

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-THIRD GENERAL ASSEMBLY

120TH LEGISLATIVE DAY

WEDNESDAY, APRIL 28, 2004

12:00 O'CLOCK NOON

**HOUSE OF REPRESENTATIVES
Daily Journal Index
120th Legislative Day**

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The House met pursuant to adjournment.
Speaker Madigan in the chair.
Prayer by Pastor Mark Thompson with the Christian Life Assembly of God Church in Coal City, IL.
Representative Washington 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:
118 present. (ROLL CALL 1)

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: HOUSE BILL 5329.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:
HOUSE RESOLUTION 757.

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

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

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

COMMITTEE ON RULES REFERRALS

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

Executive: SENATE BILL 2247.

Financial Institutions: SENATE BILL 3021.

Judiciary I - Civil Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 5385.

Judiciary II - Criminal Law: SENATE BILL 948; HOUSE AMENDMENT No. 2 to HOUSE BILL 6426.

Revenue: SENATE BILL 2704.

MOTIONS SUBMITTED

Representative Eileen Lyons submitted the following written motion, which was placed on the Calendar on the order of Motions:

MOTION

Pursuant to Rule 25, I move to suspend the posting requirements in relation to SENATE BILL 2227 assigned to House Committee – Judiciary II – Criminal Law.

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for HOUSE BILLS 5960, as amended, and 7019, as amended, and SENATE BILLS 2526, 2756, 2768, 2907, 3112, and 3184.

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 concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1271

A bill for AN ACT making appropriations.
House Amendment No. 2 to SENATE BILL NO. 1271.
Action taken by the Senate, April 28, 2004.

Linda Hawker, Secretary of the Senate

REPORTS FROM STANDING COMMITTEES

Representative Steve Davis, Chairperson, from the Committee on Public Utilities to which the following were referred, action taken on April 27, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 1576.

The committee roll call vote on Senate Bill 1576 is as follows:
9, Yeas; 0, Nays; 0, Answering Present.

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

Representative Mautino, Chairperson, from the Committee on Insurance to which the following were referred, action taken on April 27, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 2122, 2560, 2620, 2830 and 3211.

The committee roll call vote on Senate Bill 2122, 2560 and 2830 is as follows:
14, Yeas; 0, Nays; 0, Answering Present.

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

The committee roll call vote on Senate Bill 2620 is as follows:
12, Yeas; 0, Nays; 0, Answering Present.

Y Mautino, Frank(D), Chairperson	Y Berrios, Maria(D)
Y Bradley, Richard(D)	Y Brady, Dan(R)
A Colvin, Marlow(D)	Y Dunkin, Kenneth(D)
A Dunn, Joe(R)	Y Mitchell, Bill(R)
Y Osmond, JoAnn(R)	Y Pankau, Carole(R)

Y Parke,Terry(R), Republican Spokesperson
Y Rita,Robert(D)

Y Phelps,Brandon(D)
Y Yarbrough,Karen(D), Vice-Chairperson

The committee roll call vote on Senate Bill 3211 is as follows:
10, Yeas; 2, Nays; 2, Answering Present.

Y Mautino, Frank(D), Chairperson
Y Bradley, Richard(D)
Y Colvin, Marlow(D)
Y Dunn, Joe(R)
N Osmond, JoAnn(R)
P Parke, Terry(R), Republican Spokesperson
Y Rita, Robert(D)

Y Berrios, Maria(D)
Y Brady, Dan(R)
Y Dunkin, Kenneth(D)
Y Mitchell, Bill(R)
N Pankau, Carole(R)
P Phelps, Brandon(D)
Y Yarbrough, Karen(D), Vice-Chairperson

Representative Hoffman, Chairperson, from the Committee on Transportation & Motor Vehicles to which the following were referred, action taken on April 27, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 2374, 2502 and 2894.

The committee roll call vote on Senate Bill 2502 is as follows:
13, Yeas; 4, Nays; 0, Answering Present.

Y Hoffman, Jay(D), Chairperson
N Black, William(R)
Y Fritchey, John(D)
Y Lyons, Joseph(D)
Y McAuliffe, Michael(R)
Y Millner, John(R)
Y Molaro, Robert(D)
Y Soto, Cynthia(D)
N Wait, Ronald(R), Republican Spokesperson

Y Bassi, Suzanne(R)
Y Brosnahan, James(D)
A Joyce, Kevin(D)
Y Mathias, Sidney(R)
Y Miller, David(D), Vice-Chairperson
Y Moffitt, Donald(R)
Y Reitz, Dan(D)
N Tenhouse, Art(R)
N Watson, Jim(R)

The committee roll call vote on Senate Bill 2894 is as follows:
14, Yeas; 3, Nays; 0, Answering Present.

Y Hoffman, Jay(D), Chairperson
N Black, William(R)
Y Fritchey, John(D)
Y Lyons, Joseph(D)
Y McAuliffe, Michael(R)
Y Millner, John(R)
Y Molaro, Robert(D)
Y Soto, Cynthia(D)
N Wait, Ronald(R), Republican Spokesperson

Y Bassi, Suzanne(R)
Y Brosnahan, James(D)
A Joyce, Kevin(D)
Y Mathias, Sidney(R)
Y Miller, David(D), Vice-Chairperson
Y Moffitt, Donald(R)
Y Reitz, Dan(D)
N Tenhouse, Art(R)
Y Watson, Jim(R)

The committee roll call vote on Senate Bill 2374 is as follows:
14, Yeas; 3, Nays; 0, Answering Present.

Y Hoffman, Jay(D), Chairperson
Y Black, William(R)
Y Fritchey, John(D)
N Lyons, Joseph(D)
Y McAuliffe, Michael(R)
Y Millner, John(R)
Y Molaro, Robert(D)
Y Soto, Cynthia(D)

Y Bassi, Suzanne(R)
N Brosnahan, James(D)
A Joyce, Kevin(D)
N Mathias, Sidney(R)
Y Miller, David(D), Vice-Chairperson
Y Moffitt, Donald(R)
Y Reitz, Dan(D)
Y Tenhouse, Art(R)

Y Wait,Ronald(R), Republican Spokesperson Y Watson,Jim(R)

Representative Hamos, Chairperson, from the Committee on Housing & Urban Development to which the following were referred, action taken on April 27, 2004, and reported the same back with the following recommendations:

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 2921 and 2988.

The committee roll call vote on Senate Bill 2921 is as follows:

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

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

The committee roll call vote on Senate Bill 2988 is as follows:

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

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

Representative Boland, Chairperson, from the Committee on Elections & Campaign Reform to which the following were referred, action taken on April 27, 2004, and reported the same back with the following recommendations:

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2810.

The committee roll call vote on Senate Bill 2810 is as follows:

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

Y Boland,Mike(D), Chairperson	A Brady,Dan(R), Republican Spokesperson
Y Jakobsson,Naomi(D)	Y Jefferson,Charles(D), Vice-Chairperson
Y Nekritz,Elaine(D)	Y Osmond,JoAnn(R)
Y Osterman,Harry(D)	Y Sullivan,Ed(R)
Y Wait,Ronald(R)	

Representative Joseph Lyons, Chairperson, from the Committee on Financial Institutions to which the following were referred, action taken on April 27, 2004, and reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2710.

The committee roll call vote on Senate Bill 2710 is as follows:
11, Yeas; 0, Nays; 0, Answering Present.

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

Representative Reitz, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken on April 27, 2004, and reported the same back with the following recommendations:

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2372.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 3111.

The committee roll call vote on Senate Bill 3111 is as follows:
14, Yeas; 0, Nays; 0, Answering Present.

- | | |
|--|-----------------------|
| Y Reitz,Dan(D), Chairperson | Y Bradley,John(D) |
| A Brauer,Rich(R) | A Cultra,Shane(R) |
| Y Dugan,Lisa(D) | Y Eddy,Roger(R) |
| Y Flider,Robert(D) | Y Gordon,Careen(D) |
| Y Grunloh,William(D) | A Mautino,Frank(D) |
| Y Moffitt,Donald(R), Republican Spokesperson | Y Myers,Richard(R) |
| Y Phelps,Brandon(D) | Y Pritchard,Robert(R) |
| Y Sacia,Jim(R) | A Smith,Michael(D) |
| Y Verschoore,Patrick(D) | Y Winters,Dave(R) |

The committee roll call vote on Senate Bill 2372 is as follows:
13, Yeas; 0, Nays; 0, Answering Present.

- | | |
|--|-----------------------|
| Y Reitz,Dan(D), Chairperson | Y Bradley,John(D) |
| A Brauer,Rich(R) | A Cultra,Shane(R) |
| Y Dugan,Lisa(D) | A Eddy,Roger(R) |
| Y Flider,Robert(D) | Y Gordon,Careen(D) |
| Y Grunloh,William(D) | A Mautino,Frank(D) |
| Y Moffitt,Donald(R), Republican Spokesperson | Y Myers,Richard(R) |
| Y Phelps,Brandon(D) | Y Pritchard,Robert(R) |
| Y Sacia,Jim(R) | A Smith,Michael(D) |
| Y Verschoore,Patrick(D) | Y Winters,Dave(R) |

Representative May, Chairperson, from the Committee on Health Care Availability Access to which the following were referred, action taken on April 27, 2004, and reported the same back with the following recommendations:

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 2270, 2335, 2381 and 2744.

The committee roll call vote on Senate Bill 2335 is as follows:
13, Yeas; 0, Nays; 0, Answering Present.

- | | |
|--------------------------------|------------------------------|
| A Flowers,Mary(D), Chairperson | Y Aguilar,Frank(R) (E.Lyons) |
|--------------------------------|------------------------------|

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

The committee roll call vote on Senate Bill 2381 is as follows:

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

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

The committee roll call vote on Senate Bill 2270 is as follows:

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

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

The committee roll call vote on Senate Bill 2744 is as follows:

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

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

Representative Saviano, Chairperson, from the Committee on Registration & Regulation to which the following were referred, action taken on April 27, 2004, and reported the same back with the following recommendations:

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 2377, 2382, 2756 and 3112.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Standard Debate: SENATE BILL 3069.

The committee roll call vote on Senate Bill 2377, 2382 and 2756 is as follows:

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

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

The committee roll call vote on Senate Bill 3112 is as follows:

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

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

The committee roll call vote on Senate Bill 3069 is as follows:

9, Yeas; 0, Nays; 7, Answering Present.

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

Representative Brosnahan, Chairperson, from the Committee on Consumer Protection to which the following were referred, action taken on April 27, 2004, and reported the same back with the following recommendations:

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 2548, 2731 and 2907.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2901.

The committee roll call vote on Senate Bill 2901 and 2907 is as follows:

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

Y Brosnahan,James(D), Chairperson	Y Churchill,Robert(R)
Y McCarthy,Kevin(D), Vice-Chairperson	Y McGuire,Jack(D)
Y Mendoza,Susana(D)	Y Millner,John(R)
Y Parke,Terry(R)	Y Pihos,Sandra(R)
Y Rita,Robert(D)	Y Tenhouse,Art(R), Republican Spokesperson
Y Washington,Eddie(D)	

The committee roll call vote on Senate Bill 2548 is as follows:

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

Y Brosnahan,James(D), Chairperson	Y Churchill,Robert(R)
P McCarthy,Kevin(D), Vice-Chairperson	Y McGuire,Jack(D)
Y Mendoza,Susana(D)	Y Millner,John(R)
Y Parke,Terry(R)	Y Pihos,Sandra(R)
Y Rita,Robert(D)	Y Tenhouse,Art(R), Republican Spokesperson
Y Washington,Eddie(D)	

The committee roll call vote on Senate Bill 2731 is as follows:

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

Y Brosnahan,James(D), Chairperson	Y Churchill,Robert(R)
Y McCarthy,Kevin(D), Vice-Chairperson	Y McGuire,Jack(D)
Y Mendoza,Susana(D)	Y Millner,John(R)
Y Parke,Terry(R)	Y Pihos,Sandra(R)
Y Rita,Robert(D)	Y Tenhouse,Art(R), Republican Spokesperson
A Washington,Eddie(D)	

Representative Franks, Chairperson, from the Committee on State Government Administration to which the following were referred, action taken on April 27, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 2453, 2683, 2827, 2962, 3083, 3184, 3189 and 3208.

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to SENATE BILL 1914.

The committee roll call vote on Senate Bill 2453, 2683, 2827, 2962, 3083, 3184 and 3189 is as follows:

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

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

The committee roll call vote on Amendment No. 1 to Senate Bill 1914 is as follows:

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

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

The committee roll call vote on Senate Bill 3208 is as follows:

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

Y Franks,Jack(D), Chairperson	A Brady,Dan(R)
Y Brauer,Rich(R)	Y Chapa LaVia,Linda(D)
Y Jakobsson,Naomi(D)	Y Lindner,Patricia(R)
Y Myers,Richard(R), Republican Spokesperson	A Rose,Chapin(R)

A Smith,Michael(D), Vice-Chairperson
 Y Washington,Eddie(D)

Y Verschoore,Patrick(D)

Representative Osterman, Chairperson, from the Committee on Local Government to which the following were referred, action taken on April 27, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 2175, 2442 and 2879.

The committee roll call vote on Senate Bill 2879 is as follows:
 20, Yeas; 0, Nays; 0, Answering Present.

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

The committee roll call vote on Senate Bill 2442 is as follows:
 16, Yeas; 0, Nays; 1, Answering Present.

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

The committee roll call vote on Senate Bill 2175 is as follows:
 19, Yeas; 1, Nays; 0, Answering Present.

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

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 7295. Introduced by Representative Madigan, AN ACT concerning ethics.

RESOLUTIONS

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

HOUSE RESOLUTION 830

Offered by Representative Miller:

WHEREAS, The FDA has shown that consumption of soft drinks has increased by 500% over the past 50 years, and Americans consume more than 53 gallons of carbonated soft drinks per person per year; and

WHEREAS, Studies have consistently shown that frequent consumption of carbonated beverages with added sweeteners increases the risk of dental caries, enamel erosion, and obesity; and

WHEREAS, An extra soft drink a day gives a child a 60% greater chance of becoming obese; and

WHEREAS, Creating a captive audience among students for commercial marketing purposes and exclusive brand loyalty violate both the spirit of competition and public trust in schools; and

WHEREAS, Low income children receive most of their fruits and vegetables from school meal programs, but the great availability of soft drinks and junk foods undermines the schools meal programs, and contribute to the diminished health of low income children; and

WHEREAS, The combined situation of increasing financial pressures on schools along with private contracts providing financial benefits and opportunities for schools has created an inviting atmosphere for exclusive vending contracts; and

WHEREAS, Schools play a significant role in nutrition education, not only because children eat many of their meals at school, but also because schools educate students concerning appropriate nutritional decisions and are viewed by students as an authority, setting examples that will last a lifetime; and

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

WHEREAS, Many studies exist that substantially document that increases in sugar consumption in children/adolescents' diets have an adverse effect on overall health, and given the multitude of clinical studies it would be repetitive to conduct additional studies in Illinois on sugar's impact on children's health; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the State Board of Education, the soft drink industry, and the Illinois Statewide School Management Alliance to eliminate soft drink beverage sales and junk food products from school settings; and be it further

RESOLVED, That schools substitute these sugar-laden products with healthy drinks and products such as fruit juices that are composed of no less than 50% fruit juice and that have no added sweeteners, bottled water, milk, including but not limited to, chocolate milk, soymilk, rice milk, other similar dairy or non-dairy milk, and electrolyte replacement beverages that do not contain more than 42 grams of added sweetener per 20 ounce serving; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the soft drink industry, the State Board of Education, and the Statewide School Management Alliance of Illinois.

HOUSE RESOLUTION 832

Offered by Representative Aguilar:

WHEREAS, The Immigration and Nationality Act provides the United States Attorney General may cancel removal of and adjust to the status of an alien lawfully admitted for permanent residence, an alien

who is inadmissible or deportable from the United States, if the alien establishes that removal would result in exceptional and extremely unusual hardship to the alien's spouse, parent, or child, who is a citizen of the United States or an alien lawfully admitted for permanent residence; and

WHEREAS, Immigration judges and the Board of Immigration Appeals are denying cancellation of removal cases because in their discretion they are determining that the hardship requirement is not met as it pertains to citizen children and are in essence deporting these citizen children with their parents; and

WHEREAS, These determinations by the immigration judges are discretionary and therefore are not subject to review in a federal court; and

WHEREAS, United States citizens have been writing their Congressmen and women to urge the United States Congress to support an amendment to section 240A(b) of the Immigration and Nationality Act to provide for an automatic finding of hardship as it pertains to United States citizen children; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we request that the United States Congress order an accounting on behalf of United States citizen children from the Department of Justice of how many applications for cancellation of removal under section 240A(b) of the Immigrant and Nationality Act have been filed since 1996; and be it further

RESOLVED, That we request that the United States Congress inquire how many applicants for cancellation of removal were denied; and be it further

RESOLVED, That we request that the United States Congress inquire how many United States citizen children have been affected by denials; and be it further

RESOLVED, That we request that the United States Congress request a breakdown of the countries of origin of the applicants; and be it further

RESOLVED, That a copy of this resolution be presented to each member of the Illinois Congressional delegation.

HOUSE RESOLUTION 833

Offered by Representative Flowers:

WHEREAS, Indigency has been a persistent social problem throughout history and has reached an intolerable level throughout our country; and

WHEREAS, People in urban, suburban, and rural areas of Illinois experience indigency, proving that it is not just a big city problem; and

WHEREAS, Each year sees an increase in the number of deaths among those who lack funds to provide the barest essentials of life; and

WHEREAS, Bitter cold winters and extremely hot summers have cost the lives of those individuals who simply could not afford heating or air coolants and died from exposure; and

WHEREAS, In remembering those who have died, we must reach out to help those in need; the extent to which our society can counter the effects of indigency is a good measure of its humaneness; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we proclaim Wednesday, May, 26, 2004, as "We Remember, We Care for Indigent Persons Day in Illinois", and that we urge all citizens to observe, inform themselves of, and support efforts to care for the indigent; and be it further

RESOLVED, That a suitable copy of this resolution be presented to W. Earl Lewis, Director of the Memorial Ministry of Indigent Persons.

HOUSE RESOLUTION 838

Offered by Representative Reitz:

WHEREAS, Agriculture and agriculture-related industries account for one-fourth of the total economy of the State; and

WHEREAS, Soybean production in the State is ranked number 1 in the nation and corn production in the State is ranked number 2 in the nation; and

WHEREAS, The promotion of continued and expanded use of Illinois grown corn and soybean based products is in the best interest of Illinois' rural economy; and

WHEREAS, Illinois based livestock producers are major purchasers of corn and soybean based products and by-products; and

WHEREAS, The Illinois based livestock industry has experienced severely diminishing numbers of local producers and operations of nearly 25% for beef and dairy cattle and 50% for pork in just the last decade; and

WHEREAS, The Illinois General Assembly has determined that continued reductions of value-added State based products and the ultimate loss of these consumer goods is detrimental and contrary to its efforts to improve the economic viability of rural Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Department of Agriculture, the Department of Commerce and Economic Opportunity, the Department of Natural Resources, and the Environmental Protection Agency to form a working group with the Illinois Farm Bureau, the Illinois Corn Grower's Association, the Illinois Soybean Association, the Illinois Pork Producers Association, and the Illinois Beef Association to study cause and effect issues surrounding these reductions in the number of local producers and local operations and the continued reductions and ultimate loss of value-added State based products; and be it further

RESOLVED, That this working group be under the coordination of the Director of Agriculture who shall report findings, along with legislative recommendations, to the Governor, the President of the Illinois Senate, and the Speaker of the Illinois House of Representatives on or before December 31, 2004; and be it further

RESOLVED, That a copy of this resolution be presented to the Directors of the Department of Agriculture, the Department of Commerce and Economic Opportunity, the Department of Natural Resources, and the Environmental Protection Agency and the heads of the Illinois Farm Bureau, the Illinois Corn Grower's Association, the Illinois Soybean Association, the Illinois Pork Producers Association, and the Illinois Beef Association.

HOUSE RESOLUTION 840

Offered by Representative Pihos:

WHEREAS, Diesel emissions have the potential to cause adverse health effects such as asthma, chronic obstructive pulmonary disease (COPD), allergies, and lung cancer; and

WHEREAS, There are few other sources of air pollution in our environment that are so widespread and toxic as diesel emissions; and

WHEREAS, Emissions from diesel vehicles can cause serious air pollution; and

WHEREAS, The United States Environmental Protection Agency, the Illinois Environmental Protection Agency, and the American Lung Association have shown that exposure to diesel exhaust increases the frequency of asthma attacks and other respiratory illness; and

WHEREAS, The U.S. EPA has found diesel exhaust to be a likely carcinogen; and

WHEREAS, A national estimate of cancer risk from diesel exhaust found that diesel exhaust is the number one air toxics cancer risk in the U.S.; and

WHEREAS, The air inside a diesel-fueled school bus can be up to 15 times more polluted than the air outside the bus; and

WHEREAS, The vast majority, more than eighty percent, of school buses in Illinois are diesel-fueled; and

WHEREAS, Children spend, on average, an hour and half on school buses each day; and

WHEREAS, Asthma is the most common chronic illness in children and the leading cause of school absences; and

WHEREAS, Asthma has reached epidemic proportions in the United States, affecting an estimated 20 million people; and

WHEREAS, Nearly 300,000 children in the State of Illinois suffer from asthma; and

WHEREAS, Asthma is the leading cause of childhood hospitalizations in the State of Illinois; and

WHEREAS, Nearly 300 Illinois citizens died from asthma related deaths in 2003; and

WHEREAS, This body recognizes that the health and wellbeing of each and every citizen of this State is

important; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we proclaim May 4th, 2004, as Illinois Clean Air and Asthma Awareness Day; and be it further

RESOLVED, That on Illinois Clean Air and Asthma Awareness Day, awareness will be made that school bus idling is a major cause of diesel exhaust pollution in school zones; and be it further

RESOLVED, That efforts should be made to reduce school bus idling on this day and every day to increase the health and well-being of all Illinois citizens, especially children.

HOUSE RESOLUTION 845

Offered by Representative McCarthy:

WHEREAS, The need for highly qualified paraprofessionals and teachers in early childhood education is growing; and

WHEREAS, The articulation of early childhood education courses at the community college level with program requirements at baccalaureate-granting institutions needs to be strengthened; and

WHEREAS, The Illinois P-16 Education Initiative has been developing the Associate of Arts in Teaching (AAT) degree models as a mechanism to better coordinate community college programs with university teacher education programs; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Illinois P-16 Education Initiative, working with representatives from the Illinois Community College Board (ICCB), the Illinois Board of Higher Education (IBHE), the Illinois State Board of Education (ISBE), community colleges, and public and private universities, shall develop a model Associate of Arts in Teaching degree in early childhood education; and be it further

RESOLVED, That the model AAT in early childhood education shall be presented for consideration to the ICCB and IBHE no later than June 30, 2005; and be it further

RESOLVED, That the Boards, after approval of the model AAT degree in early childhood education, will work with all interested parties to approve individual community college programs no later than June 30, 2006; and be it further

RESOLVED, That the Board of Higher Education shall report to the Illinois House of Representatives and the Office of the Governor on the status of acceptance of the AAT by each public university within six months of the IBHE approval of the model AAT degree in early childhood education; and be it further

RESOLVED, That the Board of Higher Education shall report on the progress of this initiative to the House Higher Education Committee no later than February 15, 2005; and be it further

RESOLVED, That community college students transferring to a senior institution with the AAT in early childhood education shall have equal status with university native students at the beginning of their junior year, and will be in a position to graduate with a baccalaureate degree in early childhood education in an amount of time that is similar to that of native students; and be it further

RESOLVED, That community colleges should be strongly encouraged to continue Associate in Applied Science (AAS) programs in early childhood education, in addition to developing the AAT; if feasible, the core curriculum for the AAT programs should be used in the AAS programs to maximize the credits that would be transferable in the event an AAS recipient changes career paths; and be it further

RESOLVED, That a suitable copy of this resolution be provided to the Office of the Governor, the Chairman of the Board of Higher Education, the Chairman of the Illinois Community College Board, the Chairman of the Illinois State Board of Education, and the Illinois P-16 Education Initiative.

HOUSE RESOLUTION 851

Offered by Representative McKeon:

WHEREAS, The United States Supreme Court decision in *Olmstead ex rel. Zimring v. L.C.*, 119 S.Ct. 2176 (1999), held that persons with disabilities have a right to receive State-funded services and programs in the most integrated setting appropriate to meet their needs and to participate in community life to the

fullest extent possible; and

WHEREAS, Many persons with disabilities now residing in nursing facilities in Illinois are able, available, and willing to engage in competitive employment or could be able and available to engage in employment if provided with appropriate supports; and

WHEREAS, Many persons with disabilities now residing in nursing facilities in Illinois are able and willing to live in more integrated residential settings; and

WHEREAS, Current Illinois Department of Public Aid rules limiting income retention by persons with disabilities residing in nursing facilities serve as a disincentive for persons with disabilities to seek or maintain employment; and

WHEREAS, Current Illinois Department of Public Aid rules limiting income retention by persons with disabilities residing in nursing facilities hamper the ability of such persons to transition to more integrated residential settings because they are unable to accumulate enough savings to consider other housing options; and

WHEREAS, Individual Development Accounts have proven to be successful in assisting low-income persons in meeting important financial, educational, and housing goals; and

WHEREAS, Allowing persons with disabilities now residing in nursing facilities in Illinois who are employed or who will become employed to deposit a significant portion of their earned income into Individual Development Accounts for the purpose of saving for the transition to more integrated residential settings could result in greater economic independence for such persons; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Department of Public Aid is directed to do the following:

(1) Conduct a thorough review and analysis of the current income retention rules for persons with disabilities who are residing in nursing facilities in Illinois in regard to the impact of the rules (a) on the implementation of the Olmstead decision in general and (b) on whether the rules create a disincentive to engage in gainful employment for persons who are able, available, and willing to seek employment with or without supports.

(2) Include in the review and analysis of current income retention rules recommendations on the feasibility of allowing persons with disabilities who reside in nursing facilities in Illinois and who are able and willing to move to more integrated residential settings to keep a larger portion of their income and deposit that income into Individual Development Accounts to allow for the accumulation of assets in order to transition into more integrated residential settings.

(3) Consult with the Department of Human Services, appropriate advisory councils and committees, persons with disabilities and their family members, advocates for persons with disabilities, and other interested parties in conducting the review and analysis and developing recommendations.

(4) File a written report, including findings and recommendations, consistent with this

Resolution, with the House of Representatives on or before December 31, 2004; and be it further

RESOLVED, That the Department of Human Services shall cooperate in executing the requirements of this Resolution; and be it further

RESOLVED, That a copy of this Resolution be sent to the Director of Public Aid and to the Secretary of Human Services.

HOUSE RESOLUTION 853

Offered by Representative Bassi:

WHEREAS, The Taoist Tai Chi Society USA-Illinois is celebrating its Tenth Anniversary and the Grand Opening of its center in Arlington Heights on July 24, 2004; and

WHEREAS, The Taoist Tai Chi Society USA-Illinois teaches classes in Taoist Tai Chi in Arlington Heights, Chicago, and Lombard and at senior centers and park districts in Palatine, Glenview, Northbrook, Rolling Meadows, and Lombard; and

WHEREAS, The Taoist Tai Chi Society USA-Illinois is a volunteer, non-profit organization and is one of 500 such branches of the International Taoist Tai Chi Society in more than two dozen states and 25 countries throughout the world; and

WHEREAS, The Taoist Tai Chi Society was founded by Mr. Moy Lin Shin, who came to Canada from Hong Kong in 1970 and devoted his life to bringing the healing benefits of Taoist Tai Chi to others; and

WHEREAS, The Taoist Tai Chi Society USA-Illinois teaches Taoist Tai Chi for the dual cultivation of body and mind and has a special outreach to seniors and those who struggle with illness; and

WHEREAS, Taoist Tai Chi incorporates stretching and turning into a sequence of movements that improve the health of body, mind, and spirit, and can reduce tension, improve circulation, balance, and flexibility, and strengthen the immune system; and

WHEREAS, Instructors in the Taoist Tai Chi Society are nationally accredited volunteers, and follow the aims and objectives of the Taoist Tai Chi Society, which are to make Taoist Tai Chi available to all, to promote the health-giving qualities of Taoist Tai Chi, to promote cultural exchange, and to help others; and

WHEREAS, It is fitting for the State of Illinois to promote the health and well-being of its residents; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Taoist Tai Chi Society USA-Illinois on its work, and we proclaim July 24, 2004 to be Taoist Tai Chi Awareness Day in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Taoist Tai Chi Society USA-Illinois as an expression of our respect and esteem.

HOUSE RESOLUTION 854

Offered by Representative Leitch:

WHEREAS, The Illinois retail industry is one of Illinois' chief creators of jobs, with more than 608,000 Illinoisans working in retail trade, according to the U.S. Census Bureau; and

WHEREAS, Sales taxes paid by retailers on purchases of taxable goods and services in Illinois are a vital component of the State's budget, with the Illinois Economic and Fiscal Commission projecting Illinois State sales tax revenues of more than \$7.3 billion in FY04; and

WHEREAS, The Illinois retail industry and the sales taxes it pays are under threat from some out-of-state retailers who ship goods into Illinois without charging Illinois sales taxes on goods meant for use in Illinois; and

WHEREAS, Many out-of-state retailers are facing up to their responsibility to levy and forward sales taxes on goods meant for use in Illinois; and

WHEREAS, FurnitureLand South of Jamestown, North Carolina, which bills itself as "the world's largest home furnishings showplace", has started collecting sales and use taxes on products that it sells to consumers in 26 to 30 states; and

WHEREAS, Jason Harris, executive vice president of FurnitureLand South, has told "Furniture Today," a trade periodical, that FurnitureLand South eventually plans to collect sales taxes for all 45 states with a sales tax; and

WHEREAS, Many other furniture retailers with substantial sales across state lines do not yet collect Illinois sales and use taxes for sales made to customers within Illinois, despite Illinois laws requiring the payment of these taxes when an article is purchased for use within Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, That that we urge FurnitureLand South to charge and collect sales taxes upon furniture sold to customers for use within Illinois; and be it further

RESOLVED, That we urge all other retailers, especially but not limited to furniture retailers, to charge sales taxes upon goods and taxable services intended for use within Illinois; and be it further

RESOLVED, That we urge the Department of Revenue to take additional steps to improve the collection of sales taxes upon out-of-state goods intended for use within Illinois; and be it further

RESOLVED, That we urge Governor Rod Blagojevich to allocate sufficient funds and personnel resources, within the Department of Revenue, to maximize State sales tax revenues, provide for the cash flow that the State needs to perform its vital duties, and maintain a level playing field between out-of-state retailers and retailers that do business and employ personnel within the State of Illinois; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Governor of the State of Illinois, the Director of the Illinois Department of Revenue, and A. Darrell Harris, President of FurnitureLand South, Inc. of Jamestown, North Carolina.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 839

Offered by Representatives Poe and Brauer:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Sheriff Larry N. Smith of Greenview on being elected President of the Illinois Sheriffs' Association; and

WHEREAS, Sheriff Smith was born on August 25, 1954 to Bryce N. and Joy L. Smith; he graduated from Greenview High School in 1972 and was valedictorian of his class; he received a B.S. in chemistry in 1976 from Upper Iowa University; he married Deborah on June 26, 1976; he is a lifelong resident of Menard County; he, Deborah, and their daughter, Andrea, live on the family farm near Greenview; and

WHEREAS, Sheriff Smith worked for MAPCO, Inc. in Agricultural Chemical Sales from 1976 to 1984 and was Chemical Sales Manager from 1980 to 1984; and

WHEREAS, In 1985, Sheriff Smith began his law enforcement career as Deputy Sheriff in the Menard County Sheriff's Office; he graduated from the Police Training Institute at the University of Illinois in 1988; he received training in the basic law enforcement course and received the Ervin H. Warren Award for Excellence and the Scholastic Award for the highest-class score; and

WHEREAS, In 1990, Sheriff Smith was elected Menard County Sheriff; he was re-elected in 1994, 1998, and 2002; he has been active in the Illinois Sheriffs' Association since 1990, and, in 1995, he was elected to the organization's Executive Board; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Sheriff Larry N. Smith on being elected President of the Illinois Sheriffs' Association; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Sheriff Larry N. Smith as an expression of our respect and esteem.

HOUSE RESOLUTION 841

Offered by Representative Granberg:

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Bernard Heiligenstein, J.D.; Aloys H. Litteken; Sister Dorothy Niemann, SCSC; P. Michael Schuette; and Suzanne Schmitz, J.D.; all of whom will be inducted into the Mater Dei Catholic High School Hall of Honor on Saturday, May 1, 2004; and; and

WHEREAS, Mater Dei is a diocesan Catholic High School built on traditions of honor, glory, and love; the school was first opened in September of 1950; inductees into the Hall of Honor have distinguished themselves by their contributions to the community in the areas of academics, business, professional or religious life, and public service; these inductees join 30 other members of the Mater Dei Hall of Honor in the eighth year the awards have been given; and

WHEREAS, Bernard Heiligenstein is a respected attorney, husband, and father; he serves on the Mater Dei School and Foundation boards; he is a former States Attorney for Clinton County; he is a tireless Mater Dei supporter and volunteer; and

WHEREAS, Aloys H. Litteken graduated from Mater Dei in 1959; he attended the University of Illinois and received a degree in electrical engineering; he is a member of the Anheuser Busch Executive Team and a community leader and volunteer; and

WHEREAS, Sister Dorothy Marie Niemann, SCSC, is a 1961 graduate of Mater Dei; she is a distinguished educator in the nursing field and serves as a nurse and pastoral care minister; she is a church and community leader; and

WHEREAS, P. Michael Schuette graduated from Mater Dei in 1967; he is a successful businessman and entrepreneur; he has the distinction of being the 2003 Catholic Charities Volunteer of the Year and works as a church and community volunteer; and

WHEREAS, Suzanne Schmitz is a member of Mater Dei class of 1965; she is a distinguished educator and attorney; she works as a professor of law at Southern Illinois University at Carbondale, and she is a church and community volunteer; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Bernard Heiligenstein, J.D.; Aloys H. Litteken; Sister Dorothy Niemann, SCSC; P. Michael Schuette; and Suzanne Schmitz, J.D., for their service to Mater Dei High School and on their induction into the Mater Dei Hall of Honor; and be it further

RESOLVED, That suitable copies of this resolution be presented to each individual as an expression of our respect and esteem.

HOUSE RESOLUTION 842

Offered by Representatives Daniels, Saviano and Biggins:

WHEREAS, The members of the Illinois House of Representatives were saddened to learn of the death of U.S. Army PFC Shawn C. Edwards on April 23, 2004 when his convoy hit a roadside bomb in Samarra, Iraq; and

WHEREAS, PFC Edwards was assigned to the U.S. Army's 121st Signal Battalion 1st Infantry Division; and

WHEREAS, PFC Edwards was born in New Mexico and moved to Bensenville with his family in 1993; and

WHEREAS, He enlisted in the U.S. Army as a junior in high school and began service after graduating from York Community High School in Elmhurst in 2002; and

WHEREAS, In high school he wrestled and played football and planned to return to college when he completed his military duty; and

WHEREAS, He discovered a passion for electronics and computers while in the U.S. Army and hoped to pursue this passion when he returned home; and

WHEREAS, PFC Edwards comes from a military family; his father served in Vietnam and his grandfather was in World War II; and

WHEREAS, PFC Edwards had previously been stationed in Kitzingen, Germany, and arrived in Iraq in early February; and

WHEREAS, PFC Edwards was proud to serve his country and showed his commitment to restoring peace by volunteering for duties in Iraq; and

WHEREAS, PFC Edwards strived to be a good soldier and at the young age of 20 embodied the true spirit of a soldier, being faithful and loyal always to his family, friends, and country; and

WHEREAS, We recognize PFC Edwards for his unwavering bravery and service to his country; and

WHEREAS, The passing of U.S. Army PFC Shawn C. Edwards will be deeply felt by many, especially his father Glen and devoted mother Elizabeth, his sister and best friend Robin, and dozens of family and friends; 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 U.S. Army PFC Shawn C. Edwards along with all who knew and loved him, and we extend our sincere condolences to his family, friends, and community; and be it further

RESOLVED, That we honor the memory of U.S. Army PFC Shawn C. Edwards and his willingness to serve our country which led to him making the ultimate sacrifice; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of U.S. Army PFC Shawn C. Edwards as a token of our deepest sympathy.

HOUSE RESOLUTION 843

Offered by Representatives McCarthy and Kelly:

WHEREAS, The members of the Illinois House of Representatives wish to congratulate Dr. James David Upchurch on his retirement as Superintendent of Schools for Arbor Park School District 145 on June 30, 2004; and

WHEREAS, Dr. Upchurch began his career in education as a physical education teacher in 1971 at North Palos School District 117; one year later, he became a science teacher in the same school district, a position he held for the next four years; and

WHEREAS, He moved to Arbor Park School District 145 in 1976 as an assistant principal and became a building principal the following year; he held the position of principal for three years and was promoted to assistant superintendent in 1980; after two years as assistant superintendent, he became superintendent of schools in 1983, a position he has held with distinction until his retirement in 2004; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Dr. James David Upchurch on his retirement after many years of dedication in the field of education; 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 Dr. James David Upchurch as an expression of our respect and esteem.

HOUSE RESOLUTION 844

Offered by Representatives McCarthy and Kosel:

WHEREAS, The members of the Illinois House of Representatives wish to recognize the Providence Catholic Dancing Celtics Pom Pon Squad of New Lenox for their many accomplishments in the 2003-2004 season; and

WHEREAS, This year the Providence Dancing Celtics squad contained 20 very talented dancers; they started the season by attending a Universal Dance Association summer camp at Northern Illinois University; they brought home a trophy for Home Routine, received the "On the Ball Award", a spirit stick, a bid to nationals, and numerous superior ribbons with over 25 teams attending the camp; and

WHEREAS, In September of 2003, they attended their first competition of the season at Great America; they competed with only one routine and placed first in the category; this earned them a bid to the National Dance Alliance national competition in Orlando, Florida; they ventured to Orlando and placed 6th in hip-hop in the nation and 9th in kick in the nation; and

WHEREAS, The Dancing Celtics attended two regional competitions, bringing a hip-hop routine and a kick routine to each event; in January of 2004, they competed at Oak Forest High School and the next month at Stagg; during regionals, they placed both of the routines in the top three within their category and advanced both of the routines onto SuperSectionals; and

WHEREAS, In March of 2004, the Dancing Celtics attended SuperSectionals at Fremd High School in Palatine and for the first time ever, they placed first at SuperSectionals in one of their categories; this advanced both of their routines to the State finals; and

WHEREAS, On March 27, 2004 they participated in the 25th Annual IDTA (Illinois Drill Team Association) State Competition at the University of Illinois; they took home their first ever State Championship trophy for the team; in addition, they took home a second place trophy for their routine in the hip-hop category, making them an important part of history at Providence Catholic High School; and

WHEREAS, The members of the Dancing Celtics team include Christine Briski, Brittany Chionis, Liz Eichorst, Kristin Creed, Liz Czupta, Andrea Micetic, Sarah Strubbe, Amanda Johnson, Bo Kelm, Lauren Knazur, Amy Nelson, Stephanie Peters, Staci Stevens, Kelly Turner, Susie Turnock, Danielle Edmonson, Annie Lagoni, Kelly Creed (Captain), Stephanie Torres (Captain), and Corie Wall (Captain); and

WHEREAS, The team is lead by coaches Beth Franczyk and Jennifer Williams; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Providence Catholic High School Dancing Celtics Pom Pon Squad on a fantastic season filled with many outstanding accomplishments; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the coaches and to each member of the team as a token of our respect and esteem.

HOUSE RESOLUTION 846

Offered by Representative Sacia:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Winnebago High School on placing second in the boys basketball IHSA Class A State Championship; and

WHEREAS, The Winnebago Indians played the Leo High School Lions in the championship game that ended with a score of 65 to 57; and

WHEREAS, The coaches of the Winnebago Indians are Joe Murphy, Ron Ferguson, Mike Gearhart, and Tom Seipts; the manager for the Indians is Duston Faulkner, and the statisticians are Coty Blair, Michael Brooks, Daniel Cowman, Brandon Droy, Ryan Sanden, and Jacob Scheider; and

WHEREAS, The members of the Winnebago High School boys basketball team are Scott Axmark, Devan Bawinkel, Robbie Brooks, Brennan Crull, Chase Jensen, Brandon M. Johnson, Ryan Kaufman, Adam Meacham, David Merchant, Chad Nelson, Ben Powers, Wesley Reinke, Caleb Snyder, Kevin Terviel, Bobby Tisdale, and Curtis Zoet; and

WHEREAS, The cheerleaders of Winnebago High School have supported the squad throughout the entire season; they are Bethany Axmark, Nakita Benjamin, Amanda Capriola, Brittney Cox, Brittany Dowrick, Brittany Fisher, Erica Lolling, Nickole McKinney, Jerrica Marshall, Debra Nagy, Brittanie Peterson, and Erica VanDyke; the advisor of the cheerleader squad is Sally Ashens; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Winnebago High School on placing second in the boys basketball IHSA Class A State Championship; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the members, coaches, staff, and cheerleaders for the Winnebago High School boys basketball team.

HOUSE RESOLUTION 847

Offered by Representative Sacia:

WHEREAS, The members of the Illinois House of Representatives wish to recognize Otis Wilson, former number 55 of the Chicago Bears, for participating in the Friends Forever Humane Society's Golf Outing Fundraiser being held on June 26, 2004 at Wolf Hollow Golf Course in Lena; and

WHEREAS, Otis Wilson was known as the "Junk Yard Dog" and played a major role in the 46-10 Super Bowl victory against the New England Patriots in 1985; and

WHEREAS, He is involved in the American Southwest Conference (ASC) Contact Football Camps which are held during the end of June and the first part of July every year; and

WHEREAS, Otis Wilson also supports inner city youth by creating the Otis Wilson Foundation which promotes the development of healthy individuals and effective communities through growth and devotion to civic duty; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize Otis Wilson for his participation in the Friends Forever Humane Society's Golf Outing Fundraiser being held on June 26, 2004; and be it further

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

HOUSE RESOLUTION 848

Offered by Representative Sacia:

WHEREAS, The members of the Illinois House of Representatives wish to recognize Patrick Mannelly, a member of the Chicago Bears, for his participation in the Friends Forever Humane Society's Golf Outing Fundraiser to be held on June 26, 2004 at Wolf Hollow Golf Course in Lena; and

WHEREAS, Patrick Mannelly has been with the Bears since 1998; he is #65 and is the team's long-snapper; and

WHEREAS, During his pro career as a rock-solid veteran performer he has distinguished himself as one of the most reliable long-snappers in the National Football League; his quick release and accurate delivery have helped the Bears extend their NFL record streak of games without a blocked punt; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we thank Patrick Mannelly for participating in the Friends Forever Humane Society's Golf Outing and Fundraiser and wish him well for the future; and be it further

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

HOUSE RESOLUTION 849

Offered by Representatives Krause and Mathias:

WHEREAS, The members of the Illinois House of Representatives wish to congratulate Arlington Heights Police Chief Rodney L. Kath on his retirement, on May 26, 2004, after 39 years of service to the Arlington Heights Police Department; and

WHEREAS, In 1965, Rodney Kath began working for the Arlington Heights Police Department in the radio room, a position which turned into a police officer appointment and the following May officially began his career with the police department; and

WHEREAS, Over the next 9 years, he attained assignments in all divisions in the police department and ended up concentrating on the development of a juvenile division in the mid 1970s; and

WHEREAS, In 1975, he was promoted to sergeant and remained in juvenile investigations until his promotion to lieutenant in 1977; in 1980, Rodney Kath was named chief of police for the Arlington Heights Police Department; and

WHEREAS, Northwest Central Dispatch Systems was developed by Arlington Heights with only four municipalities and has grown to 16 police and fire departments; and

WHEREAS, Under Chief Kath's leadership, the department has grown from a staff of 31 in the mid 1960s, to its current 113 police officers and 39 civilian employees for a total staff of 151 people; and

WHEREAS, Chief Kath's leadership has provided the citizens of Arlington Heights with an outstanding, well trained department that provides a strong commitment for service to the entire Village; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Arlington Heights Police Chief Rodney L. Kath on his retirement after many years of dedicated service to the people of Arlington Heights; 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 Chief Rodney L. Kath as an token of our respect and esteem.

HOUSE RESOLUTION 850

Offered by Representative Pankau:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to honor citizens of the State who valiantly serve our country; and

WHEREAS, Michael Samuel Chapman was born on November 15, 1978, to Tim and Maureen Chapman; he is a native of Carol Stream; and

WHEREAS, Lieutenant Chapman attended Glenbard North High School in Carol Stream; he graduated in 1998 and received National Honor Society awards; he enlisted in the U.S. Army on August 12, 2000; he was stationed at Fort Bliss in El Paso, Texas, where he held the rank of 2nd Lieutenant of the 978 Military Police Company #91440; and

WHEREAS, From March 4, 2001, to March 4, 2002, he served in South Korea; he achieved the rank of 1st Lieutenant of the 978 Military Police Company #91440; and

WHEREAS, Lieutenant Chapman most recently served in Iraq from August 8, 2003, until March 24, 2004, in Operation Iraqi Freedom; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we thank 1st Lieutenant Michael Samuel Chapman for his service to our country and for his willingness to fight for the rights and well-being of others; and be it further

RESOLVED, That a suitable copy of this resolution be presented to 1st Lieutenant Michael Samuel Chapman as an expression of our sincerest gratitude for his military service.

HOUSE RESOLUTION 852

Offered by Representative Joyce:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to recognize milestone events in the lives of citizens of the State; and

WHEREAS, It has come to our attention that Donald and Mary "Mae" Bartoli celebrated the 60th anniversary of their marriage on February 12, 2004; and

WHEREAS, Don and Mae met while playing baseball at the 69th Street May Club; Don played the position of short center for the May Club, and Mae played both short center and catcher for the Mayettes Club softball team, which consisted solely of women; and

WHEREAS, Don valiantly served his country in the U.S. Air Force for over 3 years; he and Mae were married while he was in the service at St. Brendan Church in Chicago on February 12, 1944; following his time in the military, he worked at United States Steel Corporation, South Works, as an electrician for 45 years; and

WHEREAS, Don and Mae gave their children a loving and nurturing environment; they taught their children about love of family and faith; they are enjoying their retirement and are always ready and available to give support, advice, and wisdom to their children, grandchildren, and great-grandchildren; and

WHEREAS, Don and Mae are the proud parents of Mary (Sam Angona), Joseph (Mary), Thomas (Sheri), William, and Robert (Cindy); their daughter, Donna (Jon Freeman), is deceased; they are grandparents to Donald Angona (Virginia), Karen Angona, Jonathan Freeman, Jason Freeman, Janet Arwood (Jim), Donald Bartoli, Sara Bartoli, Daniel Bartoli, Stefanie Bartoli, Julie Bartoli, Kellie Bartoli, and Valerie Bartoli; one grandchild, Michael Bartoli, is deceased; they are the great-grandparents of Jacob Angona and Joseph Angona; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Donald and Mary "Mae" Bartoli on the occasion of their 60th anniversary; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Donald and Mary "Mae" Bartoli as an expression of our respect and esteem.

HOUSE BILLS ON SECOND READING

HOUSE BILL 6424. Having been read by title a second time on March 31, 2004, and held on the order of Second Reading, the same was again taken up.

Representative Biggins offered the following amendment and moved its adoption.

AMENDMENT NO. 1 . Amend House Bill 6424 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Criminal Procedure of 1963 is amended by changing Section 110-17 as follows: (725 ILCS 5/110-17) (from Ch. 38, par. 110-17)

Sec. 110-17. Unclaimed Bail Deposits. Notwithstanding the provisions of the Uniform Disposition of Unclaimed Property Act, any sum of money deposited by any person to secure his or her release from custody which remains unclaimed by the person entitled to its return for 3 years after the conditions of the bail bond have been performed and the accused has been discharged from all obligations in the cause shall be presumed to be abandoned.

(a) The clerk of the circuit court, as soon thereafter as practicable, shall cause notice to be published once, in English, in a newspaper or newspapers of general circulation in the county wherein the deposit of bond was received and shall post this notice on the Internet.

(b) The published and posted notice shall be entitled "Notice of Persons Appearing to be Owners of Abandoned Property" and shall contain:

(1) The names, in alphabetical order, of persons to whom the notice is directed.

(2) A statement that information concerning the amount of the property may be obtained by any persons

possessing an interest in the property by making an inquiry at the office of the clerk of the circuit court at a location designated by him or her.

(3) A statement that if proof of claim is not presented by the owner to the clerk of the circuit court and if the owner's right to receive the property is not established to the satisfaction of the clerk of the court within 65 days from the date of the published and posted notice, the abandoned property will be placed in the custody of the treasurer of the county, not later than 85 days after such publication and posting, to whom all further claims must thereafter be directed. If the claim is established as aforesaid and after deducting an amount not to exceed \$20 to cover the cost of notice publication and posting and related clerical expenses, the clerk of the court shall make payment to the person entitled thereto.

(4) The clerk of the circuit court is not required to publish and post in such notice any items of less than \$100 unless he or she deems such publication and posting in the public interest.

(c) Any clerk of the circuit court who has caused notice to be published and posted as provided by this Section shall, within 20 days after the time specified in this Section for claiming the property from the clerk of the court, pay or deliver to the treasurer of the county having jurisdiction of the offense, whether the bond was taken there or any other county, all sums deposited as specified in this section less such amounts as may have been returned to the persons whose rights to receive the sums deposited have been established to the satisfaction of the clerk of the circuit court. Any clerk of the circuit court who transfers such sums to the county treasury including sums deposited by persons whose names are not required to be set forth in the published notice aforesaid, is relieved of all liability for such sums as have been transferred as unclaimed bail deposits or any claim which then exists or which thereafter may arise or be made in respect to such sums.

(d) The treasurer of the county shall keep just and true accounts of all moneys paid into the treasury, and if any person appears within 5 years after the deposit of moneys by the clerk of the circuit court and claims any money paid into the treasury, he or she shall file a claim therefor on the form prescribed by the treasurer of the county who shall consider any claim filed under this Act and who may, in his or her discretion, hold a hearing and receive evidence concerning it. The treasurer of the county shall prepare a finding and the decision in writing on each hearing, stating the substance of any evidence heard by him or her, his or her findings of fact in respect thereto, and the reasons for his or her decision. The decision shall be a public record. All moneys not otherwise claimed after 5 years shall be deposited in the county general fund and used for county purposes.

(e) All claims which are not filed within the 5 year period shall be forever barred.

(f) The changes made by this amendatory Act of the 93rd General Assembly are applicable to bail deposits made before, on, or after the effective date of this amendatory Act of the 93rd General Assembly.

(Source: P.A. 85-768.)".

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

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

HOUSE BILL 6437. Having been read by title a second time on March 31, 2004, and held on the order of Second Reading, the same was again taken up.

Representative Pritchard offered the following amendment and moved its adoption.

AMENDMENT NO. 1 . Amend House Bill 6437 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 5-2-12 as follows:

(65 ILCS 5/5-2-12) (from Ch. 24, par. 5-2-12)

Sec. 5-2-12. Aldermen or trustees elected at large; vacancies; mayor or president to preside.

(a) If a city or village adopts the managerial form of municipal government but does not elect to choose aldermen or trustees from wards or districts, then the following provisions of this Section shall be applicable.

(b) The city council shall be elected at large. In cities of less than 50,000 population, the council shall consist of (i) the mayor and 4 councilmen or (ii) the mayor and 6 councilmen if the size of the city council is increased under subsection (k). In cities of at least 50,000 but less than 100,000 population, the council shall consist of the mayor and 6 councilmen. In cities of at least 100,000 but not more than 500,000

population, the council shall consist of the mayor and 8 councilmen.

(c) Except in villages that were governed by Article 4 immediately before the adoption of the managerial form of municipal government, the village board shall be elected at large and shall consist of a president and the number of trustees provided for in Section 5-2-15 or 5-2-17, whichever is applicable.

(d) The term of office of the mayor and councilmen shall be 4 years, provided that in cities of less than 50,000, the 2 councilmen receiving the lowest vote at the first election shall serve for 2 years only; in cities of at least 50,000 but less than 100,000, the 3 councilmen receiving the lowest vote at the first election shall serve for 2 years only; and in cities of at least 100,000 but not more than 500,000, the 4 councilmen receiving the lowest vote at the first election shall serve for 2 years only.

(e) The election of councilmen shall be every 2 years. After the first election, only 2 councilmen in cities of less than 50,000, 3 councilmen in cities of at least 50,000 but less than 100,000, or 4 councilmen in cities of at least 100,000 but not more than 500,000, shall be voted for by each elector at the primary elections, and only 2, 3, or 4 councilmen, as the case may be, shall be voted for by each elector at each biennial general municipal election, to serve for 4 years.

(f) In addition to the requirements of the general election law, the ballots shall be in the form set out in Section 5-2-13. In cities with less than 50,000, the form of ballot prescribed in Section 5-2-13 shall be further modified by printing in the place relating to councilmen the words "Vote for Two", or "Vote for Three" if the size of the city council is increased under subsection (k), instead of the words "Vote for Four". In cities of at least 50,000 but less than 100,000, the ballot shall be modified in that place by printing the words "Vote for Three" instead of the words "Vote for Four". Sections 4-3-5 through 4-3-18, insofar as they may be applicable, shall govern the election of a mayor and councilmen under this Section.

(g) If a vacancy occurs in the office of mayor or councilman, the remaining members of the council, within 60 days after the vacancy occurs, shall fill the vacancy by appointment of some person to the office for the balance of the unexpired term or until the vacancy is filled by interim election under Section 3.1-10-50, and until the successor is elected and has qualified.

(h) Except in villages that were governed by Article 4 immediately before the adoption of the managerial form of municipal government, in villages that have adopted this Article 5 the term of office of the president, the number of trustees to be elected, their terms of office, and the manner of filling vacancies shall be governed by Sections 5-2-14 through 5-2-17.

(i) Any village that adopts the managerial form of municipal government under this Article 5 and that, immediately before that adoption, was governed by the provisions of Article 4, shall continue to elect a mayor and 4 commissioners in accordance with Sections 4-3-5 through 4-3-18, insofar as they may be applicable, except that the 2 commissioners receiving the lowest vote among those elected at the first election after this Article 5 becomes effective in the village shall serve for 2 years only. After that first election, the election of commissioners shall be every 2 years, and 2 commissioners shall be elected at each election to serve for 4 years.

(j) The mayor or president shall preside at all meetings of the council or board and on all ceremonial occasions.

(k) In cities of less than 50,000 population, the city council may, by ordinance, provide that the city council shall, after the next biennial general municipal election, consist of 6 instead of 4 councilmen. If the size of the council is increased to 6 councilmen, then at the next biennial general municipal election, the electors shall vote for 4 instead of 2 councilmen. Of the 4 councilmen elected at that next election, the one receiving the lowest vote at that election shall serve a 2-year term. Thereafter, all terms shall be for 4 years. (Source: P.A. 87-1119.)".

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

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

RECALL

By unanimous consent, on motion of Representative Giles, HOUSE BILL 4501 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILL ON THIRD READING

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

On motion of Representative Granberg, HOUSE BILL 5189 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 105, Yeas; 12, Nays; 1, Answering Present.
(ROLL CALL 2)

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

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

CONCURRENCES AND NON-CONCURRENCES IN SENATE AMENDMENTS TO HOUSE BILLS

Senate Amendment No. 2 to HOUSE BILL 754, having been printed, was taken up for consideration. Representative McGuire moved that the House concur with the Senate in the adoption of Senate Amendment No. 2.

And on that motion, a vote was taken resulting as follows: 69, Yeas; 48, Nays; 1, Answering Present.
(ROLL CALL 3)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 2 to HOUSE BILL 754.

Ordered that the Clerk inform the Senate.

SENATE BILLS ON THIRD READING

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

On motion of Representative Colvin, SENATE BILL 1550 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 81, Yeas; 2, Nays; 35, Answering Present.
(ROLL CALL 4)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Delgado, SENATE BILL 2115 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 5)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Rose, SENATE BILL 2124 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 118, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 6)

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

Ordered that the Clerk inform the Senate.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 831, 834, 835, 836, 837, 839, 841, 842, 843, 846, 847, 848, 849, 850 and 852 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the Agreed Resolutions were adopted.

At the hour of 1:50 o'clock p.m., Representative Currie moved that the House do now adjourn until Thursday, April 29, 2004, at 12:00 o'clock noon.

The motion prevailed.

And the House stood adjourned.

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

April 28, 2004

0 YEAS

0 NAYS

118 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
P Currie	P Jones	P Nekritz	P Yarbrough
P Daniels	P Joyce	P Osmond	P Younge
P Davis, Monique	P Kelly	P Osterman	P Mr. Speaker
P Davis, Steve	P Kosel	P Pankau	
P Davis, William	P Krause	P Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 5189
 PEN CD-IMRF-SLEP BENEFITS
 THIRD READING
 PASSED

April 28, 2004

105 YEAS

12 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 754
 SCH CD-SCHOOL BUDGET-TECH
 MOTION TO CONCUR IN SENATE AMENDMENT NO. 2
 CONCURRED

April 28, 2004

69 YEAS

48 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1550
EDUCATION-TECH
THIRD READING
PASSED

April 28, 2004

81 YEAS

2 NAYS

35 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2115
 SCH CD-DENY ENROLLMENT TO STU
 THIRD READING
 PASSED

April 28, 2004

118 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2124
 DUI PENALTIES-CONSOLIDATION
 THIRD READING
 PASSED

April 28, 2004

118 YEAS

0 NAYS

0 PRESENT

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