whole-dollar amount, be increased to the nearest whole-dollar amount in any case where the fractional part of a dollar is 50 cents or more, and decreased to the nearest whole-dollar amount where the fractional part of a dollar is less than 50 cents.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed \$200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability with the Department does not exceed \$50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

Where the same person has more than one business registered with the Department under separate registrations under this Act, such person may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle retailer or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 2-5 of this Act, then that seller may report the transfer of all aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any

boat equipped with an inboard motor.

Any retailer who sells only motor vehicles, watercraft, aircraft, or trailers that are required to be registered with an agency of this State, so that all retailers' occupation tax liability is required to be reported, and is reported, on such transaction reporting returns and who is not otherwise required to file monthly or quarterly returns, need not file monthly or quarterly returns. However, those retailers shall be required to file returns on an annual basis.

The transaction reporting return, in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of The Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of The Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft or aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the day of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the Illinois use tax may be transmitted to the Department by way of the State agency with which, or State officer with whom the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a use tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of the tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Refunds made by the seller during the preceding return period to purchasers, on account of tangible

personal property returned to the seller, shall be allowed as a deduction under subdivision 5 of his monthly or quarterly return, as the case may be, in case the seller had theretofore included the receipts from the sale of such tangible personal property in a return filed by him and had paid the tax imposed by this Act with respect to such receipts.

Where the seller is a corporation, the return filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.

Where the seller is a limited liability company, the return filed on behalf of the limited liability company shall be signed by a manager, member, or properly accredited agent of the limited liability company.

Except as provided in this Section, the retailer filing the return under this Section shall, at the time of filing such return, pay to the Department the amount of tax imposed by this Act less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or \$5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for the expenses incurred in keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. Any prepayment made pursuant to Section 2d of this Act shall be included in the amount on which such 2.1% or 1.75% discount is computed. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was \$10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was \$20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985 and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987 and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of \$10,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than \$9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than \$10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the \$10,000 threshold stated above, then such taxpayer may petition the Department for a

change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of \$20,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than \$19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than \$20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the \$20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due as a payment and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

The provisions of this paragraph apply before October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes which average in excess of \$25,000 per month during the preceding 2 complete calendar quarters, shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to the effective date of this amendatory Act of 1985, each payment shall be in an amount not less than 22.5% of the taxpayer's actual liability under Section 2d. If the month during which such tax liability is incurred begins on or after January 1, 1986, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding calendar year. If the month during which such tax liability is incurred begins on or after January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until such taxpayer's average monthly prepaid tax collections during the preceding 2 complete calendar quarters is \$25,000 or less. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

The provisions of this paragraph apply on and after October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes that average in excess of \$20,000 per month during the preceding 4 complete calendar quarters shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which the liability is incurred. Each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of the quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until the taxpayer's average monthly prepaid tax collections during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than \$19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarters is less than \$20,000. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Use Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown on an original monthly return, the Department shall, if requested by the taxpayer, issue to the taxpayer a credit memorandum no later than 30 days after the date of payment. The credit evidenced by such credit memorandum may be assigned by the taxpayer to a similar taxpayer under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determined that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% and 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on such difference.

If a retailer of motor fuel is entitled to a credit under Section 2d of this Act which exceeds the taxpayer's liability to the Department under this Act for the month which the taxpayer is filing a return, the Department shall issue the taxpayer a credit memorandum for the excess.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund, a special fund in the State treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund, a special fund in the State treasury which is hereby created, 4% of the net revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to this Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as hereinafter defined), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; the "Annual Specified Amount" means the amounts specified below for fiscal years 1986 through 1993:

Fiscal Year	Annual Specified Amount
1986	\$54,800,000
1987	\$76,650,000
1988	\$80,480,000
1989	\$88,510,000
1990	\$115,330,000
1991	\$145,470,000
1992	\$182,730,000
1993	\$206,520,000;

and means the Certified Annual Debt Service Requirement (as defined in Section 13 of the Build Illinois Bond Act) or the Tax Act Amount, whichever is greater, for fiscal year 1994 and each fiscal year

thereafter; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year. The amounts payable into the Build Illinois Fund under clause (b) of the first sentence in this paragraph shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the first sentence of this paragraph and shall reduce the amount otherwise payable for such fiscal year pursuant to that clause (b). The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit
1993	\$0
1994	53,000,000
1995	58,000,000
1996	61,000,000
1997	64,000,000
1998	68,000,000
1999	71,000,000
2000	75,000,000
2001	80,000,000
2002	93,000,000
2003	99,000,000
2004	103,000,000
2005	108,000,000
2006	113,000,000
2007	119,000,000
2008	126,000,000
2009	132,000,000
2010	139,000,000
2011	146,000,000
2012	153,000,000
2013	161,000,000
2014	170,000,000



2015	179,000,000
2016	189,000,000
2017	199,000,000
2018	210,000,000
2019	221,000,000
2020	233,000,000
2021	246,000,000
2022	260,000,000
2023 and	275,000,000

each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2042.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Community Affairs Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the retailer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the retailer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The retailer's annual return to the Department shall also disclose the cost of goods sold by the retailer during the year covered by such return, opening and closing inventories of such goods for such year, costs of goods used from stock or taken from stock and given away by the retailer during such year, payroll information of the retailer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such retailer as provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

- (i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of

1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The provisions of this Section concerning the filing of an annual information return do not apply to a retailer who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

Any person who promotes, organizes, provides retail selling space for concessionaires or other types of sellers at the Illinois State Fair, DuQuoin State Fair, county fairs, local fairs, art shows, flea markets and similar exhibitions or events, including any transient merchant as defined by Section 2 of the Transient Merchant Act of 1987, is required to file a report with the Department providing the name of the merchant's business, the name of the person or persons engaged in merchant's business, the permanent address and Illinois Retailers Occupation Tax Registration Number of the merchant, the dates and location of the event and other reasonable information that the Department may require. The report must be filed not later than the 20th day of the month next following the month during which the event with retail sales was held. Any person who fails to file a report required by this Section commits a business offense and is subject to a fine not to exceed \$250.

Any person engaged in the business of selling tangible personal property at retail as a concessionaire or other type of seller at the Illinois State Fair, county fairs, art shows, flea markets and similar exhibitions or events, or any transient merchants, as defined by Section 2 of the Transient Merchant Act of 1987, may be required to make a daily report of the amount of such sales to the Department and to make a daily payment of the full amount of tax due. The Department shall impose this requirement when it finds that there is a significant risk of loss of revenue to the State at such an exhibition or event. Such a finding shall be based on evidence that a substantial number of concessionaires or other sellers who are not residents of Illinois will be engaging in the business of selling tangible personal property at retail at the exhibition or event, or other evidence of a significant risk of loss of revenue to the State. The Department shall notify concessionaires and other sellers affected by the imposition of this requirement. In the absence of notification by the Department, the concessionaires and other sellers shall file their returns as otherwise required in this Section.

(Source: P.A. 92-12, eff. 7-1-01; 92-16, eff. 6-28-01; 92-208, eff. 8-2-01; 92-484, eff. 8-23-01; 92-492, eff. 1-1-02; 92-600, eff. 6-28-02; 92-651, eff. 7-11-02; 93-22, eff. 6-20-03; 93-24, eff. 6-20-03; revised 10-15-03.)

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 bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 4346.

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 5207.

### **ACTION ON MOTIONS**

Representative Eileen Lyons asked and obtained unanimous consent to table House Bill 4872. The motion prevailed.

### **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 Hannig, HOUSE BILL 4194 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: 113, Yeas; 0, Nays; 1, Answering Present.  
(ROLL CALL 2)

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

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

### **SENATE BILLS ON SECOND READING**

SENATE BILL 1611. Having been read by title a second time on May 29, 2003, and held on the order of Second Reading, the same was again taken up.

Representative Hannig offered the following amendment and moved its adoption.

AMENDMENT NO.   1  . Amend Senate Bill 1611 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by changing Section 2705-207 as follows:

(20 ILCS 2705/2705-207)

(Section scheduled to be repealed on January 1, 2005)

Sec. 2705-207. Regional Transportation Task Force.

(a) The Regional Transportation Task Force is created within the Department.

(b) The Task Force shall consist of 11 voting members, as follows: 3 members appointed by the Governor, one of whom shall be designated as chair of the task force at the time of appointment; 2 members appointed by the President of the Senate; 2 members appointed by the Senate Minority Leader; 2 members appointed by the Speaker of the House of Representatives; and 2 members appointed by the House Minority Leader.

The following shall serve, ex officio, as non-voting members: the Secretary of Transportation; one member designated by the Chicago Area Transportation Study (CATS); one member designated by the Northeastern Illinois Planning Commission (NIPC); one member designated by the Regional Transportation Authority (RTA); one member designated by the Illinois State Toll Highway Authority (ISTHA); 2 members of Congress representing Illinois from different political parties, as designated by the Governor; and 4 members designated by the Metropolitan Mayors Caucus.

If a vacancy occurs in the task force membership, the vacancy shall be filled in the same manner as the initial appointment.

(c) The task force may begin to conduct business upon the appointment of a majority of the voting members, including the chair.

(d) The task force may adopt bylaws; it must meet at least once each calendar quarter; and it may establish committees and officers as it deems necessary. For purposes of task force meetings, a quorum is 6 voting members. Meetings of the task force are subject to the Open Meetings Act. The task force must

afford an opportunity for public comment at each of its meetings.

(e) Task force members shall serve without compensation, but may be reimbursed for their reasonable travel expenses from funds available for that purpose. The Department shall provide staff and administrative support services to the task force. The Department and the task force may accept donated services and other resources from registered not-for-profit organizations as may be necessary to complete the work of the task force with minimal expense to the State of Illinois.

(f) The task force shall gather information and make recommendations to the Governor and to the General Assembly regarding metro area transportation programs in northeastern Illinois, which includes, without limitation, the counties of Cook, DuPage, Kane, Lake, McHenry, and Will. These recommendations must include, without limitation:

- (1) examining the feasibility of merging CATS, NIPC, RTA, and ISTHA into a single agency;
- (2) identifying areas where functions of these and other agencies are redundant or unnecessary;
- (3) identifying methods to promote cost effectiveness, efficiency, and equality in meeting area transportation needs; and
- (4) examining regional and economic impact as it relates to potential policy implementation.

(g) The task force shall submit a report to the Governor and the General Assembly by April 15, 2004 ~~March 1, 2004~~ concerning its findings and recommendations.

(h) This Section is repealed on January 1, 2005.

(Source: P.A. 93-405, eff. 8-1-03.)

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

### SENATE BILL ON THIRD READING

The following bill and any amendments adopted thereto were printed and laid upon the Members' desks. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Madigan, SENATE BILL 1611 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 3)

This bill, as amended, 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 in the House amendment/s adopted.

### ACTION ON MOTIONS

Representative Reitz asked and obtained unanimous consent to table House Bill 6986.  
The motion prevailed.

At the hour of 5:08 o'clock p.m., Representative Currie moved that the House do now adjourn until Thursday, February 26, 2004, at 11:00 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

February 25, 2004

0 YEAS

0 NAYS

115 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-THIRD  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 4194  
 FOREIGN TAX HAVENS  
 THIRD READING  
 PASSED

February 25, 2004

113 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 1611  
TRANSPORTATION-TECH  
THIRD READING  
PASSED

February 25, 2004

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence