

**STATE OF ILLINOIS**



# **HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-THIRD GENERAL ASSEMBLY**

**102ND LEGISLATIVE DAY**

**TUESDAY, MARCH 2, 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 Pastor Ron Henwood of the First Christian Church in Herrin, IL.

Representative Hannig led the House in the Pledge of Allegiance.

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

117 present. (ROLL CALL 1)

By unanimous consent, Representative Currie was excused from attendance.

### TEMPORARY COMMITTEE ASSIGNMENTS

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

Representative Winters replaced Representative Munson in the Committee on Housing & Urban Development on February 24, 2004.

Representative Munson replaced Representative Lindner in the Committee on State Government Administration on February 25, 2004.

Representative Dunn replaced Representative Jerry Mitchell in the Committee on Elementary & Secondary Education on February 25, 2004.

Representative Schmitz replaced Representative Lindner in the Committee on State Government Administration on February 25, 2004.

Representative Hassert replaced Representative Sommer in the Committee on Local Government on February 25, 2004.

### REPORT FROM THE COMMITTEE ON RULES

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

That the bill be reported "approved for consideration" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 1626.

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

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

Y Currie, Barbara(D), Chairperson (Lang)

Y Black, William(R)

Y Hannig, Gary(D)

Y Hassert, Brent(R), Republican Spokesperson

Y Turner, Arthur(D)

### COMMITTEE ON RULES REFERRALS

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

Aging: HOUSE BILL 4837; HOUSE RESOLUTION 68.

Commerce & Business Development: HOUSE BILL 4442.

Consumer Protection: HOUSE BILLS 2380.

Elementary & Secondary Education: HOUSE BILLS 3942 and 3979; Motion to Concur with SENATE AMENDMENT No. 2 to HOUSE BILL 754.

Environment & Energy: HOUSE BILLS 4850 and 4959.

Executive: HOUSE BILLS 4594.

Health Care Availability Access: HOUSE BILL 6769.

Human Services: HOUSE BILL 7038.

Insurance: HOUSE BILLS 4817, 5075, 5928 and 6863.

Judiciary I - Civil Law: HOUSE BILLS 3893 and 6618.

Judiciary II - Criminal Law: HOUSE BILLS 4135, 4667, 4877, 4949 and 6743.

Labor: HOUSE BILLS 4447 and 6869.

Local Government: HOUSE BILLS 4280 and 4958.  
 Personnel & Pensions: HOUSE BILLS 4575 and 6694.  
 Registration & Regulation: HOUSE BILLS 4864, 4989 and 6552.  
 Revenue: HOUSE BILLS 3833 and 4510.  
 State Government Administration: HOUSE BILLS 3850, 5039, 5051, 5129, 5175, 5883, 6893 and 7019; HOUSE RESOLUTION 474.  
 Transportation & Motor Vehicles: HOUSE BILLS 4195 and 4458; HOUSE JOINT RESOLUTION 69.  
 Veterans Affairs: HOUSE BILLS 4311 and 4371.

**COMMITTEE ON RULES  
REASSIGNMENTS**

Representative Currie, Chairperson of the Committee on Rules, reassigned the following legislation:  
 HOUSE BILL 4363 was recalled from the Committee on Higher Education and reassigned to the Committee on State Government Administration.  
 HOUSE BILL 5732 was recalled from the Committee on Executive and reassigned to the Committee on Revenue.  
 HOUSE BILL 5747 was recalled from the Committee on Executive and reassigned to the Committee on Personnel & Pensions.

**BALANCED BUDGET NOTE SUPPLIED**

A Balanced Budget Note has been supplied for HOUSE BILL 6577.

**JUDICIAL NOTE SUPPLIED**

A Judicial Note has been supplied for HOUSE BILL 6577.

**HOUSING AFFORDABILITY IMPACT NOTE SUPPLIED**

A Housing Affordability Impact Note has been supplied for House Bill 6577.

**STATE DEBT IMPACT NOTE SUPPLIED**

A State Debt Impact Note has been supplied for HOUSE BILL 6577.

**FISCAL NOTES SUPPLIED**

Fiscal Notes have been supplied for HOUSE BILLS 5045, as amended, 5884, 4285 and 4925.

**STATE MANDATES FISCAL NOTES SUPPLIED**

State Mandates Fiscal Notes have been supplied for HOUSE BILLS 5045, as amended, and 6577.

**HOME RULE NOTES SUPPLIED**

Home Rule Notes have been supplied for HOUSE BILLS 5045, as amended, and 6577.

**REQUEST FOR JUDICIAL NOTE**

Representative Reitz requested that a Judicial Note be supplied for HOUSE BILL 4393.

**REQUEST FOR STATE DEBT IMPACT NOTE**

Representative Reitz requested that a State Debt Impact Note be supplied for HOUSE BILL 4393.

**REQUEST FOR FISCAL NOTE**

Representative Schmitz requested that a Fiscal Note be supplied for HOUSE BILL 5105.

**MESSAGES FROM THE SENATE**

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

- SENATE BILL NO. 2122  
A bill for AN ACT concerning vehicles.
- SENATE BILL NO. 2151  
A bill for AN ACT concerning municipalities.
- SENATE BILL NO. 2156  
A bill for AN ACT concerning wildlife.
- SENATE BILL NO. 2172  
A bill for AN ACT concerning business regulation.
- SENATE BILL NO. 2175  
A bill for AN ACT concerning municipalities.
- SENATE BILL NO. 2190  
A bill for AN ACT concerning taxes.
- SENATE BILL NO. 2274  
A bill for AN ACT concerning property.
- SENATE BILL NO. 2277  
A bill for AN ACT concerning local government.
- SENATE BILL NO. 2285  
A bill for AN ACT concerning professional regulation.
- SENATE BILL NO. 2337  
A bill for AN ACT concerning cable television.
- SENATE BILL NO. 2362  
A bill for AN ACT concerning education.
- SENATE BILL NO. 2380  
A bill for AN ACT concerning professional regulation.
- SENATE BILL NO. 2429  
A bill for AN ACT in relation to transportation.
- SENATE BILL NO. 2442  
A bill for AN ACT concerning municipalities.
- SENATE BILL NO. 2444  
A bill for AN ACT concerning schools.
- SENATE BILL NO. 2448  
A bill for AN ACT concerning children and families.



## SENATE BILL NO. 2453

A bill for AN ACT concerning vehicles.

## SENATE BILL NO. 2469

A bill for AN ACT concerning domestic violence.

Passed by the Senate, March 2, 2004.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

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

## SENATE BILL NO. 2480

A bill for AN ACT concerning transportation.

## SENATE BILL NO. 2528

A bill for AN ACT concerning education.

## SENATE BILL NO. 2560

A bill for AN ACT concerning insurance.

## SENATE BILL NO. 2577

A bill for AN ACT concerning alcoholic liquor.

## SENATE BILL NO. 2620

A bill for AN ACT concerning insurance.

## SENATE BILL NO. 2809

A bill for AN ACT concerning criminal law.

## SENATE BILL NO. 2810

A bill for AN ACT concerning schools.

## SENATE BILL NO. 2827

A bill for AN ACT concerning the Auditor General.

## SENATE BILL NO. 2830

A bill for AN ACT concerning insurance.

## SENATE BILL NO. 2940

A bill for AN ACT concerning public health.

## SENATE BILL NO. 2894

A bill for AN ACT concerning vehicles.

## SENATE BILL NO. 2980

A bill for AN ACT in relation to transportation.

## SENATE BILL NO. 3064

A bill for AN ACT concerning elections.

## SENATE BILL NO. 3184

A bill for AN ACT concerning vehicles.

Passed by the Senate, March 2, 2004.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 2122, 2151, 2156, 2172, 2175, 2190, 2274, 2277, 2285, 2337, 2362, 2380, 2429, 2442, 2444, 2448, 2453, 2469, 2480, 2528, 2560, 2577, 2620, 2809, 2810, 2827, 2830, 2894, 2940, 2980, 3064 and 3184 were ordered printed and to a First Reading.

### CHANGE OF SPONSORSHIP

Representative Mautino 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 5928.

Representative Madigan 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 5732.

Representative Rita asked and obtained unanimous consent to be removed as chief sponsor and Representative William Davis asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4280.

Representative Reitz 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 5891.

Representative Black asked and obtained unanimous consent to be removed as chief sponsor and Representative Cultra asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 3833.

Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Jones asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 5562.

### **INTRODUCTION AND FIRST READING OF BILL**

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

HOUSE BILL 7275. Introduced by Representative Hannig, AN ACT concerning appropriations.

### **RESOLUTIONS**

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

#### **HOUSE RESOLUTION 711**

Offered by Representative Kurtz:

WHEREAS, A day at work will help children discover the link between what they do now in school and what they can become in the future; they have the opportunity to witness first-hand the vital services that their parents provide each day; and

WHEREAS, It is the intent that this event will inspire children to open their eyes to new possibilities, and encourage future careers in science, business, technology, government, etc.; and

WHEREAS, A day in the lives of their parents will reinforce children's ambitions and help them understand the relationship between academic achievements and success in the workplace; and

WHEREAS, Complaining that too many children are missing school to shadow mom or dad at the workplace each April, the Illinois Principals' Association and their teachers suggest that the annual "Take Your Kid To Work Day" should be moved to June or be held during school vacations; and

WHEREAS, Teachers often put lessons on hold because of the annual event, which every year pairs an estimated 11 million children with adults in the workplace; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we encourage Illinois businesses to adopt the "Take Your Kid To Work Day" as an opportunity for kids to understand the relationship between academic achievements and success in the workplace; and be it further

RESOLVED, That the State of Illinois encourages this "Take Your Kid To Work Day" to occur during the summer months or during school vacations, preventing any unnecessary absence from their normal, quality education.

#### **HOUSE RESOLUTION 713**

Offered by Representative Flowers:

WHEREAS, The World Health Organization has designated April 7, 2004, as World Health Day; and  
 WHEREAS, The theme of the 2004 World Health Day is Road Safety; and  
 WHEREAS, Over 42,000 Americans die in motor vehicle crashes every year; and  
 WHEREAS, Motor vehicles crashes are the leading cause of death for people ages one to 34 in the United States; and

WHEREAS, Death and injury from motor vehicle crashes may be significantly reduced by greater public awareness, enforcement, and strengthening of existing laws; and

WHEREAS, Research indicates that between 1979 and 1999 safety belts have been effective in saving approximately 123,000 lives in the United States; and

WHEREAS, AAA and other safety groups across the country will be emphasizing the importance of safety belt use in 2004; and

WHEREAS, Minor steps like wearing safety belts, obeying traffic laws, avoiding distracted driving, and knowing your personal driving limits will reduce traffic crashes and injuries; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate April 7, 2004 as World Health Day in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the World Health Organization.

#### HOUSE RESOLUTION 715

Offered by Representative Fritchey:

WHEREAS, Chicago's National League Ball Club has been a part of the city's fabric for over a century, playing continuously in one city longer than any other baseball franchise; and

WHEREAS, Known back then as the Chicago White Stockings, the team played their first game on April 25, 1876, and went on to win the National League Championship that year; and

WHEREAS, The nickname "Chicago Cubs" was officially adopted in 1907, at a time when the Cubs fielded some of their best teams ever, and some of the best teams in the history of baseball; and

WHEREAS, During their tenure as Chicago's most popular sports franchise and one of the most storied in all of major league professional sports, the Cubs have fielded some of the best players in the history of the game; from the famous "Tinker to Evers to Chance" trio that recorded the game's first-ever double play in the 1902 season, to "Mr. Cub" Ernie Banks to Ron Santo, who redefined the term "sports hero" both on and off the field, to "Slammin" Sammy Sosa; and

WHEREAS, The Cubs popularity on the field was equaled by that of their legendary broadcasters in the booth, Jack Brickhouse and Harry Caray, who made the phrases "Hey Hey!" and "Holy Cow!" an integral part of the city's vocabulary; and

WHEREAS, In the 1907 and 1908 seasons, the Chicago Cubs became the first team to win back-to-back World Series; and

WHEREAS, Since that time, fate has not been kind to our beloved Cubs, denying them even a single postseason series victory between 1945 and 2003; and

WHEREAS, For almost six decades, Cubs fans have been forced to endure heartache and dashed hopes to an extent unknown by fans of any other sports team on this planet; and

WHEREAS, The defeat of the Atlanta Braves in five games in the 2003 playoffs marked the end of that cruel and unjust 58 year streak; and

WHEREAS, The residents of the proud city of Chicago recognize that a certain foul ball that shall remain nameless was not the beginning of the end, but rather was a mere detour on the Cubs return to glory; and

WHEREAS, A new day has dawned in Chicago, and hope has returned to the bricks and ivy that are belovedly known as the "Friendly Confines"; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that as of today, February 27th, 2004, the Cubs Curse shall be no more and that "next year" has finally arrived; and be it further

RESOLVED, That the Chicago Cubs and their fans across the country and around the world can look forward to many future winning seasons.

HOUSE RESOLUTION 719

Offered by Representative Rose:

WHEREAS, In 1977, Congress amended the Social Security Act to provide that pensions earned in federal, state, or local government employment not covered by social security be treated as if they were social security benefits, specifically requiring that if a person receives such a government pension, the social security benefits payable to that person as a spouse or surviving spouse be reduced by the amount of the government pension, which provision is commonly known as the Government Pension Offset; and

WHEREAS, Congress further amended the Social Security Act in 1983, reducing the amount of the Government Pension Offset to an amount equal to two-thirds of the amount of the government pension, but simultaneously enacted what is commonly known as the Windfall Elimination Provision, which requires reductions in the primary social security benefit earned by a person in employment covered by social security if the person also receives a pension from a federal, state, or local government not covered by social security; and

WHEREAS, Government employees in 15 states, including Illinois, earn pension benefits that are not covered by social security; and

WHEREAS, The retirement security and economic well-being of over 300,000 government retirees is degraded by the Government Pension Offset, some of whose benefits are also subject to reduction pursuant to the Windfall Elimination Provision; and

WHEREAS, Each provision has had unintentional consequences, the Windfall Elimination Provision causes a relatively larger reduction in benefits paid to workers with low incomes, while the Government Pension Offset applies disproportionately to women, often dropping their income in retirement below the poverty line, with the ironic effect of making them eligible for more costly welfare benefits, such as food stamps; and

WHEREAS, Growing awareness of the inequities imposed by the Windfall Elimination Provision and the Government Pension Offset threatens efforts to attract and retain persons into public service in the affected states, particularly into teaching.

WHEREAS, There is pending before the 108th Session of Congress the Social Security Fairness Act of 2003, H.R. 594 and S.R. 349, which would repeal both the Government Pension Offset and the Windfall Elimination Provision; and

WHEREAS, The repeal of these provisions would restore fairness and equity to the most vulnerable federal, state, and local government retirees and eliminate disincentives for public service in the affected states; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the members of the House of Representatives hereby urge Congress to amend the Social Security Act by repealing the provisions, commonly known as the Government Pension Offset and the Windfall Elimination Provision, that require reductions in the amount of social security benefits paid to persons who also receive pensions earned in federal, state, or local government employment not covered by social security; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives, and each member of the Illinois Congressional Delegation.

HOUSE RESOLUTION 721

Offered by Representative Rose:

WHEREAS, The level of higher education debt being incurred by students is having a negative effect on their access to postsecondary education, their persistence in attaining that education, their career choices, and their ability to repay their debt after leaving school; and

WHEREAS, In 2002, Illinois schools gave out approximately 85,000 Federal Direct Student Loan Program (FDSLPL) loans; and

WHEREAS, In fiscal year 2003, the Illinois Student Assistance Commission (ISAC) guaranteed federal

student loans for 89,746 Illinois Stafford borrowers and 7,336 PLUS borrowers; and

WHEREAS, As of August 31, 2003, there were 274,094 borrowers with a student loan guaranteed by ISAC who were in repayment status and 3,696 ISAC borrowers who defaulted and are currently in bankruptcy status; and

WHEREAS, Current repayment options do not provide for manageable monthly payments for some borrowers, which is particularly problematic when borrowers first enter the workforce; and

WHEREAS, Loan consolidation was originally created by the U.S. Congress to simplify the process of loan repayment for borrowers with multiple servicers and to help lower monthly payments for borrowers in difficult financial circumstances; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the U.S. Congress to require that the interest rate calculated on a Federal Direct Loan may not increase more than 2% above the original interest rate for unconsolidated loans; and be it further

RESOLVED, That we urge the U.S. Congress to allow borrowers to refinance their existing consolidated loans; and be it further

RESOLVED, That we urge the U.S. Congress to require (i) that all repayment options for consolidated loans allow, but not mandate, dual or singular payment options in the course of a payment cycle and (ii) that this option be available for electronic or manual payment delivery; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, and each member of the Illinois congressional delegation.

#### HOUSE JOINT RESOLUTION 70

Offered by Representative Grunloh:

WHEREAS, The illegal production and distribution of methamphetamine is a threat to the public safety of this State; and

WHEREAS, Current laws have not decreased this illegal activity; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created the Methamphetamine Task Force hereinafter referred to as the Task Force consisting of 13 members appointed as follows: (1) one member representing the Office of the Attorney General appointed by the Attorney General; (2) one member representing the Illinois Department of State Police appointed by the Director of State Police; (3) one member representing the Illinois Sheriffs' Association; (4) one member representing the Illinois Retail Merchants Association; (5) one member of the Senate appointed by the President of the Senate; (6) one member of the Senate appointed by the Minority Leader of the Senate; (7) one member of the House of Representatives appointed by the Speaker of the House of Representatives; (8) one member of the House of Representatives appointed by the Minority Leader of the House of Representatives; (9) one member representing the Illinois Farm Bureau; and (10) four members representing the Office of the Governor appointed by the Governor; and be it further

RESOLVED, That the Task Force shall choose its chair and such other officers as it deems appropriate; and be it further

RESOLVED, That the Task Force shall study how to curb the illegal production and distribution of methamphetamine and recommend to the Governor and the General Assembly proposed legislation to accomplish this purpose; and be it further

RESOLVED, That the members of the Task Force shall receive no compensation for their services as members of the Task Force but may be reimbursed for necessary expenses from appropriations made to the Task Force for that purpose; and be it further

RESOLVED, That the Task Force shall make its recommendations to the Governor and General Assembly within one year after the members of the Task Force have been appointed.

#### HOUSE JOINT RESOLUTION 46

Offered by Representative Myers:

WHEREAS, The State of Illinois is one of the most congested in the country; and

WHEREAS, Illinois' statewide population is projected to dramatically increase by 2020 and the State's already strained transportation infrastructure cannot accommodate that population and ensuing economic growth; and

WHEREAS, Passenger rail provides an efficient, safe, and environmentally sound means of transportation for commuters and for business and leisure travelers; and

WHEREAS, Amtrak and the State of Illinois have developed a partnership that should serve as the model for similar corridors in the United States; and

WHEREAS, Illinois' four State-supported corridors operated by Amtrak (Chicago-St. Louis, Chicago-Quincy, Chicago-Carbondale, Chicago-Milwaukee) each experienced strong ridership gains in Fiscal Year '03, despite a weakened economy and travel market; and

WHEREAS, Amtrak carries more than 2,600,000 passengers a year to and from Illinois; and

WHEREAS, Amtrak expended more than \$38 million for goods and services in Illinois in FY'02; and

WHEREAS, Amtrak employs nearly 2,300 Illinois residents, who earned a combined total of more than \$70 million in calendar year 2002; and

WHEREAS, Amtrak, the Illinois Department of Transportation, the Federal Railroad Administration, and Union Pacific Railroad are jointly working to develop High Speed Rail service on the Chicago-St. Louis corridor; and

WHEREAS, The State of Illinois has already invested \$100 million in the Chicago-St. Louis High Speed Rail program; and

WHEREAS, Congress has introduced several measures intended to provide states with a dedicated source of funding to develop viable, safe, and efficient passenger rail networks, including the National Defense Rail Act, RIDE-21, the Emergency Anti-Recession Act of 2003, and the National Infrastructure Program Act of 2003; 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 we hereby endorse Amtrak's 2004 funding request for \$1.812 billion and 5-year capital plan, as well as federal legislation that provides states with a dedicated source of funding to develop rail corridors, and we urge the United States Congress to pass and the President of the United States to sign that legislation; and be it further

RESOLVED, That we hereby urgently request that all members of Congress who represent the State of Illinois co-sponsor and support passage of legislative measures intended to bring stability to the nation's rail passenger network and provide states the funding needed to develop successful rail corridors; and be it further

RESOLVED, That copies of this preamble and resolution be presented to the President and Vice President of the United States and to each member of the Illinois Congressional Delegation.

#### HOUSE JOINT RESOLUTION 55

Offered by Representative Poe:

WHEREAS, Throughout history brave Americans have shed their blood during wars and conflicts to preserve, protect, and defend the foundation of the principles of democracy and freedom, and hundreds of thousands have paid the ultimate sacrifice to ensure that future generations enjoy life's liberties; and

WHEREAS, On August 7, 1782, General George Washington established the Military Badge of Merit, which on February 22, 1932 became the present and now the oldest military decoration in the world, the Purple Heart medal; and

WHEREAS, The Purple Heart medal is awarded to all military personnel who are killed or wounded in action against the enemy; 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 Interstate 72, traversing through the heart of Illinois, be designated as the commemorative "Purple Heart Memorial Highway", to pay tribute to the many thousands of Illinois residents who have been awarded the Purple Heart medal; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations,

consistent with State and federal regulations, an appropriate plaque or signs giving notice of the name; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Secretary of Transportation.

#### HOUSE JOINT RESOLUTION 56

Offered by Representative Franks:

WHEREAS, Federal legislation (hereinafter, "the Medicare drug bill") purporting to assist Medicare beneficiaries with prescription drug costs was signed into law on December 8, 2003; and

WHEREAS, The Congressional Budget Office has estimated that 2.7 million retirees will lose employer coverage as a result of the aforementioned legislation; and

WHEREAS, The Medicare drug bill will provide benefits that are inferior to most employer coverage or to Illinois' Circuit Breaker and SeniorCare programs; and

WHEREAS, Under the Medicare drug bill, millions of beneficiaries without drug coverage will face higher out-of-pocket drug costs, while a beneficiary with \$5,100 in out of pocket drug costs will receive only \$1,080 in benefits; and

WHEREAS, Prescription drug prices are far higher in the United States than they are in Canada or other industrialized nations; and

WHEREAS, Skyrocketing drug costs will rapidly erode the already inadequate benefit to be provided by the Medicare drug bill; and

WHEREAS, The Medicare drug bill prohibits the federal government from negotiating with the pharmaceutical companies for lower prices and effectively bans re-importation of affordable prescription drugs from Canada or other nations; and

WHEREAS, The Medicare drug bill diverts billions of dollars into subsidies for HMOs and insurance companies, discriminating against beneficiaries who choose to stay in fee-for-service Medicare; and

WHEREAS, The Medicare drug bill increases out-of-pocket costs and reduces coverage for poor seniors and disabled persons who are eligible for both Medicare and Medicaid; and

WHEREAS, The Medicare drug bill lays the groundwork for privatization of Medicare and elimination of Medicare's program of guaranteed benefits for the elderly and disabled; and

WHEREAS, The Medicare drug bill represents a victory for special interests rather than for seniors and the disabled; 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 we call upon the United States Congress to replace the Medicare drug bill with legislation that empowers the federal government to address spiraling drug prices, that provides a meaningful drug benefit, and that does not undermine beneficiaries' freedom of choice; and be it further

RESOLVED, That a copy of this resolution be sent to each member of the Illinois Congressional delegation, to the Speaker of the United States House of Representatives, and to the President of the United States Senate.

#### HOUSE JOINT RESOLUTION 57

Offered by Representative Bellock:

WHEREAS, The percentage of Illinoisians without health care coverage has generally been rising for the last 15 years, growing from 9.7% in 1987 to 14.1% in 2002 and nationally the proportion of the population that is uninsured grew by 17.8% between 1987 and 2002, but it grew by 45.5% in Illinois; and

WHEREAS, Residents of rural areas face a difficult time in accessing health care due to geographic isolation, lack of transportation, economic disparity, and seasonal challenges which create obstacles for rural health care consumers; and

WHEREAS, More than 20% of the U.S. population, over 65 million people, live in rural areas, and yet, only 9% of physicians practice in rural areas; and

WHEREAS, Rural health care providers face financial barriers, including lower wages and reimbursement rates compared to urban counterparts, lower patient volumes, and fewer economies of scale;

and

WHEREAS, The elderly are disproportionately represented in rural areas, with approximately 18.4% of all rural residents being elderly, and Medicare is the dominant source of health care reimbursements for rural hospitals, accounting for approximately 47% of patient care in rural areas, compared to 36% in urban areas; and

WHEREAS, In rural areas persons with disabilities and others who need specialized care must overcome the added difficulties of lack of public transportation, long distance to health care providers, and limited support services; 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 Joint Task Force on Rural Health is hereby created comprised of 8 members as follows: 2 members of the Senate appointed by the Senate President, 2 members of the Senate appointed by the Senate Minority Leader, 2 members of the House of Representatives appointed by the Speaker of the House and 2 members of the House of Representatives appointed by the House Minority Leader, with one member appointed by the Senate President serving as co-chairperson and one member appointed by the Speaker of the House serving as co-chairperson; and be it further

RESOLVED, That the Task Force shall meet to study issues of importance for improving access to quality, affordable health care for all residents of Illinois, particularly those that reside in a rural setting; and be it further

RESOLVED, That the Task Force shall study issues related to the best practices which ensure that an adequate and well-trained workforce is available to deliver health care services to Illinois residents living in rural communities; and

RESOLVED, That the Task Force shall present its findings and recommendations on how best to improve health care in rural communities to the President of the Senate and the Speaker of the House no later than January 1, 2005.

#### HOUSE JOINT RESOLUTION 58

Offered by Representative Phelps:

WHEREAS, For more than 200 years downtown districts have served as the heart and soul of our communities; they are the site of parades, passionate speeches, and public gathering places; and

WHEREAS, The words "main street" conjure up images of a friendly place to greet your neighbors and friends, shop for unique gifts or supplies, and enjoy an evening of good food and entertainment; and

WHEREAS, Downtown businesses have provided stable incomes to millions of Illinois residents, paid billions of tax dollars for city and State services, and provided countless sponsorships for activities that contribute to a community's quality of life; and

WHEREAS, The Illinois Main Street program is a nationally recognized model for preserving the historic integrity and economic vitality of downtowns and neighborhood business districts; and

WHEREAS, The Office of the Lieutenant Governor for the State of Illinois successfully implemented the Main Street program beginning in 1993 using the proven National Main Street Center's comprehensive model for downtown revitalization - the Four Point Approach®: Organization, Promotion, Design, and Economic Restructuring; and

WHEREAS, Fifty-six Illinois communities are actively participating in the Illinois Main Street program, and consequently, more than \$418 million has been invested in their downtown districts, nearly 5,000 new jobs have been created and more than 1,300 businesses have sprung up or expanded in the State; and

WHEREAS, The programs associated with Illinois Main Street will certainly continue to restore, restructure, and revitalize the soul of their community with successful results; 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 we recognize the first Saturday in June as Illinois Main Street Day in Illinois.

#### HOUSE JOINT RESOLUTION 59

Offered by Representative McGuire:



WHEREAS, State-funded homecare workers in Illinois allow 60,000 seniors and people with disabilities to live safely in their own communities; and

WHEREAS, State-funded homecare workers save the State of Illinois millions in nursing home costs; and

WHEREAS, In order to insure a high quality and consistent workforce, it is necessary to provide these care providers with health insurance; and

WHEREAS, As homecare is a medicaid-funded program and many of the workers are at or below the poverty line, there are many opportunities to obtain federal funds for homecare workers' health insurance; 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 General Assembly shall create a committee to explore the options to provide health insurance to State-funded homecare workers; and be it further

RESOLVED, That the committee shall hold a minimum of 4 hearings throughout the State and shall provide recommendations for the implementation of a health insurance program to the General Assembly no later than January 1, 2005; and be it further

RESOLVED, That the committee shall be co-chaired by the Chairperson of the House Aging Committee and the Chairperson of the Senate Health and Human Services Committee; and be it further

RESOLVED, That the committee shall consist of 17 members in addition to the co-chairpersons as follows: one member appointed by the Governor; one member representing the Illinois Department on Aging appointed by the Governor; one member from the Office of Rehabilitation Services within the Department of Human Services appointed by the Governor; 2 members appointed by the Speaker of the House of Representatives; 2 members appointed by the President of the Senate; one member appointed by the Minority Leader of the House of Representatives; one member appointed by the Minority Leader of the Senate; 4 members appointed by the co-chairs, with the recommendation of the Service Employee International Union Local 880, one member each from the aging segment and one member each from the disabilities segment; one member representing the vendors contracting with the Department of Aging appointed by the Governor; one member representing the disabled community appointed by agreement of the co-chairs; one member representing the senior community appointed by agreement of the co-chairs; and one member from the general public appointed by agreement of the co-chairs; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Chairperson of the House Aging Committee and the Chairperson of the Senate Health and Human Services Committee.

### AGREED RESOLUTIONS

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

#### HOUSE RESOLUTION 710

Offered by Representative Steve Davis:

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate David W. Hayes on the occasion of his retirement from Machinist Local 660 on February 29, 2004; and

WHEREAS, Mr. Hayes started working at the Olin Corporation in East Alton in 1959; he has served the Machinist Union as a Steward, a Committee Person, Chairperson of the Mechanical Groups, Lodge Trustee, Recording Secretary, and he was elected as the full time Financial Secretary-Treasurer of Bluff City Lodge No. 660 in 1989 and has been re-elected four times since; and

WHEREAS, During the two-month Olin strike, Mr. Hayes was responsible for the payments of over \$2.1 million in strike benefits to the 2,583 Machinists on strike at Olin; and

WHEREAS, Mr. Hayes is a 44-year member of the Machinist Union; he has represented Bluff City Lodge No. 660 at the last seven International Conventions; and

WHEREAS, Mr. Hayes has been responsible for lining up the Alton Labor Day Parade and getting it started on time; he has served on the Executive Board of the 12th Congressional District C.O.P.E., and he has served as the first Vice President of the Greater Madison County Federation of Labor for the last 15

years; he serves as a representative for the Greater Madison County Federation of Labor on what is now the 19th Congressional District C.O.P.E.; and

WHEREAS, Mr. Hayes has represented the Federation on the Board of Directors of The Greater Alton/Twin Rivers Growth Association; he has been the Labor Representative on the United Way Partnership for many years, serving on its Executive Board and the Personnel Committee; he has served as the Chairman of the Greater Madison County Federation Political Legislative Committee for many years; and

WHEREAS, Mr. Hayes was a recipient of the 2001 Labor Leader of The Year award presented by the Greater Madison County Federation of Labor; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate David W. Hayes on the occasion of his retirement from Machinist Local 660 on February 29, 2004; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Mr. Hayes as an expression of our esteem and with best wishes for a relaxing retirement.

#### HOUSE RESOLUTION 712

Offered by Representative Monique Davis:

WHEREAS, The members of the House of Representatives of the State of Illinois learned with regret of the death of Amanda Sherman on Tuesday, February 17, 2004; and

WHEREAS, Amanda Sherman was born on January 1, 1910, in Evanston to Charles and Eliza Wideman; she lost her mother at an early age and was indebted to her oldest sister, Alice Jones, who raised her after her mother's death; she married Robert Wallace Sherman; together, they were blessed with ten children; he preceded her in death on March 17, 1948; and

WHEREAS, A strong faith and inner strength helped Mrs. Sherman to raise her ten children on her own; she worked at several jobs and finally became a Crossing Guard for District 18, which allowed her to be home when her children were home; her dedication to her work earned her several commendations and certificates, and she and her family have made many political contributions to the City of Chicago; she was an inspiration and mother figure for many of those with whom she came in contact; and

WHEREAS, Mrs. Sherman was a life-long member of Wayman A.M.E. Church, but has been an "honorary" member of the church family at Greater Institutional A.M.E. Church since the 1970s; her faith in God was evident to all that knew her and will remain in the hearts and memories of countless people; and

WHEREAS, The passing of Amanda Sherman has been deeply felt by many, especially her children, former Alderman Niles (Sherlene) Sherman; Charmaine M. Brown, Robert (Peggy), Maynard (Clara), Aubrey, Ronald (Imelda), Douglas, Jo Ann Smith, and Lynn Timmons; her daughter-in-law, Cecilia Sherman; and her many grandchildren, great-grandchildren, great-great-grandchildren, nieces, nephews, other relatives, and friends; she was also preceded in death by her son, Lowell; 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 Amanda Sherman, a member of one of Chicago's outstanding families, and we extend our deepest sympathy to them; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Amanda Sherman as an expression of our sincere condolences.

#### HOUSE RESOLUTION 714

Offered by Representative Chapa LaVia:

WHEREAS, The members of the Illinois House of Representatives congratulate Chester R. Albright, a Moose International staff officer since 1985, on his retirement March 8, 2004; and

WHEREAS, Chester R. Albright has served since June 1999 as Supreme Secretary of the Loyal Order of Moose and Director of Fraternal Operations for Moose International; functions under his jurisdiction included Lodge operations and officer training, Community Service, Family Activities, the Moose Legion and Fellowship degrees, Ritual and Sports, and admissions to Mooseheart and Moosehaven; and

WHEREAS, Mr. Albright was appointed when then-Director General Paul J. O'Hollaren appointed him Director of Ritual and Sports in 1985; over the next 13 years in that post, he guided through two major revisions of the Moose Enrollment Ritual and significantly expanded the fraternity's offerings of International Sports tournaments; and

WHEREAS, Mr. Albright is a member of Mooseheart's Class of 1957; his father had also graduated from Mooseheart, in 1929; Mr. Albright came to Mooseheart with his siblings in 1950 shortly after the death of his mother; he was enrolled into Batavia Lodge 682 in 1959 and immediately became active; he was elected Governor of Batavia Lodge for the first of two terms in 1964, winning the Governor's Diamond Merit Award in 1966; he also served on the Lodge's Ritual staff from 1960 until 1985, winning the International Ritual Competition with Batavia in 1967 and taking the individual title as Prelate that same year; and

WHEREAS, Mr. Albright earned a bachelor's degree in social science from Aurora University in 1962, earned his living with the trade he learned at Mooseheart, as he owned and operated a barber shop in Aurora from 1971 to 1985; and

WHEREAS, He is a member of Mecca Moose Legion 9, which has honored him as Past President; in 1999, the Moose Legion Council honored him with a designation as Past International President; he is a member of the 150 Division of the 25 Club, he received the Fellowship Degree of Honor in 1965, and the Pilgrim Degree of Merit in 1985; he is a past president of the Mooseheart Alumni Association and a 1993 inductee into the Mooseheart Sports Hall of Fame; he also served his community with three terms on the City Council in his hometown of Aurora; and

WHEREAS, Mr. Albright and his wife, Judy, also a Mooseheart graduate, have two children and three grandchildren; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Chester R. Albright on his retirement from the Loyal Order of the Moose after many years of dedicated service; and we wish him well in all his future endeavors; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Chester R. Albright as a token of our respect and esteem.

#### HOUSE RESOLUTION 716

Offered by Representative Kosel:

WHEREAS, Music in the schools of Illinois is designed to bring about recognition of the vital place of music in the education process; and

WHEREAS, Music is a powerful and aesthetic force that gives our young people a sense of civilization because it dignifies the realm of feeling by merging intellect and emotion in the search for a humane way of life; and

WHEREAS, Music is a basic influence in the lives of millions of people who participate in creating, performing, and listening experiences developed through music in the schools; and

WHEREAS, Music in our schools is a special opportunity for citizens to understand and support the ongoing process of music education; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize the importance of music in the schools of the State of Illinois, and we thank music teachers and staff throughout the State for their dedication to music education.

#### HOUSE RESOLUTION 717

Offered by Representative Cross:

WHEREAS, The members of the Illinois House of Representatives wish to congratulate Kailen Winfrey, an esteemed resident of Joliet and a junior at Joliet Township High School-West, who has achieved national recognition for exemplary volunteer service by receiving a 2004 Prudential Spirit of 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, Kailen Winfrey earned this award by giving generously of his time and energy volunteering as a producer, director, editor, and graphic designer for the local cable TV access channel in his area; he also serves as youth leader at his church, taking responsibility for creating lessons and games, and coordinating youth services; as a distinguished finalist in this year's program, he will receive an engraved bronze medallion at a local ceremony; and

WHEREAS, The success of the State of Illinois, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Kailen Winfrey who use their considerable talents and resources to serve others; 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 Kailen Winfrey as a recipient of a Prudential Spirit of Community Award, recognize his outstanding record of volunteer service, peer leadership and community spirit, and extend our best wishes for his continued success and happiness; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Kailen Winfrey as an token of our respect and esteem.

#### HOUSE RESOLUTION 718

Offered by Representative Jakobsson:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to recognize outstanding accomplishments of citizens of the State; and

WHEREAS, The 30,000 member National Society of Accountants has elected Daniel E. Setters of Champaign as its national president for 2003-2004; and

WHEREAS, Dan Setters has owned and operated Accredited Business Services in Champaign for 25 years, providing accounting, bookkeeping, and payroll services to the area's small businesses as well as tax preparation services for individuals and corporations; and

WHEREAS, Dan Setters is also an IRS Enrolled Agent, an Accredited Business Accountant, and Accredited Tax Advisor; and

WHEREAS, Dan Setters has provided volunteer leadership to the Accreditation Council for Accounting and Taxation and the NSA Scholarship Foundation, and he has served as the President of the Independent Accountants Association of Illinois; and

WHEREAS, Dan Setters has been active in his church, Parkland College, WICD-TV, and the Champaign-Urbana Chamber of Commerce; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Daniel E. Setters for his leadership in Illinois and on his election as the president of the National Society of Accountants; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Daniel E. Setters as an expression of our esteem.

#### HOUSE RESOLUTION 720

Offered by Representative Yarbrough:

WHEREAS, The members of the Illinois House of Representatives wish to congratulate Hugh A. Muir of Maywood on the occasion of his 95th birthday; and

WHEREAS, Mr. Muir was born in Maywood on March 2, 1909; he graduated from Proviso Township High School in 1927; and

WHEREAS, Mr. Muir held his first job as a butcher at Jerry F. Coughlin Meat Market and soon became manager; he and his brother, Henry, purchased the Meat Market in 1950 and operated the business until 1975; and

WHEREAS, He served as Assistant Fire Chief of the Maywood Civil Defense Fire Department during

World War II; and

WHEREAS, He signed the original charter of the Maywood Chamber of Commerce in 1939 and is the Chamber's sole surviving founding father; he served as Village Trustee for 28 years, during which time he was Chairman of the Finance Committee and Chairman of the Fire Committee; he was honored by the Village of Maywood by renaming Iowa Street as Hugh A. Muir Lane in 1990 and being named an Honorary Lifetime Director of the Maywood Chamber of Commerce Board; and

WHEREAS, Mr. Muir was featured on the cover of the 60th Anniversary "Diamond Jubilee Year" edition of the 1999 Maywood Community Guide; and

WHEREAS, Hugh Muir has been honored to receive a Commendation from Congressman Henry J. Hyde, the Maywood-Broadview Kiwanis Club Citizen of the Year Award, the Person of the Year Award at the Chamber's Annual Installation & Awards Banquet, and the Golden Heritage Award from Operation Uplift; and

WHEREAS, Mr. Muir has been a lifetime participant of the Boy Scouts, having served as Assistant Scoutmaster, and board member of the Thatcher-Woods Area Council; and

WHEREAS, He was a member of organizations such as the Illinois Municipal and Proviso Leagues; the National League of Cities; the Police Pension Board; the Masonic Fraternity; the Maywood Fire Department; he was named honorary member of the Maywood Bataan Day Organization, and is still an active member of the Maywood Alliance for Better Government since its inception in 2000; and

WHEREAS, In addition, he has been a member of the Maywood Lions Club since 1936, with 68 years of perfect attendance, having served as President, Secretary, Treasurer, and Board Member; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Hugh A. Muir on the occasion of his 95th birthday; and be it further

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

#### **AGREED RESOLUTION**

HOUSE RESOLUTION 716 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 Morrow asked and obtained unanimous consent to table House Bill 5043.  
The motion prevailed.  
Representative Franks asked and obtained unanimous consent to table House Bill 3900.  
The motion prevailed.

#### **RECALL**

By unanimous consent, on motion of Representative McKeon, HOUSE BILL 4031 was recalled from the order of Consideration Postponed to the order of Second Reading and held on that order.

#### **ACTION ON MOTIONS**

Representative Acevedo asked and obtained unanimous consent to table House Bill 5127.  
The motion prevailed.  
Representative Osterman asked and obtained unanimous consent to table House Bill 6849.  
The motion prevailed.  
Representative William Davis asked and obtained unanimous consent to table House Bill 3958.  
The motion prevailed.  
Representative McGuire asked and obtained unanimous consent to table House Bill 6917.

The motion prevailed.  
Representative Ryg asked and obtained unanimous consent to table House Bill 4615.  
The motion prevailed.  
Representative Beaubien asked and obtained unanimous consent to table House Bill 4128.  
The motion prevailed.  
Representative Howard asked and obtained unanimous consent to table House Bill 4675.  
The motion prevailed.  
Representative Rita asked and obtained unanimous consent to table House Bill 4919.  
The motion prevailed.  
Representative Dugan asked and obtained unanimous consent to table House Bill 7046.  
The motion prevailed.  
Representative Munson asked and obtained unanimous consent to table House Bill 4886.  
The motion prevailed.

### RECALL

By unanimous consent, on motion of Representative Phelps, HOUSE BILL 4462 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

### HOUSE BILLS ON SECOND READING

Having been printed, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 3922.

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 3957.

HOUSE BILL 3857. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Health Care Availability Access, adopted and printed:

AMENDMENT NO. 1. Amend House Bill 3857 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-330 as follows:

(20 ILCS 2310/2310-330) (was 20 ILCS 2310/55.46)

Sec. 2310-330. Sperm and tissue bank registry; AIDS test for donors; penalties.

(a) The Department shall establish a registry of all sperm banks and tissue banks operating in this State. All sperm banks and tissue banks operating in this State shall register with the Department by May 1 of each year. Any person, hospital, clinic, corporation, partnership, or other legal entity that operates a sperm bank or tissue bank in this State and fails to register with the Department pursuant to this Section commits a business offense and shall be subject to a fine of \$5000.

(b) All donors of semen for purposes of artificial insemination, or donors of corneas, bones, organs, or other human tissue for the purpose of injecting, transfusing, or transplanting any of them in the human body, shall be tested for evidence of exposure to human immunodeficiency virus (HIV) and any other identified causative agent of acquired immunodeficiency syndrome (AIDS) at the time of or after the donation but prior to the semen, corneas, bones, organs, or other human tissue being made available for that use. However, when in the opinion of the attending physician the life of a recipient of a bone, organ, or other human tissue donation would be jeopardized by delays caused by testing for evidence of exposure to HIV and any other causative agent of AIDS, testing shall not be required.

(c) Except as otherwise provided in subsection (c-5), no person may intentionally, knowingly, recklessly, or negligently use the semen, corneas, bones, organs, or other human tissue of a donor unless the requirements of subsection (b) have been met. Except as otherwise provided in subsection (c-5), no person may intentionally, knowingly, recklessly, or negligently use the semen, corneas, bones, organs, or other human tissue of a donor who has tested positive for exposure to HIV or any other identified causative agent

of AIDS. Violation of this subsection (c) shall be a Class 4 felony.

(c-5) It is not a violation of this Section for a person to perform a solid organ transplant of an organ from an HIV infected donor to a person who has tested positive for exposure to HIV or any other identified causative agent of AIDS and who is in immediate threat of death unless the transplant is performed. A tissue bank that provides an organ from an HIV infected donor under this subsection (c-5) may not be criminally or civilly liable for the furnishing of that organ under this subsection (c-5).

(d) For the purposes of this Section:

"Human tissue" shall not be construed to mean whole blood or its component parts.

~~For the purposes of this Section,~~ "Tissue bank" means any facility or program that is involved in procuring, furnishing, donating, processing, or distributing corneas, bones, organs, or other human tissue for the purpose of injecting, transfusing, or transplanting any of them in the human body.

"Solid organ transplant" means the surgical transplantation of internal organs including, but not limited to, the liver, kidney, pancreas, lungs, or heart. "Solid organ transplant" does not mean a bone marrow based transplant or a blood transfusion.

"HIV infected donor" means a deceased donor who was infected with HIV or a living donor known to be infected with HIV and who is willing to donate a part or all of one or more of his or her organs. A determination of the donor's HIV infection is made by the donor's medical history or by specific tests that document HIV infection, such as HIV RNA or DNA, or by antibodies to HIV.

(Source: P.A. 91-239, eff. 1-1-00.)

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

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

HOUSE BILL 4012. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Transportation & Motor Vehicles, adopted and printed:

AMENDMENT NO. 1. Amend House Bill 4012 on page 4, below line 27, by inserting the following:

"Section 90. The Illinois Vehicle Code is amended by changing Section 11-605 as follows:

(625 ILCS 5/11-605) (from Ch. 95 1/2, par. 11-605)

Sec. 11-605. Special speed limit while passing schools or while traveling through highway construction or maintenance zones.

(a) For the purpose of this Section, "school" means the following entities:

- (1) A public or private primary or secondary school.
- (2) A primary or secondary school operated by a religious institution.
- (3) A public, private, or religious nursery school.

On a school day when school children are present and so close thereto that a potential hazard exists because of the close proximity of the motorized traffic, no person shall drive a motor vehicle at a speed in excess of 20 miles per hour while passing a school zone or while traveling on a roadway on public school property or upon any public thoroughfare where children pass going to and from school.

For the purpose of this Section a school day shall begin at seven ante meridian and shall conclude at four post meridian.

This Section shall not be applicable unless appropriate signs are posted upon streets and highways under their respective jurisdiction and maintained by the Department, township, county, park district, city, village or incorporated town wherein the school zone is located. With regard to the special speed limit while passing schools, such signs shall give proper due warning that a school zone is being approached and shall indicate the school zone and the maximum speed limit in effect during school days when school children are present.

(b) No person shall operate a motor vehicle in a construction or maintenance zone at a speed in excess of the posted speed limit when workers are present and so close to the moving traffic that a potential hazard exists because of the motorized traffic.

(c) Nothing in this Chapter shall prohibit the use of electronic speed-detecting devices within 500 feet of signs within a special school speed zone or a construction or maintenance zone indicating such zone, as defined in this Section, nor shall evidence obtained thereby be inadmissible in any prosecution for speeding

provided the use of such device shall apply only to the enforcement of the speed limit in such special school speed zone or a construction or maintenance zone.

(d) For the purpose of this Section, a construction or maintenance zone is an area in which the Department, Toll Highway Authority, or local agency has determined that the preexisting established speed limit through a highway construction or maintenance project is greater than is reasonable or safe with respect to the conditions expected to exist in the construction or maintenance zone and has posted a lower speed limit with a highway construction or maintenance zone special speed limit sign.

Highway construction or maintenance zone special speed limit signs shall be of a design approved by the Department. The signs shall give proper due warning that a construction or maintenance zone is being approached and shall indicate the maximum speed limit in effect. The signs shall also state the amount of the minimum fine for a violation when workers are present.

(d-1) A local agency may delegate to its superintendent of highways the authority to set and post a reduced speed limit for a construction or maintenance zone under subsection (b). If a superintendent of highways sets a reduced speed limit for a construction or maintenance zone in accordance with this subsection (d-1), the local agency must maintain a record that indicates (i) the location of the construction or maintenance zone, (ii) the reduced speed limit set and posted for the construction or maintenance zone, and (iii) the dates during which the reduced speed limit was in effect.

(e) A first violation of this Section is a petty offense with a minimum fine of \$150. A second or subsequent violation of this Section is a petty offense with a minimum fine of \$300.

(f) When a fine for a violation of subsection (a) is \$150 or greater, the person who violates subsection (a) shall be charged an additional \$50 to be paid to the unit school district where the violation occurred for school safety purposes. If the violation occurred in a dual school district, \$25 of the surcharge shall be paid to the elementary school district for school safety purposes and \$25 of the surcharge shall be paid to the high school district for school safety purposes. Notwithstanding any other provision of law, the entire \$50 surcharge shall be paid to the appropriate school district or districts.

For purposes of this subsection (f), "school safety purposes" includes the costs associated with school zone safety education and the purchase, installation, and maintenance of caution lights which are mounted on school speed zone signs.

(g) When a fine for a violation of subsection (b) is \$150 or greater, the person who violates subsection (b) shall be charged an additional \$50. The \$50 surcharge shall be deposited into the Transportation Safety Highway Hire-back Fund.

(h) The Transportation Safety Highway Hire-back Fund is created as a special fund in the State treasury. Subject to appropriation by the General Assembly and approval by the Secretary, the Secretary of Transportation shall use all moneys in the Transportation Safety Highway Hire-back Fund to hire off-duty Department of State Police officers to monitor construction or maintenance zones.

(Source: P.A. 91-531, eff. 1-1-00; 92-242, eff. 1-1-02; 92-619, eff. 1-1-03; 92-780, eff. 8-6-02; revised 8-22-02.)"

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

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 4032 and 4071.

HOUSE BILL 4171. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO.   1  . Amend House Bill 4171 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by adding Section 25-65 as follows:

(30 ILCS 500/25-65 new)

Sec. 25-65. Electronic mail service; spam free. Electronic mail service providers that provide electronic mail service under State contracts awarded on or after the effective date of this amendatory Act of the 93rd General Assembly must take measures reasonably designed to provide a service that is free of unsolicited



electronic mail advertisements (sometimes known as "spam"). The electronic mail service provider is responsible for using software filters or other means to accomplish the requirements of this Section. In this Section, the terms "electronic mail service", "electronic mail service provider", and "unsolicited electronic mail advertisement" have the same meanings as those terms are defined in the Electronic Mail Act (815 ILCS 511/)."

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

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4176.

HOUSE BILL 4218. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO.   1  . Amend House Bill 4218 by replacing everything after the enacting clause with the following:

"Section 5. The Clinical Psychologist Licensing Act is amended by changing Section 7 as follows:

(225 ILCS 15/7) (from Ch. 111, par. 5357)

(Section scheduled to be repealed on January 1, 2007)

Sec. 7. Board. The Director shall appoint a Board that shall serve in an advisory capacity to the Director.

The Board shall consist of 7 persons, 4 of whom are licensed clinical psychologists, and actively engaged in the practice of clinical psychology, 2 of whom are licensed clinical psychologists and are full time faculty members of accredited colleges or universities who are engaged in training clinical psychologists, and one of whom is a public member who is not a licensed health care provider. In appointing members of the Board, the Director shall give due consideration to the adequate representation of the various fields of health care psychology such as clinical psychology, school psychology and counseling psychology. In appointing members of the Board, the Director shall give due consideration to recommendations by members of the profession of clinical psychology and by the State-wide organizations representing the interests of clinical psychologists and organizations representing the interests of academic programs as well as recommendations by approved doctoral level psychology programs in the State of Illinois. The members shall be appointed for a term of 4 years. No member shall be eligible to serve for more than 2 full terms. Any appointment to fill a vacancy shall be for the unexpired portion of the term. A member appointed to fill a vacancy for an unexpired term for a duration of 2 years or more may be reappointed for a maximum of one term and a member appointed to fill a vacancy for an unexpired term for a duration of less than 2 years may be reappointed for a maximum of 2 terms shall be eligible for reappointment to only one full term. The Director may remove any member for cause at any time prior to the expiration of his or her term.

The Board shall annually elect one of its members as chairperson and vice chairperson.

The members of the Board shall be reimbursed for all authorized legitimate and necessary expenses incurred in attending the meetings of the Board.

The Director shall give due consideration to all recommendations of the Board. In the event the Director disagrees with or takes action contrary to the recommendation of the Board, he or she shall provide the Board with a written and specific explanation of his or her actions.

A majority of the Board members currently appointed shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to perform all of the duties of the Board.

Members of the Board shall have no liability in any action based upon any disciplinary proceeding or other activity performed in good faith as a member of the Board.

The Director may terminate the appointment of any member for cause which in the opinion of the Director reasonably justifies such termination.

(Source: P.A. 89-702, eff. 7-1-97.)

Section 10. The Electrologist Licensing Act is amended by changing Section 30 as follows:

(225 ILCS 412/30)

(Section scheduled to be repealed on January 1, 2014)

Sec. 30. Qualifications for licensure. A person shall be qualified for licensure as an electrologist if that person has met all of the following requirements:

(1) Has applied in writing on the prescribed forms and has paid the required fees.

(2) Has not violated any of the provisions of Section 75 of this Act or the rules promulgated under this Act. The Department shall take into consideration any felony conviction of the applicant, but a conviction shall not operate as an absolute bar to licensure.

(3) Is at least 18 years of age.

(4) Has received his or her high school diploma or equivalent.

(5) Has completed a total of 600 hours in the study of electrology over a period of not less than 16 weeks nor more than 2 consecutive years at a program approved by the Department. If an applicant completed a program before December 31, 2003, the program may be less than 600 hours if it is approved by the Department.

(6) Has successfully completed an examination approved by the Department that tests the applicant's knowledge of the theory and clinical practice of electrology.

(Source: P.A. 92-750, eff. 1-1-03.)

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 advanced to the order of Third Reading.

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4233.

HOUSE BILL 4275. 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 4275 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by changing Section 26-4 as follows:

(720 ILCS 5/26-4) (from Ch. 38, par. 26-4)

Sec. 26-4. Unauthorized ~~video recording and live video transmission~~ videotaping.

(a) It is unlawful for any person to knowingly ~~make a video record or transmit live video of~~ videotape, photograph, or film another person without that person's consent in a restroom, tanning bed, tanning salon, locker room, changing room, or hotel bedroom.

(a-5) It is unlawful for any person to knowingly ~~make a video record or transmit live video of~~ and secretly videotape, photograph, or film another person in ~~that~~ the other person's residence without that person's consent.

(a-10) It is unlawful for any person ~~, using a concealed camcorder or photographic camera of any type, to~~ knowingly ~~make a video record or transmit live video of~~ and secretly videotape, photograph, or record by electronic means, another person under or through the clothing worn by that other person for the purpose of viewing the body of or the undergarments worn by that other person without that person's consent.

(a-15) It is unlawful for any person to place or cause to be placed a device that makes a video record or transmits a live video in a restroom, tanning bed, tanning salon, locker room, changing room, or hotel bedroom with the intent to make a video record or transmit live video of another person without that person's consent.

(a-20) It is unlawful for any person to place or cause to be placed a device that makes a video record or transmits a live video with the intent to make a video record or transmit live video of another person in that other person's residence without that person's consent.

(a-25) It is unlawful for any person to, by any means, knowingly disseminate, or permit to be disseminated, a video record or live video that he or she knows to have been made or transmitted in violation of (a), (a-5), (a-10), (a-15), or (a-20).

(b) Exemptions. The following activities shall be exempt from the provisions of this Section:

(1) ~~The making of a video record or transmission of live video~~ Videotaping, photographing, and filming by law enforcement officers pursuant to a criminal investigation, which is

otherwise lawful;

(2) The making of a video record or transmission of live video ~~Videotaping, photographing, and filming~~ by correctional officials for security reasons or for investigation of alleged misconduct involving a person committed to the Department of Corrections.

(3) The making of a video record or transmission of live video in a locker room by a reporter or news medium, as those terms are defined in Section 8-902 of the Code of Civil Procedure, where the reporter or news medium has been granted access to the locker room by an appropriate authority for the purpose of conducting interviews.

(c) The provisions of this Section do not apply to any sound recording or transmission of an oral conversation made as the result of the making of a video record or transmission of live video ~~videotaping or filming~~, and to which Article 14 of this Code applies.

(d) Sentence.

(1) A violation of subsection (a), ~~(a-5), or (a-10), (a-15), or (a-20)~~ is a Class A misdemeanor.

(2) A violation of subsection (a-5) is a Class 4 felony.

(3) A violation of subsection (a-25) is a Class 3 felony.

(4) A violation of subsection (a), (a-5), (a-10), (a-15) or (a-20) is a Class 3 felony if the victim is a person under 18 years of age or if the violation is committed by an individual who is required to register as a sex offender under the Sex Offender Registration Act.

(5) A violation of subsection (a-25) is a Class 2 felony if the victim is a person under 18 years of age or if the violation is committed by an individual who is required to register as a sex offender under the Sex Offender Registration Act.

~~(2) A person who, by any means, knowingly disseminates or permits the dissemination to another person of a videotape, photograph, or film in violation of subsection (a), (a-5), or (a-10) is guilty of a Class 4 felony.~~

(e) For purposes of this Section, "video record" means and includes any videotape, photograph, film, or other electronic or digital recording of a still or moving visual image; and "live video" means and includes any real-time or contemporaneous electronic or digital transmission of a still or moving visual image.

(Source: P.A. 91-910, eff. 1-1-01; 92-86, eff. 7-12-01.)"

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

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 4350, 4370, 4506 and 4567.

HOUSE BILL 4660. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO.   1  . Amend House Bill 4660 by replacing everything after the enacting clause with the following:

"Section 5. The Metropolitan Transit Authority Act is amended by changing Section 29 as follows:

(70 ILCS 3605/29) (from Ch. 111 2/3, par. 329)

Sec. 29. If the Authority acquires a transportation system in operation by a public utility, all of the employees in the operating and maintenance divisions of such public utility and all other employees except executive and administrative officers and employees, shall be transferred to and appointed as employees of the Authority, subject to all rights and benefits of this Act, and these employees shall be given seniority credit in accordance with the records and labor agreements of the public utility. Employees who left the employ of such a public utility to enter the military service of the United States shall have the same rights as to the Authority, under the provisions of the "Service ~~Member's~~ ~~Men's~~ Employment Tenure Act", ~~approved July 17, 1941~~, as they would have had thereunder as to such public utility. After such acquisition the authority shall be required to extend to such former employees of such public utility only the rights and benefits as to pensions and retirement as are accorded other employees of the Authority.

(Source: Laws 1963, p. 152.)

Section 10. The Local Mass Transit District Act is amended by changing Section 3.5 as follows:

(70 ILCS 3610/3.5) (from Ch. 111 2/3, par. 353.5)

Sec. 3.5. If the district acquires a mass transit facility, all of the employees in such mass transit facility shall be transferred to and appointed as employees of the district, subject to all rights and benefits of this Act, and these employees shall be given seniority credit in accordance with the records and labor agreements of the mass transit facility. Employees who left the employ of such a mass transit facility to enter the military service of the United States shall have the same rights as to the district, under the provisions of the "Service Member's Men's Employment Tenure Act", ~~approved July 17, 1941,~~ as they would have had thereunder as to such mass transit facility. After such acquisition the district shall be required to extend to such former employees of such mass transit facility only the rights and benefits as to pensions and retirement as are accorded other employees of the district.

(Source: P.A. 93-590, eff. 1-1-04.)

Section 15. The Service Men's Employment Tenure Act is amended by changing Sections 1 and 6 as follows:

(330 ILCS 60/1) (from Ch. 126 1/2, par. 29)

Sec. 1. Short title. This Act ~~shall be known and~~ may be cited as the Service Member's Men's Employment Tenure Act.

(Source: Laws 1941, vol. 1, p. 1202.)

(330 ILCS 60/6) (from Ch. 126 1/2, par. 34)

Sec. 6. Employer's violation of Act; penalty; employee's remedies.

(a) An employer's knowing violation of this Act is a business offense punishable by a fine of not less than \$5,000 and not more than \$10,000.

(b) In case any employer fails or refuses to comply with this Act, the circuit court of the county in which such private employer maintains a place of business, or of the county where such State employee performs most of his duties, has power, upon the filing of a complaint by the person entitled to the benefits of this Act, to specifically require such employer to comply with this Act and to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action, together with a reasonable attorney's fees and costs ~~fee~~. No fees or court costs shall be taxed against any person applying for the benefits of this Act.

The court shall, in its sound discretion, give preference to the hearing and disposition of such cases over other matters then pending before it.

(Source: P.A. 79-1359; 79-1365.)

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

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

HOUSE BILL 4771. 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 4771 on page 3, lines 29 and 30, by replacing "~~within 48 hours after the sample was collected~~" with "within 30 days 48 hours after the sample was collected".

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

Having been printed, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 4810.

HOUSE BILL 4818. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4818 by replacing the title with the following:  
"AN ACT concerning public aid."; and  
by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 3-2 as follows:  
(305 ILCS 5/3-2) (from Ch. 23, par. 3-2)

Sec. 3-2. Conditions for basic maintenance grants to persons receiving institutional care.

A resident of a public or private home or institution maintained for the care of persons who are sick, convalescent, infirm or chronically ill, may, if otherwise qualified, be granted financial aid for basic maintenance, subject to the rules and regulations of the Illinois Department, if the facilities of the home or institution are in conformity with standards prescribed by the Department of Public Health for safeguarding the health, safety, and comfort of the residents thereof, and provide such services as may be prescribed by the Illinois Department for enhancing their rehabilitation or increasing their capacity for self-care. Beginning July 1, 2004, the financial aid for basic maintenance for these eligible residents shall be increased by 10%.

(Source: Laws 1967, p. 122.)

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

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

HOUSE BILL 4840. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4840 by replacing everything after the enacting clause with the following:

"Section 5. The Fire Investigation Act is amended by changing Section 13.1 as follows:

(425 ILCS 25/13.1) (from Ch. 127 1/2, par. 17.1)

Sec. 13.1. (a) There shall be a special fund in the State Treasury known as the Fire Prevention Fund.

(b) The following moneys shall be deposited into the Fund:

(1) Moneys received by the Department of Insurance under Section 12 of this Act.

(2) All fees and reimbursements received by the Office of the State Fire Marshal.

(3) All receipts from boiler and pressure vessel certification, as provided in Section 13 of the Boiler and Pressure Vessel Safety Act.

(4) Such other moneys as may be provided by law.

(c) The moneys in the Fire Prevention Fund shall be used, subject to appropriation, for the following purposes:

(1) Of the moneys deposited into the fund under Section 12 of this Act, 12.5% shall be available for the maintenance of the Illinois Fire Service Institute and the expenses, facilities, and structures incident thereto, and for making transfers into the General Obligation Bond Retirement and Interest Fund for debt service requirements on bonds issued by the State of Illinois after January 1, 1986 for the purpose of constructing a training facility for use by the Institute.

(2) Of the moneys deposited into the Fund under Section 12 of this Act, 10% shall be available for the maintenance of the Chicago Fire Department Training Program and the expenses, facilities and structures incident thereto, in addition to any moneys payable from the Fund to the City of Chicago pursuant to the Illinois Fire Protection Training Act.

(3) For making payments to local governmental agencies and individuals pursuant to Section 10 of the Illinois Fire Protection Training Act.

(4) For the maintenance and operation of the Office of the State Fire Marshal, and the expenses incident thereto.

(5) For any other purpose authorized by law.

(d) Any portion of the Fire Prevention Fund remaining unexpended at the end of any fiscal year which is not needed for the maintenance and expenses of the Office of the State Fire Marshal or the maintenance and expenses of the Illinois Fire Service Institute, shall remain in the Fire Prevention Fund for the exclusive and restricted uses provided in subsection (c) of this Section ~~be paid into the General Revenue Fund in the State Treasury.~~

(e) The Office of the State Fire Marshal shall keep on file an itemized statement of all expenses incurred which are payable from the Fund, other than expenses incurred by the Illinois Fire Service Institute, and shall approve all vouchers issued therefor before they are submitted to the State Comptroller for payment. Such vouchers shall be allowed and paid in the same manner as other claims against the State.

(Source: P.A. 85-718.)".

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

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4847.

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 4944 and 4947.

HOUSE BILL 4980. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Health Care Availability Access, adopted and printed:

AMENDMENT NO.   1  . Amend House Bill 4980 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Health Facilities Planning Act is amended by adding Section 12.4 as follows:  
(20 ILCS 3960/12.4 new)

Sec. 12.4. Hospital reduction in health care services; notice. If a hospital reduces any of the Categories of Service as outlined in Title 77, Chapter II, Part 1110 in the Illinois Administrative Code, or any other service as defined by rule by the State Board, by 50% or more according to rules adopted by the State Board, then within 30 days after reducing the service, the hospital must give written notice of the reduction in service to the State Board, the Department of Public Health, and the State Senator and 2 State Representatives serving the legislative district in which the hospital is located. The State Board shall adopt rules to implement this Section, including rules that specify (i) how each health care service is defined, if not already defined in the State Board's rules, and (ii) what constitutes a reduction in service of 50% or more."

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

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 5069.

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 5105.

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 5889.

HOUSE BILL 6574. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO.   1  . Amend House Bill 6574 on page 9, by replacing lines 32 and 33 with the following:

"(pp) Electronic mail addresses of students of universities, colleges, vocational institutions, and any other educational institutions funded in whole or in part with State moneys."

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

HOUSE BILL 6706. Having been printed, was taken up and read by title a second time.  
The following amendment was offered in the Committee on Aging, adopted and printed:

AMENDMENT NO. 1. Amend House Bill 6706 on page 9, line 1, before the period, by inserting the following: "or by another agency designated by the Department and area agencies on aging to conduct needs assessments for respite care services".

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

HOUSE BILL 6813. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 6813 on page 12, lines 25 through 28 by deleting "within 30 days after a final impartial due process hearing decision, judgement of the court in a civil action, or the date a settlement agreement is executed".

AMENDMENT NO. 2. Amend House Bill 6813 on page 14, immediately below line 25, by inserting the following:

"Section 90. The State Mandates Act is amended by adding Section 8.28 as follows:

(30 ILCS 805/8.28 new)

Sec. 8.28. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 93rd General Assembly."

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

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 7043 and 7057.

#### **ACTION ON MOTIONS**

Representative Steve Davis asked and obtained unanimous consent to table House Bill 4768.

The motion prevailed.

Representative Eileen Lyons asked and obtained unanimous consent to table House Bill 6703.

The motion prevailed.

Representative Mautino asked and obtained unanimous consent to table House Bills 4549, 4471 and 5074.

The motion prevailed.

Representative Molaro asked and obtained unanimous consent to table House Bill 6570.

The motion prevailed.

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

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 6846.

### **ACTION ON MOTIONS**

Representative Myers asked and obtained unanimous consent to table House Bill 5153 and 6711.

The motion prevailed.

Representative Moffitt moves to take House Bill 4779 from the table and have it be placed back in the Local Government Committee.

The motion prevailed.

Representative Giles asked and obtained unanimous consent to table House Bill 4482.

The motion prevailed.

Representative Osmond asked and obtained unanimous consent to table House Bill 4219.

The motion prevailed.

Representative Monique Davis asked and obtained unanimous consent to table House Bill 4073.

The motion prevailed.

### **SUSPEND POSTING REQUIREMENTS**

Pursuant to the motion submitted previously, Representative Hannig moved to suspend the posting requirements in Rule 25 in relation to House Bills 4817, 5075, 5928, 6863, 4195, 4458, 2380, 7026, 6750, 6812, 6769, 3942, 3979, 7038, 6618, 4594, 6753, 4492, 4864, 4989, 6552, 3850, 5175, 5883, 7019, 3893, 5051, 5129, 5039, 4442, 4850, 4959, Motion to Concur with Senate Amendment No. 2 to HB 754, House Resolution 474 and House Joint Resolution 69.

The motion prevailed.

At the hour of 3:30 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, March 3, 2004, at 1:00 o'clock p.m.

The motion prevailed.

And the House stood adjourned.



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

March 02, 2004

0 YEAS

0 NAYS

117 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	P Sommer
P Brosnahan	P Grunloh	P Miller	P Soto
P Burke	P Hamos	P Millner	P Stephens
P 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