

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FOURTH GENERAL ASSEMBLY

37TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

MONDAY, APRIL 11, 2005

2:04 O'CLOCK P.M.

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

Representative Hannig in the chair.

Prayer by Pastor Sandra Jewell with the Trinity Lutheran Church in Kankakee, IL.

Representative Reis 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:

112 present. (ROLL CALL 1)

By unanimous consent, Representatives Black, Dunn, Fritchey and McKeon were excused from attendance.

REQUESTS TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative May, should be recorded as present at the hour of 2:55 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative McCarthy, should be recorded as present at the hour of 3:30 o'clock p.m.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Dugan replaced Representative Miller in the Committee on Transportation and Motor Vehicles on April 11, 2005.

Representative Flider replaced Representative McCarthy in the Committee on Transportation and Motor Vehicles on April 11, 2005.

Representative Monique Davis replaced Representative Molaro in the Committee on Transportation and Motor Vehicles on April 11, 2005.

Representative William Davis replaced Representative Fritchey in the Committee on Transportation and Motor Vehicles on April 11, 2005.

Representative Patterson replaced Representative Graham in the Committee on Transportation and Motor Vehicles on April 11, 2005.

Representative Lindner replaced Representative Dunn in the Committee on Human Services on April 11, 2005.

Representative Osterman replaced Representative Collins in the Committee on Human Services on April 11, 2005.

Representative William Davis replaced Representative Osterman in the Committee on Elementary & Secondary Education on April 11, 2005.

Representative Patterson replaced Representative Smith in the Committee on Elementary & Secondary Education on April 11, 2005.

Representative Nekritz replaced Representative Lou Jones in the Committee on Executive on April 11, 2005.

Representative Osterman replaced Representative McKeon in the Committee on Executive on April 11, 2005.

Representative Lang replaced Representative Lou Jones in the Committee on Judiciary II - Criminal Law on April 11, 2005.

Representative Ryg replaced Representative Collins in the Committee on Judiciary II - Criminal Law on April 11, 2005.

Representative Berrios replaced Representative Delgado in the Committee on Judiciary II - Criminal Law on April 11, 2005.

Representative Eileen Lyons replaced Representative Bost in the Committee on Consumer Protection on April 11, 2005.

Representative Joyce replaced Representative Scully in the Committee on Consumer Protection on April 11, 2005.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 11, 2005, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

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

Amendment No. 3 to HOUSE BILL 442.
 Amendment No. 3 to HOUSE BILL 483.
 Amendment No. 1 to HOUSE BILL 881.
 Amendment No. 2 to HOUSE BILL 930.
 Amendment No. 3 to HOUSE BILL 1038.
 Amendment No. 2 to HOUSE BILL 1351.
 Amendment No. 2 to HOUSE BILL 1397.
 Amendment No. 3 to HOUSE BILL 1428.
 Amendment No. 3 to HOUSE BILL 1633.
 Amendment No. 2 to HOUSE BILL 2521.
 Amendment No. 2 to HOUSE BILL 2578.
 Amendment No. 3 to HOUSE BILL 2946.
 Amendment No. 2 to HOUSE BILL 3415.
 Amendment No. 1 to HOUSE BILL 3449.
 Amendment No. 1 to HOUSE BILL 3498.
 Amendment No. 1 to HOUSE BILL 3685.
 Amendment No. 1 to HOUSE BILL 3770.
 Amendment No. 2 to HOUSE BILL 3801.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Agriculture & Conservation: HOUSE JOINT RESOLUTION 33.
 Consumer Protection: HOUSE AMENDMENT No. 3 to HOUSE BILL 265.
 Elections & Campaign Reform: HOUSE AMENDMENT No. 1 to HOUSE BILL 1337.
 Environment & Energy: HOUSE AMENDMENT No. 1 to HOUSE BILL 2250.
 Human Services: HOUSE AMENDMENT No. 1 to HOUSE BILL 1044; HOUSE RESOLUTION 259; HOUSE JOINT RESOLUTION 31.
 Judiciary II - Criminal Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 2240; HOUSE AMENDMENT No. 1 to HOUSE BILL 2241; HOUSE AMENDMENTS Numbered 1, 2 and 3 to HOUSE BILL 2941; HOUSE RESOLUTION 261.
 International Trade & Commerce: HOUSE RESOLUTION 262.
 Local Government: HOUSE AMENDMENT No. 1 to HOUSE BILL 1680.
 Public Utilities: HOUSE AMENDMENT No. 1 to HOUSE BILL 1411.
 Registration and Regulation: HOUSE AMENDMENT No. 2 to HOUSE BILL 2768; HOUSE RESOLUTION 260.

State Government Administration: HOUSE AMENDMENT No. 1 to HOUSE BILL 1656.

Transportation and Motor Vehicles: HOUSE JOINT RESOLUTION 34.

Developmental Disabilities and Mental Illness: HOUSE AMENDMENT No. 3 to HOUSE BILL 1197.

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

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

Y Currie,Barbara(D), Chairperson

A Black,William(R), Republican Spokesperson

Y Hannig,Gary(D)

Y Hassert,Brent(R)

A Turner,Arthur(D)

REPORTS FROM STANDING COMMITTEES

Representative Hoffman, Chairperson, from the Committee on Transportation and Motor Vehicles to which the following were referred, action taken on April 11, 2005, reported the same back with the following recommendations:

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

Amendment No. 1 to HOUSE BILL 2217.

Amendment No. 1 to HOUSE BILL 2348.

Amendment No. 2 to HOUSE BILL 2593.

The committee roll call vote on Amendment No. 1 to House Bill 2217 and Amendment No. 1 to House Bill 2348 is as follows:

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

Y Hoffman,Jay(D), Chairperson

Y Beiser,Daniel(D)

A Black,William(R)

Y Bost,Mike(R)

Y Brauer,Rich(R)

A Brosnahan,James(D)

Y D'Amico,John(D)

A Fritchey,John(D)

Y Froehlich,Paul(R)

A Graham,Deborah(D)

A Joyce,Kevin(D)

Y Lyons,Joseph(D)

Y Mathias,Sidney(R)

Y McAuliffe,Michael(R)

A McCarthy,Kevin(D)

A Mendoza,Susana(D)

Y Dugan(D) (replacing Miller)

Y Millner,John(R)

A Molaro,Robert(D)

Y Nekritz,Elaine(D)

Y Poe,Raymond(R)

Y Soto,Cynthia(D)

A Stephens,Ron(R)

A Tenhouse,Art(R)

A Tryon,Michael(R)

A Wait,Ronald(R), Republican Spokesperson

Y Washington,Eddie(D)

The committee roll call vote on Amendment No. 2 to House Bill 2593 is as follows:

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

Y Hoffman,Jay(D), Chairperson

Y Beiser,Daniel(D)

A Black,William(R)

Y Bost,Mike(R)

Y Brauer,Rich(R)

Y Brosnahan,James(D)

Y D'Amico,John(D)

Y Davis,W(D) (replacing Fritchey)

Y Froehlich,Paul(R)

Y Patterson(D) (replacing Graham)

A Joyce,Kevin(D)

Y Lyons,Joseph(D)

Y Mathias,Sidney(R)

Y McAuliffe,Michael(R)

Y Flider(D) (replacing McCarthy)

A Mendoza,Susana(D)

Y Dugan(D) (replacing Miller)

Y Millner,John(R)

Y Davis, M(D) (replacing Molaro)

Y Nekritz,Elaine(D)

Y Poe,Raymond(R)

Y Soto,Cynthia(D)

A Stephens,Ron(R)

A Tenhouse,Art(R)

A Tryon,Michael(R)
Y Washington,Eddie(D)

A Wait,Ronald(R), Republican Spokesperson

Representative Fritchey, Chairperson, from the Committee on Registration and Regulation to which the following were referred, action taken on April 11, 2005, reported the same back with the following recommendations:

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

Amendment No. 1 to HOUSE BILL 2525.

Amendment No. 2 to HOUSE BILL 2768.

The committee roll call vote on Amendment No. 1 to House Bill 2525 is as follows:

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

Y Saviano,Angelo(R), Chairperson	A Acevedo,Edward(D)
A Bellock,Patricia(R)	A Bradley,Richard(D)
Y Brauer,Rich(R)	A Burke,Daniel(D)
Y Coulson,Elizabeth(R), Republican Spokesperson	A Davis,Monique(D)
A Delgado,William(D)	A Fritchey,John(D), Vice-Chairperson
Y Froehlich,Paul(R)	A Granberg,Kurt(D)
Y Holbrook,Thomas(D)	A Joyce,Kevin(D)
Y Kosel,Renee(R)	Y Mautino,Frank(D)
A McAuliffe,Michael(R)	Y Mendoza,Susana(D)
A Miller,David(D)	Y Millner,John(R)
Y Mulligan,Rosemary(R)	Y Munson,Ruth(R)
Y Phelps,Brandon(D)	Y Reis,David(R)
Y Reitz,Dan(D)	Y Sullivan,Ed(R)

The committee roll call vote on Amendment No. 2 to House Bill 2768 is as follows:

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

Y Saviano,Angelo(R), Chairperson	A Acevedo,Edward(D)
Y Bellock,Patricia(R)	A Bradley,Richard(D)
Y Brauer,Rich(R)	A Burke,Daniel(D)
Y Coulson,Elizabeth(R), Republican Spokesperson	A Davis,Monique(D)
A Delgado,William(D)	A Fritchey,John(D), Vice-Chairperson
Y Froehlich,Paul(R)	A Granberg,Kurt(D)
Y Holbrook,Thomas(D)	A Joyce,Kevin(D)
Y Kosel,Renee(R)	Y Mautino,Frank(D)
A McAuliffe,Michael(R)	Y Mendoza,Susana(D)
A Miller,David(D)	Y Millner,John(R)
Y Mulligan,Rosemary(R)	Y Munson,Ruth(R)
Y Phelps,Brandon(D)	Y Reis,David(R)
Y Reitz,Dan(D)	Y Sullivan,Ed(R)

Representative Delgado, Chairperson, from the Committee on Human Services to which the following were referred, action taken on April 11, 2005, reported the same back with the following recommendations:

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

Amendment No. 4 to HOUSE BILL 480.

The committee roll call vote on Amendment No. 4 to House Bill 480 is as follows:

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

Y Delgado,William(D), Chairperson	Y Bellock,Patricia(R), Republican Spokesperson
Y Chavez,Michelle(D)	Y Osterman(D) (replacing Collins)
Y Coulson,Elizabeth(R)	A Cultra,Shane(R)
Y Lindner(R) (replacing Dunn)	Y Flowers,Mary(D)
A Howard,Constance(D)	Y Jakobsson,Naomi(D)

A Jenisch,Roger(R)

Y Rita,Robert(D), Vice-Chairperson

Representative Giles, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on April 11, 2005, reported the same back with the following recommendations:

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

Amendment No. 1 to HOUSE BILL 3500.

The committee roll call vote on Amendment No. 1 to House Bill 3500 is as follows:

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

Y Giles,Calvin(D), Chairperson

Y Bassi,Suzanne(R)

A Chapa LaVia,Linda(D)

Y Dugan,Lisa(D)

Y Flider,Robert(D)

A Miller,David(D)

Y Moffitt,Donald(R)

Y Munson,Ruth(R)

Y Pihos,Sandra(R)

A Reis,David(R)

Y Watson,Jim(R)

P Davis,Monique(D), Vice-Chairperson

Y Beiser,Daniel(D)

A Colvin,Marlow(D)

Y Eddy,Roger(R)

A Joyce,Kevin(D)

Y Mitchell,Jerry(R), Republican Spokesperson

A Mulligan,Rosemary(R)

Y Davis, W(D) (replacing Osterman)

Y Pritchard,Robert(R)

Y Patterson(D) (replacing Smith)

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on April 11, 2005, reported the same back with the following recommendations:

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

Amendment No. 1 to HOUSE BILL 2414.

The committee roll call vote on Amendment No. 1 to House Bill 2414 is as follows:

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

Y Burke,Daniel(D), Chairperson

Y Berrios,Maria(D)

Y Bradley,Richard(D)

Y Nekritz(D) (replacing Jones, L)

Y Lyons,Eileen(R)

Y Osterman(D) (replacing McKeon)

Y Saviano,Angelo(R)

Y Acevedo,Edward(D)

P Biggins,Bob(R)

A Hassert,Brent(R)

P Kosel,Renee(R), Republican Spokesperson

Y Lyons,Joseph(D), Vice-Chairperson

A Molaro,Robert(D)

Representative Molaro, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on April 11, 2005, reported the same back with the following recommendations:

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

Amendment No. 1 to HOUSE BILL 1592.

Amendment No. 1 to HOUSE BILL 2240.

Amendment No. 1 to HOUSE BILL 2241.

Amendments numbered 1, 2 and 3 to HOUSE BILL 2941.

The committee roll call vote on Amendment No. 1 to House Bill 1592 Amendment No. 1 to House Bill 2241 and Amendments numbered 1, 2 and 3 to House Bill 2941 is as follows:

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

Y Molaro,Robert(D), Chairperson

Y Bradley,John(D)

Y Cultra,Shane(R)

Y Gordon,Careen(D)

Y Lang(D) (replacing Jones, L)

Y Bailey,Patricia(D)

Y Ryg(D) (replacing Collins)

Y Berrios(D) (replacing Delgado)

Y Howard,Constance(D)

A Lindner,Patricia(R), Republican Spokesperson

Y Mautino, Frank(D)	A Millner, John(R)
Y Reis, David(R)	Y Sacia, Jim(R)
Y Stephens, Ron(R)	A Wait, Ronald(R)

The committee roll call vote on Amendment No. 1 to House Bill 2240 is as follows:
10, Yeas; 3, Nays; 0, Answering Present.

Y Molaro, Robert(D), Chairperson	Y Bailey, Patricia(D)
N Bradley, John(D)	Y Ryg(D) (replacing Collins)
Y Cultra, Shane(R)	Y Berrios(D) (replacing Delgado)
N Gordon, Careen(D)	Y Howard, Constance(D)
Y Lang(D) (replacing Jones, L)	A Lindner, Patricia(R), Republican Spokesperson
Y Mautino, Frank(D)	A Millner, John(R)
N Reis, David(R)	Y Sacia, Jim(R)
Y Stephens, Ron(R)	A Wait, Ronald(R)

Representative Colvin, Chairperson, from the Committee on Consumer Protection to which the following were referred, action taken on April 11, 2005, reported the same back with the following recommendations:

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

Amendment No. 3 to HOUSE BILL 265.

Amendment No. 1 to HOUSE BILL 2047.

The committee roll call vote on Amendment No. 3 to House Bill 265 is as follows:
9, Yeas; 0, Nays; 0, Answering Present.

Y Colvin, Marlow(D), Chairperson	Y Gordon, Careen(D), Vice-Chairperson
Y Lyons, E(R) (replacing Bost)	Y Brady, Dan(R), Republican Spokesperson
A Chapa LaVia, Linda(D)	Y Mendoza, Susana(D)
Y Millner, John(R)	Y Parke, Terry(R)
A Rita, Robert(D)	A Scully, George(D)
A Tenhouse, Art(R)	Y Tryon, Michael(R)
Y Washington, Eddie(D)	

The committee roll call vote on Amendment No. 1 to House Bill 2047 is as follows:
7, Yeas; 3, Nays; 0, Answering Present.

N Colvin, Marlow(D), Chairperson	Y Gordon, Careen(D), Vice-Chairperson
Y Lyons, E(R) (replacing Bost)	N Brady, Dan(R), Republican Spokesperson
Y Chapa LaVia, Linda(D)	Y Mendoza, Susana(D)
A Millner, John(R)	N Parke, Terry(R)
A Rita, Robert(D)	Y Joyce(D) (replacing Scully)
A Tenhouse, Art(R)	Y Tryon, Michael(R)
Y Washington, Eddie(D)	

MOTIONS SUBMITTED

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 3877.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 2466.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 2465.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 1999.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 2018.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 1573.

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

MOTION

I move to table Amendment 1 to HOUSE BILL 1658.

STATE MANDATES FISCAL NOTES SUPPLIED

State Mandates Fiscal Notes have been supplied for HOUSE BILLS 978, 994, 1034, 1035, 1090, 1159, 2468, and 4052.

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for HOUSE BILLS 44, 45, as amended, 824, as amended, 1063, as amended, 1100, as amended, 1349, as amended, 1568, 2373, as amended, 2468, as amended, 2534, 3485, as amended, 3596, and 4052.

LAND CONVEYANCE APPRAISAL NOTES SUPPLIED

Land Conveyance Appraisal Notes have been supplied for HOUSE BILL 1063, as amended, and 1100, as amended.

HOUSING AFFORDABILITY IMPACT NOTES SUPPLIED

Housing Affordability Impact Notes have been supplied for HOUSE BILLS 45, as amended, and 1100, as amended.

CORRECTIONAL NOTES SUPPLIED

Correctional Notes have been supplied for HOUSE BILLS 45, as amended, 824, as amended, 1063, as amended, 1100, as amended, 1349, as amended, 2534, and 4052.

STATE DEBT IMPACT NOTE SUPPLIED

State Debt Impact Note has been supplied for HOUSE BILL 1000, as amended.

HOME RULE NOTES SUPPLIED

Home Rule Notes have been supplied for HOUSE BILLS 3501 and 4052.

JUDICIAL NOTES SUPPLIED

Judicial Notes have been supplied for HOUSE BILLS 1000, as amended, 1308, and 3485, as amended.

REQUEST FOR FISCAL NOTES

Representative Rita requested that a Fiscal Note be supplied for HOUSE BILL 2768.

Representative Bost requested that a Fiscal Note be supplied for HOUSE BILL 2414, as amended.

Representative Parke requested that Fiscal Notes be supplied for HOUSE BILL 483, as amended, 2240, as amended and 2449, as amended.

REQUEST FOR PENSION NOTES

Representative Rita requested that a Pension Note be supplied for HOUSE BILL 2768.

Representative Graham requested that a Pension Note be supplied for HOUSE BILL 1349, as amended.

REQUEST FOR BALANCED BUDGET NOTES

Representative Graham requested that a Balanced Budget Note be supplied for HOUSE BILL 1349, as amended.

Representative Phelps requested that a Balanced Budget Note be supplied for HOUSE BILL 2396.

REQUEST FOR CORRECTIONAL NOTE

Representative Graham requested that a Correctional Note be supplied for HOUSE BILL 1349, as amended.

REQUEST FOR HOME RULE NOTE

Representative Graham requested that a Home Rule Note be supplied for HOUSE BILL 1349, as amended.

REQUEST FOR HOUSING AFFORDABILITY IMPACT NOTE

Representative Graham requested that a Housing Affordability Impact Note be supplied for HOUSE BILL 1349, as amended.

REQUEST FOR JUDICIAL NOTE

Representative Graham requested that a Judicial Note be supplied for HOUSE BILL 1349, as amended.

REQUEST FOR LAND CONVEYANCE APPRAISAL NOTE

Representative Graham requested that a Land Conveyance Appraisal Note be supplied for HOUSE BILL 1349, as amended.

REQUEST FOR STATE DEBT IMPACT NOTE

Representative Graham requested that a State Debt Impact Note be supplied for HOUSE BILL 1349, as amended.

REQUEST FOR STATE MANDATES FISCAL NOTE

Representative Parke requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 483, as amended, and 2449, as amended.

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. 3
A bill for AN ACT concerning education.
- SENATE BILL NO. 12
A bill for AN ACT concerning insurance.
- SENATE BILL NO. 13
A bill for AN ACT concerning finance.
- SENATE BILL NO. 1814
A bill for AN ACT concerning finance.
- SENATE BILL NO. 1833
A bill for AN ACT in relation to public employee benefits.
- SENATE BILL NO. 1857
A bill for AN ACT concerning government.
- SENATE BILL NO. 1862
A bill for AN ACT concerning State government.
- SENATE BILL NO. 1863

A bill for AN ACT concerning State government.
SENATE BILL NO. 1865

A bill for AN ACT concerning revenue.
SENATE BILL NO. 1878

A bill for AN ACT concerning health.
SENATE BILL NO. 1882

A bill for AN ACT concerning libraries.
SENATE BILL NO. 1895

A bill for AN ACT concerning estates.
SENATE BILL NO. 1912

A bill for AN ACT concerning regulation.
SENATE BILL NO. 1930

A bill for AN ACT concerning civil law.
SENATE BILL NO. 1949

A bill for AN ACT concerning education.
SENATE BILL NO. 1953

A bill for AN ACT concerning right to counsel.
SENATE BILL NO. 1977

A bill for AN ACT concerning finance.
SENATE BILL NO. 2032

A bill for AN ACT concerning education.
SENATE BILL NO. 2066

A bill for AN ACT concerning employment.
Passed by the Senate, April 11, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 3, 12, 13, 1814, 1833, 1857, 1862, 1863, 1865, 1878, 1882, 1895, 1912, 1930, 1949, 1953, 1977, 2032 and 2066 were ordered reproduced and placed on the order of Senate Bills - First Reading.

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

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

SENATE BILL NO. 612

A bill for AN ACT concerning transportation.
SENATE BILL NO. 660

A bill for AN ACT concerning organ and tissue donation.
SENATE BILL NO. 1355

A bill for AN ACT concerning local government.
SENATE BILL NO. 1438

A bill for AN ACT concerning responsible fatherhood.
SENATE BILL NO. 1446

A bill for AN ACT concerning public employee benefits.
SENATE BILL NO. 1469

A bill for AN ACT concerning regulation.
SENATE BILL NO. 1491

A bill for AN ACT concerning criminal law.
SENATE BILL NO. 1497

A bill for AN ACT concerning education.
SENATE BILL NO. 1714

A bill for AN ACT concerning regulation.
Passed by the Senate, April 11, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 612, 660, 1355, 1438, 1446, 1469, 1491, 1497 and 1714 were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by

Ms. Hawker, Secretary:

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

SENATE BILL NO. 17

A bill for AN ACT in relation to economic development.

SENATE BILL NO. 25

A bill for AN ACT concerning vehicles.

SENATE BILL NO. 40

A bill for AN ACT concerning State government.

SENATE BILL NO. 46

A bill for AN ACT concerning safety.

SENATE BILL NO. 49

A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 54

A bill for AN ACT concerning transportation.

SENATE BILL NO. 61

A bill for AN ACT concerning revenue.

SENATE BILL NO. 63

A bill for AN ACT concerning public aid.

SENATE BILL NO. 64

A bill for AN ACT concerning education.

SENATE BILL NO. 86

A bill for AN ACT concerning the licensure of nurses.

SENATE BILL NO. 87

A bill for AN ACT concerning education.

SENATE BILL NO. 88

A bill for AN ACT concerning education.

SENATE BILL NO. 90

A bill for AN ACT concerning regulation.

SENATE BILL NO. 93

A bill for AN ACT concerning safety.

SENATE BILL NO. 96

A bill for AN ACT concerning regulation.

SENATE BILL NO. 97

A bill for AN ACT concerning civil procedure.

SENATE BILL NO. 110

A bill for AN ACT concerning public aid.

SENATE BILL NO. 122

A bill for AN ACT concerning land.

SENATE BILL NO. 127

A bill for AN ACT concerning transportation.

SENATE BILL NO. 171

A bill for AN ACT concerning the Township Code.

SENATE BILL NO. 183

A bill for AN ACT concerning regulation.

SENATE BILL NO. 185

A bill for AN ACT concerning the Metropolitan Water Reclamation District.

SENATE BILL NO. 192
A bill for AN ACT concerning taxes.

SENATE BILL NO. 205
A bill for AN ACT concerning regulation.

SENATE BILL NO. 208
A bill for AN ACT concerning children.

SENATE BILL NO. 232
A bill for AN ACT in relation to public health.

SENATE BILL NO. 233
A bill for AN ACT concerning business.

SENATE BILL NO. 254
A bill for AN ACT concerning health.

SENATE BILL NO. 300
A bill for AN ACT concerning transportation.

SENATE BILL NO. 326
A bill for AN ACT concerning criminal law.

SENATE BILL NO. 328
A bill for AN ACT concerning child care.

SENATE BILL NO. 331
A bill for AN ACT concerning regulation.

SENATE BILL NO. 336
A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 341
A bill for AN ACT concerning the Metropolitan Water Reclamation District.

SENATE BILL NO. 350
A bill for AN ACT concerning State government.

SENATE BILL NO. 357
A bill for AN ACT concerning quick-takes.

SENATE BILL NO. 419
A bill for AN ACT concerning revenue.

SENATE BILL NO. 534
A bill for AN ACT concerning transportation.

SENATE BILL NO. 582
A bill for AN ACT concerning revenue.
Passed by the Senate, April 11, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 17, 25, 40, 46, 49, 54, 61, 63, 64, 86, 87, 88, 90, 93, 96, 97, 110, 122, 127, 171, 183, 185, 192, 205, 208, 232, 233, 254, 300, 326, 328, 331, 336, 341, 350, 357, 419, 534 and 582 were ordered reproduced and placed on the order of Senate Bills - First Reading.

CHANGE OF SPONSORSHIPS

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Graham became the new principal sponsor of HOUSE BILL 2240.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative William Davis became the new principal sponsor of HOUSE BILL 1680.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Beiser became the new principal sponsor of HOUSE BILL 2241.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Hoffman became the new principal sponsor of HOUSE BILL 1411.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Joyce became the new principal sponsor of HOUSE BILL 2047.

With the consent of the affected members, Representative Phelps was removed as principal sponsor, and Representative William Davis became the new principal sponsor of HOUSE BILL 1311.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative May became the new principal sponsor of HOUSE BILL 2196.

With the consent of the affected members, Representative Lang was removed as principal sponsor, and Representative Bailey became the new principal sponsor of HOUSE BILL 58.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Cross became the new principal sponsor of HOUSE BILL 2249.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Holbrook became the new principal sponsor of HOUSE BILL 2250.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Stephens became the new principal sponsor of HOUSE BILL 2768.

With the consent of the affected members, Representative Hannig was removed as principal sponsor, and Representative Scully became the new principal sponsor of HOUSE BILL 1656.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 290

Offered by Representative Beaubien:
Congratulates James Eschenbauch, President of the Village of Wauconda, on his retirement.

HOUSE RESOLUTION 292

Offered by Representative Tenhouse:
Congratulates Stephen L. Welsh on the occasion of his retirement after 20 years of service in the U.S. Navy.

HOUSE RESOLUTION 293

Offered by Representative Jakobsson:
Congratulates the Illinois State Geological Survey on its Centennial Celebration.

HOUSE RESOLUTION 294

Offered by Representative Cultra:
Congratulates James Kingston, mayor of Paxton, on the occasion of his retirement after 28 years in office.

HOUSE RESOLUTION 295

Offered by Representative Howard:
Mourns the death of Deacon Timothy C. Butler of Chicago on March 14, 2005.

HOUSE BILL ON SECOND READING

HOUSE BILL 3770. Having been recalled on April 6, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Beiser offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3770 on page 1, in line 31 by replacing "Construction" with "State Construction Account".

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 1 was distributed to the Members at 2:18 o'clock p.m.

HOUSE BILLS ON SECOND READING

HOUSE BILL 442. Having been recalled on March 8, 2005, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 2 remained in the Committee on Rules.

Representative Rose offered the following amendment and moved its adoption.

AMENDMENT NO. 3. Amend House Bill 442, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 2, by inserting immediately below line 2 the following:

"(c) An automobile is exempt from the penalties of this Section if its owner or interest holder is not legally accountable for the conduct giving rise to the vehicle immobilization or tow, did not acquiesce in it, and did not know and could not reasonably have known of the conduct or that the conduct was likely to occur, or did not solicit, conspire, or attempt to commit the conduct giving rise to the vehicle immobilization or tow."; and

on page 2, line 3, by changing "(c)" to "(d)".

The foregoing motion prevailed and Amendment No. 3 was adopted.

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

HOUSE BILL 323. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Executive, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 323 by replacing everything after the enacting clause with the following:

"Section 5. The State Vehicle Identification Act is amended by changing Section 4 and by adding Section 4.5 as follows:

(30 ILCS 610/4) (from Ch. 127, par. 133e4)

Sec. 4. Sections 2 and 3 ~~This Act~~ shall not apply to vehicles used by elective State officers, by executive heads of State agencies and departments, by presidents of colleges or universities placed under control of officers of this State, or by any employee of a State agency or department in the performance of investigative services exclusively when the executive head thereof has requested an exception in writing,

and such exception has been approved in writing by the Department, on the basis that the identification would hamper the individual employee in the routine performance of his investigative duties. A record, open to public inspection, shall be kept by the Department of all such exceptions approved by it.

Sections 2 and 3 ~~This Act~~ shall not apply to vehicles assigned to the use of the Department of State Police and the Division of Law Enforcement of the Department of Natural Resources, and the executive heads thereof shall have within their discretion determination of the type of markings or identification, if any, to be affixed to vehicles assigned to said Department or Division nor shall Sections 2 and 3 ~~this Act~~ apply to vehicles assigned to the use of Secretary of State police officers.

(Source: P.A. 89-445, eff. 2-7-96.)

(30 ILCS 610/4.5 new)

Sec. 4.5. Decals.

(a) In order that vehicles are identifiable as State property, each vehicle owned by the State shall bear on its driver's door and the lid of its trunk decals with a small State seal and the name of the State agency using the vehicle.

(b) A State agency may request from the Joint Committee on Administrative Rules, and the Joint Committee may approve, exemptions to the requirement of subsection (a) for reasonable security purposes. The Joint Committee on Administrative Rules shall maintain as a public record a list of exempt vehicles identified by license plate numbers.

(c) This Section does not apply to vehicles assigned to members of the General Assembly and employees of the legislative branch of State government."

Floor Amendment No. 2 remained in the Committee on Rules.

Representative Black offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 323, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The State Vehicle Identification Act is amended by changing Section 4 and by adding Section 4.5 as follows:

(30 ILCS 610/4) (from Ch. 127, par. 133e4)

Sec. 4. Sections 2 and 3 ~~This Act~~ shall not apply to vehicles used by elective State officers, by executive heads of State agencies and departments, by presidents of colleges or universities placed under control of officers of this State, or by any employee of a State agency or department in the performance of investigative services exclusively when the executive head thereof has requested an exception in writing, and such exception has been approved in writing by the Department, on the basis that the identification would hamper the individual employee in the routine performance of his investigative duties. A record, open to public inspection, shall be kept by the Department of all such exceptions approved by it.

Sections 2 and 3 ~~This Act~~ shall not apply to vehicles assigned to the use of the Department of State Police and the Division of Law Enforcement of the Department of Natural Resources, and the executive heads thereof shall have within their discretion determination of the type of markings or identification, if any, to be affixed to vehicles assigned to said Department or Division nor shall Sections 2 and 3 ~~this Act~~ apply to vehicles assigned to the use of Secretary of State police officers.

(Source: P.A. 89-445, eff. 2-7-96.)

(30 ILCS 610/4.5 new)

Sec. 4.5. Identifying markings.

(a) In order that vehicles are identifiable as State property, each vehicle owned by the State shall bear identifying markings on the front, side, or rear of the vehicle and the markings may include the use of window decals. Decals and markings shall have a small State seal and the name of the State agency using the vehicle.

(b) A State agency shall make exemptions to the requirement of subsection (a) for reasonable security purposes by adoption of rules in accordance with the Illinois Administrative Procedure Act. Agencies making exemptions shall notify the Department of Central Management Services. The Department shall maintain a list of exemptions from the requirement of subsection (a). The listing shall not be made available to the public and is exempt from the disclosure requirements of Section 7 of the Freedom of Information Act.

(c) This Section does not apply to vehicles assigned to members of the General Assembly and employees of the legislative branch of State government.

(d) This Section shall not apply to vehicles assigned to the use of the Department of State Police and the Division of Law Enforcement of the Department of Natural Resources, and the executive heads thereof have within their discretion determination of the type of markings or identification, if any, to be affixed to vehicles assigned to that Department or Division. This Section shall not apply to vehicles assigned to the use of the Secretary of State police officers."

The foregoing motion prevailed and Amendment No. 3 was adopted.

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

HOUSE BILL 2414. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Acevedo offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2414 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by adding Sections 24-1.7 and 24-1.8 as follows:
(720 ILCS 5/24-1.7 new)

Sec. 24-1.7. Manufacture, possession, and delivery of semiautomatic assault weapons, assault weapon attachments and 50 caliber rifles.

(a) Definitions. In this Section:

(1) "Semi-automatic assault weapon" means:

(A) any of the firearms or types, replicas, or duplicates in any caliber of the firearms, known as:

(i) Norinco, Mitchell, and Poly Technologies Avtomat Kalashnikovs (all models);

(ii) Action Arms Israeli Military Industries UZI and Galil;

(iii) Beretta AR-70 (SC-70);

(iv) Colt AR-15;

(v) Fabrique Nationale FN/FAL, FN/LAR, and FNC;

(vi) SWD M-10, M-11, M-11/9, and M-12;

(vii) Steyr AUG;

(viii) INTRATEC TEC-9, TEC-DC9 and TEC-22; and

(ix) any shotgun which contains its ammunition in a revolving cylinder, such as (but not limited to) the Street Sweeper and Striker 12;

(B) a semiautomatic rifle that has an ability to accept a detachable magazine and has any of the following:

(i) a folding or telescoping stock;

(ii) a pistol grip that protrudes conspicuously beneath the action of the weapon; or

(iii) a flash suppressor or barrel having a threaded muzzle;

(C) a semi-automatic pistol that has an ability to accept a detachable magazine and has any of the following:

(i) an ammunition magazine that attaches to the pistol outside of the pistol grip;

(ii) a barrel having a threaded muzzle;

(iii) a shroud that is attached to, or partially or completely encircles the barrel, and that permits the shooter to hold the firearm with the non-trigger hand without being burned;

(iv) a manufactured weight of 50 ounces or more when the pistol is unloaded; or

(v) a semiautomatic version of an automatic firearm;

(D) a semiautomatic shotgun that has any of the following:

(i) a folding or telescoping stock;

(ii) a pistol grip that protrudes conspicuously beneath the action of the weapon;

(iii) a fixed magazine capacity in excess of 5 rounds; or

(iv) an ability to accept a detachable magazine.

"Semiautomatic assault weapon" does not include:

(A) any firearm that:

(i) is manually operated by bolt, pump, lever or slide action;

(ii) is an "unserviceable firearm" or has been made permanently inoperable; or

(iii) is an antique firearm:

(B) any semiautomatic rifle that cannot accept a detachable magazine that holds more than 5 rounds of ammunition; or

(C) any semiautomatic shotgun that cannot hold more than 5 rounds of ammunition in a fixed or detachable magazine.

(2) "Assault weapon attachment" means any device capable of being attached to a firearm that is specifically designed for making or converting a firearm into any of the firearms listed in paragraph (1) of subsection (b) of this Section.

(3) "Antique firearm" has the meaning ascribed to it in 18 U.S.C. Section 921(a)(16).

(4) "50 caliber rifle" means a centerfire rifle capable of firing a 50 caliber cartridge. The term does not include any antique firearm, as defined in 18 U.S.C. Section 921(a)(16).

(5) "50 caliber cartridge" means a cartridge in 50 caliber, either by designation or actual measurement, including but not limited to a .50 BMG cartridge, that is capable of being fired from a centerfire rifle. The term "50 caliber cartridge" does not include any memorabilia or display item that is filled with a permanent inert substance or that is otherwise permanently altered in a manner that prevents ready modification for use as live ammunition.

(b) Except as provided in subsection (d), 90 days after the effective date of this amendatory Act of the 94th General Assembly, it is unlawful for any person within this State, to knowingly manufacture, deliver, sell, purchase, or possess or cause to be manufactured, delivered, sold, purchased, or possessed, a semiautomatic assault weapon, an assault weapon attachment, or any 50 caliber rifle.

(c) Any person who knowingly possesses a semiautomatic assault weapon, assault weapon attachment, or any 50 caliber rifle must, within 90 days after the effective date of this amendatory Act of the 94th General Assembly, destroy the weapon or attachment, render it permanently inoperable, relinquish it to a law enforcement agency, or remove it from this State.

(d) This Section does not apply to or affect any of the following:

(1) Peace officers while in performance of their official duties.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duties.

(4) Manufacture, transportation, or sale of weapons, attachments, or cartridges to persons authorized under subdivisions (1) through (3) of this subsection to possess those items, if the items are broken down in a non-functioning state or are not immediately accessible.

(e) Sentence.

(1) A person who manufactures, possesses, or delivers a semiautomatic assault weapon in violation of this Section commits a Class 3 felony for a first violation and a Class 2 felony for a second or subsequent violation or for the possession or delivery of 2 or more of these weapons at the same time.

(2) A person who possesses or delivers in violation of this Section an assault weapon attachment commits a Class 4 felony for a first violation and a Class 3 felony for a second or subsequent violation.

(3) A person who manufactures, possesses, or delivers in violation of this Section a 50 caliber rifle commits a Class 4 felony.

(720 ILCS 5/24-1.8 new)

Sec. 24-1.8. Manufacture, possession, and delivery of large capacity ammunition feeding devices.

(a) As used in this Section:

"Large capacity ammunition feeding device" means:

(1) a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition; or

(2) any combination of parts from which a device described in paragraph (1) can be assembled.

"Large capacity ammunition feeding device" does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition or any device that has been made permanently inoperable.

(b) Except as provided in subsection (d), it is unlawful for any person within this State, beginning 90 days after the effective date of this amendatory Act of the 94th General Assembly, to knowingly manufacture, deliver, sell, purchase, or possess or cause to be manufactured, delivered, sold, purchased, or possessed, a large capacity ammunition feeding device.

(c) Any person who knowingly possesses a large capacity ammunition feeding device on the effective date of this amendatory Act of the 94th General Assembly must, within 90 days after the effective date of

this amendatory Act of the 94th General Assembly, destroy the device, render it permanently inoperable, relinquish it to a law enforcement agency, or remove it from this State.

(d) This Section does not apply to or affect any of the following:

(1) Peace officers while in performance of their official duties.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duties.

(4) Manufacture, transportation, or sale of large capacity ammunition feeding devices to persons authorized under subdivisions (1) through (3) of this subsection to possess those devices, if the devices are broken down in a non-functioning state or are not immediately accessible.

(e) Sentence. A person who possesses or delivers in violation of this Section a large capacity ammunition feeding device capable of holding more than 17 rounds of ammunition commits a Class 3 felony for a first violation and a Class 2 felony for a second or subsequent violation or for possession or delivery of 2 or more of these devices at the same time. A person who possesses or delivers in violation of this Section a large capacity ammunition feeding device capable of holding more than 10 rounds but not more than 17 rounds of ammunition commits a Class 4 felony for a first violation and a Class 3 felony for a second or subsequent violation or for possession or delivery of more than one of these devices at the same time."

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Bailey, HOUSE BILL 1289 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

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

(ROLL CALL 2)

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

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

On motion of Representative Brauer, HOUSE BILL 2355 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

108, Yeas; 3, Nays; 0, Answering Present.

(ROLL CALL 3)

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

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

On motion of Representative Boland, HOUSE BILL 2460 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

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

(ROLL CALL 4)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 3472. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL 480. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendments were offered in the Committee on Human Services, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 480 by replacing the title with the following:

"AN ACT concerning public health, which may be referred to as Adamin and Ryan's Law."; and by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Newborn Eye Pathology Screening Act.

Section 5. Policy and legislative findings.

(a) It is the policy of the State of Illinois to make every effort to detect pediatric congenital ocular abnormalities that lead to premature death, blindness, or vision impairment unless treated soon after birth.

(b) The General Assembly finds and declares the following:

(1) Treatable congenital ocular diseases occur frequently and require increased early detection efforts.

(2) Early detection significantly enhances the ability to prevent serious damage from congenital abnormalities of the eye which, left undetected and untreated, may result in blinding or life-threatening diseases, or both. Examples of such disorders include retinoblastoma, congenital cataracts, and persistent hyperplastic primary vitreous. Other congenital anomalies, including colobomas, vascular retinal anomalies, and congenital retinal folds, can be treated by patching the good eye to prevent dense amblyopia if detected early.

(3) Retinoblastoma is a childhood cancer arising in immature retinal cells inside the eye and accounts for approximately 13% of all cancers in infants. Most children are diagnosed before 2 1/2 years of age. When retinoblastoma affects both eyes, the average age of diagnosis is 12 months.

(4) Increased emphasis on optimal examination methods, such as dilation of the eye with eye drops, may facilitate detection of the abnormal disease process inside the eye of the newborn. An abnormal screen will facilitate timely referral to an appropriately licensed health care provider acting within his or her scope of practice for diagnosis and to an ophthalmologist for treatment.

(5) Early detection and referral of an abnormal red reflex pupillary screen would allow early diagnosis of congenital cataract or retinoblastoma which, if recognized and treated as soon as possible after birth, could cause little long-term disability.

(6) Early diagnosis and intervention can reduce the number of visually impaired citizens and reduce the amount of public expenditures for health care, special education, and related services.

Section 10. Newborn Eye Pathology Screening Advisory Committee.

(a) By January 1, 2006, the Department of Human Services shall organize a Newborn Eye Pathology Screening Advisory Committee and appoint members of the Advisory Committee, including, but not limited to, the following:

(1) Two ophthalmologists with backgrounds in or knowledge of providing services to infants with retinoblastoma, one from the Chicago metropolitan area and one from the southern counties of Illinois.

(2) A pediatric ophthalmologist who sees general pediatric patients and is a designee of the American Association for Pediatric Ophthalmology and Strabismus.

(3) An academic pediatrician with a background in or knowledge of infant eye pathology screening.

(4) Two parents representing families with child blindness or other ocular abnormalities affecting vision, one from the Chicago metropolitan area and one from the southern counties of Illinois.

(5) A community pediatrician with a background in or experience with the routine instillation of dilating eye drops as part of the red reflex screening.

(6) A nurse with a background in or knowledge of the current Department's program for instillation of eye drops to prevent conjunctivitis.

- (7) A retinal specialist with research experience in detecting the signs of treatable congenital eye disease.
- (8) An optometrist with a background in or experience with pupil dilation in infants and red reflex screening for intraocular pathology.
- (b) The Advisory Committee members shall serve without compensation, but shall be reimbursed for necessary travel expenses incurred in the performance of their duties.
- (c) The duties of the Advisory Committee shall be to do all of the following:
 - (1) Develop and conduct training for hospitals implementing newborn hearing screening.
 - (2) Develop a referral system for early intervention services for those infants diagnosed with a congenital abnormality of the eye.
 - (3) Develop educational and informational materials for hospital personnel, health care professionals, and parents on appropriate follow-up procedures for infants diagnosed with a congenital abnormality of the eye.
 - (4) Monitor any reports made available to the State with respect to the eye pathology screening status of all newborns.
 - (5) Review administrative rules and make recommendations to the Department regarding the rules.

Section 20. Protocol; required screening.

- (a) By January 1, 2006, the Department shall adopt the protocol developed by the American Academy of Pediatrics to optimally detect the presence of treatable causes of blindness in infants by 2 months of age.
- (b) After January 1, 2006, all hospitals shall conduct eye screenings of all newborns prior to discharge.
- (c) Any screening examination recommended pursuant to subsection (a) of this Section or required pursuant to subsection (b) of this Section shall not be conducted on a newborn if a parent or guardian of the newborn objects to the examination on the grounds that the examination conflicts with the religious beliefs or practices of the parent or guardian. A written statement of the objection shall be presented to the physician or other person whose duty it is to administer and report the screening under the provisions of this Act.
- (d) Nothing in this Section shall be construed to supersede the clinical judgment of the licensed health care provider.

Section 25. Department of Public Health.

- (a) Hospitals shall report information about each child with a positive eye screening result to the Illinois Department of Public Health.
- (b) The Illinois Department of Public Health shall maintain a registry of cases of positive eye screening results, including information needed for the purpose of follow-up service.

Section 30. Rules. The Department of Human Services shall adopt rules necessary to implement this Act.

Section 99. Effective date. This Act takes effect July 1, 2005."

AMENDMENT NO. 2. Amend House Bill 480, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 3, line 30, by changing "hearing" to "eye pathology".

Floor Amendment No. 3 remained in the Committee on Rules.

Representative Osterman offered the following amendment and moved its adoption:

AMENDMENT NO. 4. Amend House Bill 480, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Newborn Eye Pathology Act.

Section 5. Policy. It is the policy of the State of Illinois to make efforts to detect pediatric congenital ocular abnormalities that lead to premature death, blindness, or vision impairment unless treated soon after birth.

Section 10. Newborn Eye Pathology Advisory Committee.

(a) By January 1, 2006, the Department of Public Health shall organize a Newborn Eye Pathology Advisory Committee and appoint members of the Advisory Committee, including, but not limited to, the following:

- (1) Three ophthalmologists with backgrounds in or knowledge of providing services to infants with retinoblastoma, one from the Chicago metropolitan area, one representing DuPage, Kane,

Lake, McHenry, and Will counties, and one from the southern counties of Illinois.

(2) A pediatric ophthalmologist who sees general pediatric patients and is a designee of the American Association for Pediatric Ophthalmology and Strabismus.

(3) An academic pediatrician with a background in or knowledge of infant eye pathology.

(4) Three parents representing families with child blindness or other ocular abnormalities affecting vision, one from the Chicago metropolitan area, one representing DuPage, Kane, Lake, McHenry, and Will counties, and one from the southern counties of Illinois.

(5) A community pediatrician.

(6) A nurse with a background in or knowledge of the current Department's program for instillation of eye drops to prevent conjunctivitis.

(7) A retinal specialist with research experience in detecting the signs of treatable congenital eye disease.

(b) The Advisory Committee members shall serve without compensation, but shall be reimbursed for necessary travel expenses incurred in the performance of their duties.

(c) The duties of the Advisory Committee shall be to do all of the following:

(1) Develop and conduct training for hospitals implementing newborn eye pathology.

(2) Develop a referral system for early intervention services for those infants diagnosed with a congenital abnormality of the eye.

(3) Develop educational and informational materials for hospital personnel, health care professionals, and parents on appropriate follow-up procedures for infants diagnosed with a congenital abnormality of the eye.

(4) Monitor any reports made available to the State with respect to the eye pathology status of all newborns.

Section 15. Department of Public Health.

(a) All hospitals shall report information on all congenital abnormalities or diseases of the eye detected in newborns prior to discharge from the hospital to the Department of Public Health.

(b) The Department of Public Health shall maintain a registry of cases of reported congenital abnormalities or diseases of the eye in newborns, including information needed for the purpose of follow-up service. This information shall be treated in the same manner as information under the Communicable Disease Report Act.

(c) Any person or hospital making a report under this Act shall have immunity from any liability, civil or criminal, that may result by reason of making the report, except for willful or wanton misconduct.

Section 20. Rules. The Department of Public Health shall adopt rules necessary to implement this Act.

Section 99. Effective date. This Act takes effect July 1, 2005."

The foregoing motion prevailed and Amendment No. 4 was adopted.

There being no further amendments, the foregoing Amendments numbered 1, 2 and 4 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Brosnahan, HOUSE BILL 1039 was taken up and read by title a third time.

The Chair placed this bill on standard debate.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 110, Yeas; 0, Nays; 1, Answering Present.

(ROLL CALL 5)

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

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

HOUSE BILL ON SECOND READING

HOUSE BILL 1285. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Burke, HOUSE BILL 1285 was taken up and read by title a third time.

And the question being, "Shall this bill pass?"

Pending the vote on said bill, on motion of Representative Burke, further consideration of HOUSE BILL 1285 was postponed.

HOUSE BILLS ON SECOND READING

HOUSE BILL 3624. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Black offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3624 on page 2, lines 31 and 32, by replacing "~~for a period of at least 5 years~~" with "for a period of at least 5 years".

The foregoing motion prevailed and Amendment No. 1 was adopted.

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 911. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Churchill offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 911 by replacing everything after the enacting clause with the following:

"Section 5. The Intergovernmental Cooperation Act is amended by changing Section 6 as follows:

(5 ILCS 220/6) (from Ch. 127, par. 746)

Sec. 6. Joint self-insurance. An intergovernmental contract may, among other undertakings, authorize public agencies to jointly self-insure and authorize each public agency member of the contract to utilize its funds to pay to a joint insurance pool its costs and reserves to protect, wholly or partially, itself or any public agency member of the contract against liability or loss in the designated insurable area. A joint insurance pool shall have an annual audit performed by an independent certified public accountant and shall file an annual audited financial report with the Director of Insurance no later than 150 days after the end of the pool's immediately preceding fiscal year. The Director of Insurance shall issue rules necessary to implement this audit and report requirement. The rule shall establish the due date for filing the initial annual audited financial report. Within 30 days after January 1, 1991, and within 30 days after each January 1 thereafter, public agencies that are jointly self-insured to protect against liability under the Workers' Compensation Act and the Workers' Occupational Diseases Act shall file with the Illinois Workers' Compensation Commission a report indicating an election to self-insure.

For purposes of this Section, "public agency member" means any public agency defined or created under this Act, any local public entity as defined in Section 1-206 of the Local Governmental and Governmental

Employees Tort Immunity Act, and any public agency, authority, instrumentality, council, board, service region, district, unit, bureau, or, commission, or any municipal corporation, college, or university, whether corporate or otherwise, and any other local governmental body or similar entity that is presently existing or created after the effective date of this amendatory Act of the 92nd General Assembly, whether or not specified in this Section. Only public agency members with tax receipts, tax revenues, taxing authority, or other resources sufficient to pay costs and to service debt related to intergovernmental activities described in this Section, or public agency members created by or as part of a public agency with these powers, may enter into contracts or otherwise associate among themselves as permitted in this Section.

No joint insurance pool or other intergovernmental cooperative offering health insurance shall interfere with the statutory obligation of any public agency member to bargain over or to reach agreement with a labor organization over a mandatory subject of collective bargaining as those terms are used in the Illinois Public Labor Relations Act. No intergovernmental contract of insurance offering health insurance shall limit the rights or obligations of public agency members to engage in collective bargaining, and it shall be unlawful for a joint insurance pool or other intergovernmental cooperative offering health insurance to discriminate against public agency members or otherwise retaliate against such members for limiting their participation in a joint insurance pool as a result of a collective bargaining agreement.

It shall not be considered a violation of this Section for an intergovernmental contract of insurance relating to health insurance coverage, life insurance coverage, or both to permit the pool or cooperative, if a member withdraws employees or officers into a union-sponsored program, to re-price the costs of benefits provided to the continuing employees or officers based upon the same underwriting criteria used by that pool or cooperative in the normal course of its business, but no member shall be expelled from a pool or cooperative if the continuing employees or officers meet the general criteria required of other members.

(Source: P.A. 92-530, eff. 2-8-02; 93-721, eff. 1-1-05.)

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

The foregoing motion prevailed and Amendment No. 1 was adopted.

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 ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Churchill, HOUSE BILL 1451 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

110, Yeas; 1, Nay; 0, Answering Present.

(ROLL CALL 6)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 1404. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Chapa LaVia offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1404 on page 1, line 23, by replacing "teen dating and" with "teen dating".

The foregoing motion prevailed and Amendment No. 1 was adopted.

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 2241. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Beiser offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2241 by replacing everything after the enacting clause with the following:

"Section 5. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by changing Section 2605-480 as follows:

(20 ILCS 2605/2605-480)

Sec. 2605-480. Statewide kidnapping alert and prevention program; Child and Senior Safety Coordinator; reports of missing endangered seniors.

(a) The Department of State Police shall develop a coordinated program for a statewide emergency alert system when a child is missing or kidnapped or a senior is missing and endangered. The system shall include, but is not limited to, the use in coordination with the Illinois Department of Transportation, of electronic message signs on roads and highways in the vicinity of a child abduction or the vicinity where a missing endangered senior was last seen to immediately provide critical information to the public.

(b) The Department of State Police shall establish an AMBER Plan Task Force to monitor and review the implementation and operation of the system developed under subsection (a), including procedures, budgetary requirements, and response protocols. The Task Force shall also develop additional network resources for use in the system.

(c) The Department of State Police, in coordination with the Illinois Emergency Management Agency, shall develop and implement a community outreach program to promote awareness among citizens of the State ~~the State's parents and children~~ of child abduction and senior endangerment prevention and response.

(d) The Department of State Police, in coordination with the State Board of Education, shall develop child abduction prevention instruction for inclusion in elementary and secondary school curricula throughout the State. The Department and State Board of Education shall encourage the inclusion of the child abduction prevention instruction in private elementary and secondary school curricula throughout the State.

(e) The Department shall appoint a Child and Senior Safety Coordinator to assist in the establishment of State standards for child and senior safety from kidnap, ~~and~~ abduction, and endangerment and to advocate for the achievement of those standards. The Child and Senior Safety Coordinator shall have the qualifications and experience that the Department shall require by rule. The Child and Senior Safety Coordinator shall receive no compensation but shall be reimbursed for his or her expenses from the Department's operations budget. No funds shall be appropriated solely for the expenses of the Child and Senior Safety Coordinator. The Department shall provide technical assistance for the Child and Senior Safety Coordinator from its existing resources.

(f) If the Department of State Police receives a notification concerning a missing endangered senior, it shall prepare a report on the missing endangered senior. The report must include all of the following:

(1) Relevant information obtained from the notification concerning the missing endangered senior, including all of the following:

(A) a physical description of the missing endangered senior;

(B) the date, time, and place that the missing endangered senior was last seen; and

(C) the missing endangered senior's address.

(2) Information gathered by a preliminary investigation, if one was made.

(3) A statement by the law enforcement officer in charge stating the officer's assessment of the case based on the evidence and information received.

The Department of State Police shall prepare the report required by this subsection (f) as soon as practicable, but not later than 5 hours after the Department receives notification of a missing endangered senior.

(g) Upon completion of the report required by subsection (f) the Department of State Police shall immediately forward the contents of the report to all of the following:

(1) all law enforcement agencies that have jurisdiction in the location where the missing endangered

senior lives and all law enforcement agencies that have jurisdiction in the location where the missing endangered senior was last seen;

(2) all law enforcement agencies to which the person who made the notification concerning the missing endangered senior requests the report be sent, if the Department determines that the request is reasonable in light of the information received;

(3) all law enforcement agencies that request a copy of the report; and

(4) the National Crime Information Center's Missing Person File, if appropriate.

(h) The Department of State Police shall begin an investigation concerning the missing endangered senior not later than 24 hours after receiving notification of a missing endangered senior.

(i) For the purposes of this Section, "missing endangered senior" means an individual 65 years of age or older who is reported missing to a law enforcement agency and is, or is believed to be:

(1) a temporary or permanent resident of Illinois;

(2) at a location that cannot be determined by an individual familiar with the missing individual; and

(3) incapable of returning to the individual's residence without assistance.

(Source: P.A. 92-259, eff. 1-1-02; 92-468, eff. 8-22-01; 93-310, eff. 7-23-03.)

Section 10. The Illinois Police Training Act is amended by changing Section 10.10 as follows:

(50 ILCS 705/10.10)

Sec. 10.10. Training in child abduction and missing endangered senior alert system. The Board shall conduct a training program for law enforcement personnel of local governmental agencies in the statewide coordinated child abduction and missing endangered senior alert system developed under Section 2605-480 of the Department of State Police Law of the Civil Administrative Code of Illinois.

(Source: P.A. 93-310, eff. 7-23-03.)

Section 99. Effective date. This Act takes effect July 1, 2006."

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL 1540. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 1540 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 27-6 and 27-7 as follows:

(105 ILCS 5/27-6) (from Ch. 122, par. 27-6)

Sec. 27-6. Courses in physical education required; special activities.

(a) Pupils enrolled in the public schools and State universities engaged in preparing teachers shall, ~~as soon as practicable~~, be required to engage daily, during the school day, in courses of physical education for such periods as are compatible with the optimum growth and developmental ~~development~~ needs of individuals at the various age levels except when appropriate excuses are submitted to the school by a pupil's parent or guardian or by a person licensed under the Medical Practice Act of 1987 and except as provided in subsection (b) of this Section.

Special activities in physical education shall be provided for pupils whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act of 1987, prevents their participation in the courses provided for normal children.

(b) A school board is authorized to excuse pupils enrolled in grades 11 and 12 from engaging in physical education courses if those pupils request to be excused for any of the following reasons: (1) for ongoing participation in an interscholastic athletic program; (2) to enroll in academic classes which are required for admission to an institution of higher learning, provided that failure to take such classes will result in the pupil being denied admission to the institution of his or her choice; or (3) to enroll in academic classes which are required for graduation from high school, provided that failure to take such classes will result in the pupil being unable to graduate. A school board may also excuse pupils in grades 9 through 12 enrolled in a marching band program for credit from engaging in physical education courses if those pupils request

to be excused for ongoing participation in such marching band program. In addition, a school board may excuse pupils in grades 9 through 12 if those pupils must utilize the time set aside for physical education to receive special education support and services. A school board may also excuse pupils in grades 9 through 12 enrolled in a Reserve Officer's Training Corps (ROTC) program sponsored by the school district from engaging in physical education courses. School boards which choose to exercise this authority shall establish a policy to excuse pupils on an individual basis.

(c) The provisions of this Section are subject to the provisions of Section 27-22.05.
(Source: P.A. 88-269; 89-155, eff. 7-19-95; 89-175, eff. 7-19-95; 89-626, eff. 8-9-96.)

(105 ILCS 5/27-7) (from Ch. 122, par. 27-7)

~~Sec. 27-7. Physical education course of study. Purposes of courses in physical education and training—
Courses of instruction. A physical education course of study shall include a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. A physical education course of study shall provide students with an opportunity for an appropriate amount of daily physical activity. A physical education course of study must be part of the regular school curriculum and not extra-curricular in nature or organization. Courses in physical education and training shall be for the following purposes:~~

- ~~1. to develop organic vigor;~~
- ~~2. to provide bodily and emotional poise;~~
- ~~3. to provide neuro-muscular training;~~
- ~~4. to prevent or correct certain postural defects;~~
- ~~5. to develop strength and endurance;~~
- ~~6. to develop desirable moral and social qualities;~~
- ~~7. to promote hygienic school and home life; and~~
- ~~8. to secure scientific supervision of the sanitation and safety of school buildings, playgrounds, athletic fields and equipment thereof.~~

The State Board of Education shall prepare and make available guidelines for the various grades and types of schools in order to make effective the purposes set forth in this section and the requirements provided in Section 27-6, and shall see that the general provisions and intent of Sections 27-5 to 27-9, inclusive, are enforced.

(Source: P.A. 90-372, eff. 7-1-98.)

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

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

HOUSE BILL 2521. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 1 remained in the Committee on Rules.

Representative Cultra offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 2521 by replacing everything after the enacting clause with the following:

"Section 5. The Wildlife Code is amended by changing Section 2.26 as follows:

(520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

Sec. 2.26. Deer hunting permits. In this Section, "bona fide equity shareholder" means an individual who (1) purchased, for market price, publicly sold stock shares in a corporation, purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation, or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership and (2) intends to retain the ownership of the shares of stock for at least 5 years.

In this Section, "bona fide equity member" means an individual who (1) (i) became a member upon the formation of the limited liability company or (ii) has purchased a distributional interest in a limited liability

company for a value equal to the percentage of the appraised value of the LLC assets represented by the distributional interest in the LLC and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act and who (2) intends to retain the membership for at least 5 years.

In this Section, "bona fide equity partner" means an individual who (1) (i) became a partner, either general or limited, upon the formation of a partnership or limited partnership, or (ii) has purchased, acquired, or been gifted a partnership interest accurately representing his or her percentage distributional interest in the profits, losses, and assets of a partnership or limited partnership, (2) intends to retain ownership of the partnership interest for at least 5 years, and (3) is a resident of Illinois.

Any person attempting to take deer shall first obtain a "Deer Hunting Permit" in accordance with prescribed regulations set forth in an Administrative Rule. Deer Hunting Permits shall be issued by the Department. The fee for a Deer Hunting Permit to take deer with either bow and arrow or gun shall not exceed \$15.00 for residents of the State. The Department may by administrative rule provide for non-resident deer hunting permits for which the fee will not exceed \$200 except as provided below for non-resident landowners and non-resident archery hunters. The Department may by administrative rule provide for a non-resident archery deer permit consisting of not more than 2 harvest tags at a total cost not to exceed \$225. Permits shall be issued without charge to:

(a) Illinois landowners residing in Illinois who own at least 40 acres of Illinois land and wish to hunt their land only,

(b) resident tenants of at least 40 acres of commercial agricultural land where they will hunt, and

(c) Bona fide equity shareholders of a corporation, bona fide equity members of a limited liability company, or bona fide equity partners of a general or limited partnership which owns at least 40 acres of land in a county in Illinois who wish to hunt on the corporation's, company's, or partnership's land only. One permit shall be issued without charge to one bona fide equity shareholder, one bona fide equity member, or one bona fide equity partner for each 40 acres of land owned by the corporation, company, or partnership in a county; however, the number of permits issued without charge to bona fide equity shareholders of any corporation or bona fide equity members of a limited liability company in any county shall not exceed 15, and shall not exceed 3 in the case of bona fide equity partners of a partnership.

Bona fide landowners or tenants who do not wish to hunt only on the land they own, rent, or lease or bona fide equity shareholders, bona fide equity members, or bona fide equity partners who do not wish to hunt only on the land owned by the corporation, limited liability company, or partnership shall be charged the same fee as the applicant who is not a landowner, tenant, bona fide equity shareholder, bona fide equity member, or bona fide equity partner. Nonresidents of Illinois who own at least 40 acres of land and wish to hunt on their land only shall be charged a fee set by administrative rule. The method for obtaining these permits shall be prescribed by administrative rule.

The deer hunting permit issued without fee shall be valid on all farm lands which the person to whom it is issued owns, leases or rents, except that in the case of a permit issued to a bona fide equity shareholder, bona fide equity member, or bona fide equity partner, the permit shall be valid on all lands owned by the corporation, limited liability company, or partnership in the county.

The Department of Natural Resources shall conduct a one-year pilot program with respect to the 2006 deer hunting season under which a landowner described in paragraph (a) may purchase up to 4 additional deer hunting permits at the appropriate resident or non-resident permit rate for hunting by his or her lineal descendants who do not reside with the landowner. At the time of purchase, the landowner must provide a notarized affidavit signed by the landowner stating that the persons for whom the landowner is purchasing the permits are his or her lineal descendants. A landowner who obtains or attempts to obtain one or more additional permits under the program for persons who are not his or her lineal descendants shall lose deer hunting permit privileges for 3 years from discovery by the Department of the false claim of lineal descent. Permits issued under the program are in addition to any limit on deer hunting permits for the relevant county or counties.

The standards and specifications for use of guns and bow and arrow for deer hunting shall be established by administrative rule.

No person may have in his possession any firearm not authorized by administrative rule for a specific hunting season when taking deer.

Persons having a firearm deer hunting permit shall be permitted to take deer only during the period from 1/2 hour before sunrise to sunset, and only during those days for which an open season is established for the taking of deer by use of shotgun, handgun, or muzzle loading rifle.

Persons having an archery deer hunting permit shall be permitted to take deer only during the period from 1/2 hour before sunrise to 1/2 hour after sunset, and only during those days for which an open season is established for the taking of deer by use of bow and arrow.

It shall be unlawful for any person to take deer by use of dogs, horses, automobiles, aircraft or other vehicles, or by the use of salt or bait of any kind. An area is considered as baited during the presence of and for 10 consecutive days following the removal of bait. Nothing in this Section shall prohibit the use of a dog to track wounded deer. Any person using a dog for tracking wounded deer must maintain physical control of the dog at all times by means of a maximum 50 foot lead attached to the dog's collar or harness. Tracking wounded deer is permissible at night, but at no time outside of legal deer hunting hours or seasons shall any person handling or accompanying a dog being used for tracking wounded deer be in possession of any firearm or archery device. Persons tracking wounded deer with a dog during the firearm deer seasons shall wear blaze orange as required. Dog handlers tracking wounded deer with a dog are exempt from hunting license and deer permit requirements so long as they are accompanied by the licensed deer hunter who wounded the deer.

It shall be unlawful to possess or transport any wild deer which has been injured or killed in any manner upon a public highway or public right-of-way of this State unless exempted by administrative rule.

Persons hunting deer must have gun unloaded and no bow and arrow device shall be carried with the arrow in the nocked position during hours when deer hunting is unlawful.

It shall be unlawful for any person, having taken the legal limit of deer by gun, to further participate with gun in any deer hunting party.

It shall be unlawful for any person, having taken the legal limit of deer by bow and arrow, to further participate with bow and arrow in any deer hunting party.

The Department may prohibit upland game hunting during the gun deer season by administrative rule.

It shall be legal for handicapped persons, as defined in Section 2.33, to utilize a crossbow device, as defined in Department rules, to take deer.

Any person who violates any of the provisions of this Section, including administrative rules, shall be guilty of a Class B misdemeanor.

(Source: P.A. 92-177, eff. 7-27-01; 92-261, eff. 8-7-01; 92-651, eff. 7-11-02; 93-554, eff. 8-20-03; 93-807, eff. 7-24-04; 93-823, eff. 1-1-05; revised 10-14-04.)"

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 4051. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Executive, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 4051 on page 19, line 27 by changing "180" to "365"; and on page 20, line 16 by inserting after "damages" the following: "(except no punitive damages may be awarded against the State)".

Representative Currie offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 4051 on page 19, line 27 by changing "180" to "365"; and on page 20, line 16 by inserting after "damages" the following: "(in a civil action arising under Article 3) or actual damages (in a civil action arising under Article 2 or 6)".

The foregoing motion prevailed and Amendment No. 2 was adopted..

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

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Daniels, HOUSE BILL 1447 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 111, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 7)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 2594. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Delgado offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2594, on page 2, line 11, after "rejected", by inserting "A person engaged in the business of home repair and remodeling shall have the right to reject the proposed contract or agreement.".

The foregoing motion prevailed and Amendment No. 1 was adopted.

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 3415. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Eddy offered and withdrew Amendment No. 1.

Representative Eddy offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 3415, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Probate Act of 1975 is amended by changing Sections 11-3 and 11a-5 as follows:

(755 ILCS 5/11-3) (from Ch. 110 1/2, par. 11-3)

Sec. 11-3. Who may act as guardian.

(a) ~~A person who has attained the age of 18 years, is a resident of the United States, is not of unsound mind, is not an adjudged disabled person as defined in this Act, has not been convicted of a felony, and who the court finds is capable of providing an active and suitable program of guardianship for the minor~~ is qualified to act as guardian of the person and as guardian of the estate if the court finds that the proposed guardian is capable of providing an active and suitable program of guardianship for the minor and that the proposed guardian:

(1) has attained the age of 18 years;

(2) is a resident of the United States;

(3) is not of unsound mind;

(4) is not an adjudged disabled person as defined in this Act; and

(5) has not been convicted of a felony, unless the court finds appointment of the person convicted of a felony to be in the minor's best interests, and as part of the best interest determination, the court has considered the nature of the offense, the date of offense, and the evidence of the proposed guardian's

rehabilitation. No person shall be appointed who has been convicted of a felony involving harm or threat to a child, including a felony sexual offense.

One person may be appointed guardian of the person and another person appointed guardian of the estate.

(b) The Department of Human Services or the Department of Children and Family Services may with the approval of the court designate one of its employees to serve without fees as guardian of the estate of a minor patient in a State mental hospital or a resident in a State institution when the value of the personal estate does not exceed \$1,000.

(Source: P.A. 89-507, eff. 7-1-97; 90-430, eff. 8-16-97; 90-472, eff. 8-17-97.)

(755 ILCS 5/11a-5) (from Ch. 110 1/2, par. 11a-5)

Sec. 11a-5. Who may act as guardian.

(a) ~~A person who has attained the age of 18 years, is a resident of the United States, is not of unsound mind, is not an adjudged disabled person as defined in this Act, has not been convicted of a felony, and who the court finds is capable of providing an active and suitable program of guardianship for the disabled person~~ is qualified to act as guardian of the person and as guardian of the estate of a disabled person if the court finds that the proposed guardian is capable of providing an active and suitable program of guardianship for the disabled person and that the proposed guardian:

(1) has attained the age of 18 years;

(2) is a resident of the United States;

(3) is not of unsound mind;

(4) is not an adjudged disabled person as defined in this Act; and

(5) has not been convicted of a felony, unless the court finds appointment of the person convicted of a felony to be in the disabled person's best interests, and as part of the best interest determination, the court has considered the nature of the offense, the date of offense, and the evidence of the proposed guardian's rehabilitation. No person shall be appointed who has been convicted of a felony involving harm or threat to an elderly or disabled person, including a felony sexual offense.

(b) Any public agency, or not-for-profit corporation found capable by the court of providing an active and suitable program of guardianship for the disabled person, taking into consideration the nature of such person's disability and the nature of such organization's services, may be appointed guardian of the person or of the estate, or both, of the disabled person. The court shall not appoint as guardian an agency which is directly providing residential services to the ward. One person or agency may be appointed guardian of the person and another person or agency appointed guardian of the estate.

(c) Any corporation qualified to accept and execute trusts in this State may be appointed guardian of the estate of a disabled person.

(Source: P.A. 90-430, eff. 8-16-97; 90-472, eff. 8-17-97.)

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Eddy, HOUSE BILL 473 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

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

(ROLL CALL 8)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 230. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL 2240. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Graham offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2240 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Emergency Shelter Workers Criminal Background Check Act.

Section 5. Definitions. In this Act:

"Department" means the Department of State Police.

"Homeless person" means any person who has a nontraditional residence, including but not limited to, a shelter, day shelter, park bench, street corner, or space under a bridge.

"Overnight emergency shelter" means a facility that provides emergency sleeping accommodations for 12 or fewer hours, at least one meal, and supportive services to homeless persons.

"Transitional shelter" means a facility that provides shelter, food, and supportive services for up to 24 months to homeless persons.

"Youth emergency shelter" has the meaning ascribed to it in Section 2.21 of the Child Care Act of 1969.

Section 10. Emergency shelter worker criminal background check. After the effective date of this Act, an overnight emergency shelter or transitional shelter shall require an employee, volunteer, prospective employee, or prospective volunteer of the overnight emergency shelter or transitional shelter and a youth emergency shelter shall require a volunteer or prospective volunteer of the youth emergency shelter to submit to a criminal background check conducted by the Department of State Police and the Federal Bureau of Investigation as part of the requirements for employment or volunteer work at the shelter. If the employee, volunteer, prospective employee, or prospective volunteer's criminal background check indicates criminal conviction, the employee, volunteer, prospective employee, or prospective volunteer must further submit to a fingerprint-based criminal background check. The employee's, volunteer's, prospective employee's, or prospective volunteer's name, sex, race, date of birth, and social security number shall be forwarded to the Department of State Police to be searched against the Illinois criminal history records database in the form and manner prescribed by the Department of State Police. The Department of State Police shall charge a fee for conducting the search, which shall be deposited in the State Police Services Fund and shall not exceed the cost of the inquiry. Each employee, volunteer, prospective employee, or prospective volunteer requiring a fingerprint based search shall submit his or her fingerprints to the Department of State Police in the form and manner prescribed by the Department. These fingerprints shall be checked against the fingerprint records now and hereafter filed with the Department of State Police and Federal Bureau of Investigation criminal history records databases. The Department of State Police shall charge a fee to the owner of the shelter for conducting the criminal history records check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the records check. The Department shall adopt rules to implement this Section.

Section 15. Penalty. A person, group of persons, association, or corporation that violates this Act is guilty of a Class A misdemeanor."

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL 1351. Having been recalled on March 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Graham offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1351, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 1, line 4, by replacing "5" with "12".

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 3183. Having been read by title a second time on April 6, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Hassert offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3183 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 5-12001.1 as follows:

(55 ILCS 5/5-12001.1)

Sec. 5-12001.1. Authority to regulate certain specified facilities of a telecommunications carrier and to regulate, pursuant to subsections (a) through (g), AM broadcast towers and facilities.

(a) Notwithstanding any other Section in this Division, the county board or board of county commissioners of any county shall have the power to regulate the location of the facilities, as defined in subsection (c), of a telecommunications carrier or AM broadcast station established outside the corporate limits of cities, villages, and incorporated towns that have municipal zoning ordinances in effect. The power shall only be exercised to the extent and in the manner set forth in this Section.

(b) The provisions of this Section shall not abridge any rights created by or authority confirmed in the federal Telecommunications Act of 1996, P.L. 104-104.

(c) As used in this Section, unless the context otherwise requires:

(1) "county jurisdiction area" means those portions of a county that lie outside the corporate limits of cities, villages, and incorporated towns that have municipal zoning ordinances in effect;

(2) "county board" means the county board or board of county commissioners of any county;

(3) "residential zoning district" means a zoning district that is designated under a county zoning ordinance and is zoned predominantly for residential uses;

(4) "non-residential zoning district" means the county jurisdiction area of a county, except for those portions within a residential zoning district;

(5) "residentially zoned lot" means a zoning lot in a residential zoning district;

(6) "non-residentially zoned lot" means a zoning lot in a non-residential zoning district;

(7) "telecommunications carrier" means a telecommunications carrier as defined in the Public Utilities Act as of January 1, 1997;

(8) "facility" means that part of the signal distribution system used or operated by a telecommunications carrier or AM broadcast station under a license from the FCC consisting of a combination of improvements and equipment including (i) one or more antennas, (ii) a supporting structure and the hardware by which antennas are attached; (iii) equipment housing; and (iv) ancillary equipment such as signal transmission cables and miscellaneous hardware;

(9) "FAA" means the Federal Aviation Administration of the United States Department of Transportation;

(10) "FCC" means the Federal Communications Commission;

(11) "antenna" means an antenna device by which radio signals are transmitted, received, or both;

(12) "supporting structure" means a structure, whether an antenna tower or another type of structure, that supports one or more antennas as part of a facility;

(13) "qualifying structure" means a supporting structure that is (i) an existing structure, if the height of the facility, including the structure, is not more than 15 feet higher than the structure just before the facility is installed, or (ii) a substantially similar, substantially same-location

replacement of an existing structure, if the height of the facility, including the replacement structure, is not more than 15 feet higher than the height of the existing structure just before the facility is installed;

(14) "equipment housing" means a combination of one or more equipment buildings or enclosures housing equipment that operates in conjunction with the antennas of a facility, and the equipment itself;

(15) "height" of a facility means the total height of the facility's supporting structure and any antennas that will extend above the top of the supporting structure; however, if the supporting structure's foundation extends more than 3 feet above the uppermost ground level along the perimeter of the foundation, then each full foot in excess of 3 feet shall be counted as an additional foot of facility height. The height of a facility's supporting structure is to be measured from the highest point of the supporting structure's foundation;

(16) "facility lot" means the zoning lot on which a facility is or will be located;

(17) "principal residential building" has its common meaning but shall not include any building under the same ownership as the land of the facility lot. "Principal residential building" shall not include any structure that is not designed for human habitation;

(18) "horizontal separation distance" means the distance measured from the center of the base of the facility's supporting structure to the point where the ground meets a vertical wall of a principal residential building; ~~and~~

(19) "lot line set back distance" means the distance measured from the center of the base of the facility's supporting structure to the nearest point on the common lot line between the facility lot and the nearest residentially zoned lot. If there is no common lot line, the measurement shall be made to the nearest point on the lot line of the nearest residentially zoned lot without deducting the width of any intervening right of way; ~~and~~ -

(20) "AM broadcast station" means a facility and one or more towers for the purpose of transmitting communication in the 540 kHz to 1700 kHz band for public reception authorized by the FCC.

(d) In choosing a location for a facility, a telecommunications carrier or AM broadcast station shall consider the following:

- (1) A non-residentially zoned lot is the most desirable location.
- (2) A residentially zoned lot that is not used for residential purposes is the second most desirable location.
- (3) A residentially zoned lot that is 2 acres or more in size and is used for residential purposes is the third most desirable location.
- (4) A residentially zoned lot that is less than 2 acres in size and is used for residential purposes is the least desirable location.

The size of a lot shall be the lot's gross area in square feet without deduction of any unbuildable or unusable land, any roadway, or any other easement.

(e) In designing a facility, a telecommunications carrier or AM broadcast station shall consider the following guidelines:

- (1) No building or tower that is part of a facility should encroach onto any recorded easement prohibiting the encroachment unless the grantees of the easement have given their approval.
- (2) Lighting should be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, all lighting should be shielded so that no glare extends substantially beyond the boundaries of a facility.
- (3) No facility should encroach onto an existing septic field.
- (4) Any facility located in a special flood hazard area or wetland should meet the legal requirements for those lands.
- (5) Existing trees more than 3 inches in diameter should be preserved if reasonably feasible during construction. If any tree more than 3 inches in diameter is removed during construction a tree 3 inches or more in diameter of the same or a similar species shall be planted as a replacement if reasonably feasible. Tree diameter shall be measured at a point 3 feet above ground level.
- (6) If any elevation of a facility faces an existing, adjoining residential use within a residential zoning district, low maintenance landscaping should be provided on or near the facility lot to provide at least partial screening of the facility. The quantity and type of that landscaping should be in accordance with any county landscaping regulations of general applicability, except that paragraph (5) of this subsection (e) shall control over any tree-related regulations imposing a greater burden.
- (7) Fencing should be installed around a facility. The height and materials of the fencing should be in accordance with any county fence regulations of general applicability.

(8) Any building that is part of a facility located adjacent to a residentially zoned lot should be designed with exterior materials and colors that are reasonably compatible with the residential character of the area.

(f) The following provisions shall apply to all facilities established in any county jurisdiction area (i) after the effective date of the amendatory Act of 1997 with respect to telecommunications carriers and (ii) after the effective date of this amendatory Act of the 94th General Assembly with respect to AM broadcast stations:

(1) Except as provided in this Section, no yard or set back regulations shall apply to or be required for a facility.

(2) A facility may be located on the same zoning lot as one or more other structures or uses without violating any ordinance or regulation that prohibits or limits multiple structures, buildings, or uses on a zoning lot.

(3) No minimum lot area, width, or depth shall be required for a facility, and unless the facility is to be manned on a regular, daily basis, no off-street parking spaces shall be required for a facility. If the facility is to be manned on a regular, daily basis, one off-street parking space shall be provided for each employee regularly at the facility. No loading facilities are required.

(4) No portion of a facility's supporting structure or equipment housing shall be less than 15 feet from the front lot line of the facility lot or less than 10 feet from any other lot line.

(5) No bulk regulations or lot coverage, building coverage, or floor area ratio limitations shall be applied to a facility or to any existing use or structure coincident with the establishment of a facility. Except as provided in this Section, no height limits or restrictions shall apply to a facility.

(6) A county's review of a building permit application for a facility shall be completed within 30 days. If a decision of the county board is required to permit the establishment of a facility, the county's review of the application shall be simultaneous with the process leading to the county board's decision.

(7) The improvements and equipment comprising the facility may be wholly or partly freestanding or wholly or partly attached to, enclosed in, or installed in or on a structure or structures.

(8) Any public hearing authorized under this Section shall be conducted in a manner determined by the county board. Notice of any such public hearing shall be published at least 15 days before the hearing in a newspaper of general circulation published in the county.

(9) Any decision regarding a facility by the county board or a county agency or official shall be supported by written findings of fact. The circuit court shall have jurisdiction to review the reasonableness of any adverse decision and the plaintiff shall bear the burden of proof, but there shall be no presumption of the validity of the decision.

(g) The following provisions shall apply to all facilities established (i) after the effective date of this amendatory Act of 1997 with respect to telecommunications carriers and (ii) after the effective date of this amendatory Act of the 94th General Assembly with respect to AM broadcast stations in the county jurisdiction area of any county with a population of less than 180,000:

(1) A facility is permitted if its supporting structure is a qualifying structure or if both of the following conditions are met:

(A) the height of the facility shall not exceed 200 feet, except that if a facility is located more than one and one-half miles from the corporate limits of any municipality with a population of 25,000 or more the height of the facility shall not exceed 350 feet; and

(B) the horizontal separation distance to the nearest principal residential building shall not be less than the height of the supporting structure; except that if the supporting structure exceeds 99 feet in height, the horizontal separation distance to the nearest principal residential building shall be at least 100 feet or 80% of the height of the supporting structure, whichever is greater. Compliance with this paragraph shall only be evaluated as of the time that a building permit application for the facility is submitted. If the supporting structure is not an antenna tower this paragraph is satisfied.

(2) Unless a facility is permitted under paragraph (1) of this subsection (g), a facility can be established only after the county board gives its approval following consideration of the provisions of paragraph (3) of this subsection (g). The county board may give its approval after one public hearing on the proposal, but only by the favorable vote of a majority of the members present at a meeting held no later than 75 days after submission of a complete application by the telecommunications carrier. If the county board fails to act on the application within 75 days after its submission, the

application shall be deemed to have been approved. No more than one public hearing shall be required.

(3) For purposes of paragraph (2) of this subsection (g), the following siting considerations, but no other matter, shall be considered by the county board or any other body conducting the public hearing:

- (A) the criteria in subsection (d) of this Section;
- (B) whether a substantial adverse effect on public safety will result from some aspect of the facility's design or proposed construction, but only if that aspect of design or construction is modifiable by the applicant;
- (C) the benefits to be derived by the users of the services to be provided or enhanced by the facility and whether public safety and emergency response capabilities would benefit by the establishment of the facility;
- (D) the existing uses on adjacent and nearby properties; and
- (E) the extent to which the design of the proposed facility reflects compliance with subsection (e) of this Section.

(4) On judicial review of an adverse decision, the issue shall be the reasonableness of the county board's decision in light of the evidence presented on the siting considerations and the well-reasoned recommendations of any other body that conducts the public hearing.

(h) The following provisions shall apply to all facilities established after the effective date of this amendatory Act of 1997 in the county jurisdiction area of any county with a population of 180,000 or more. A facility is permitted in any zoning district subject to the following:

- (1) A facility shall not be located on a lot under paragraph (4) of subsection (d) unless a variation is granted by the county board under paragraph (4) of this subsection (h).
- (2) Unless a height variation is granted by the county board, the height of a facility shall not exceed 75 feet if the facility will be located in a residential zoning district or 200 feet if the facility will be located in a non-residential zoning district. However, the height of a facility may exceed the height limit in this paragraph, and no height variation shall be required, if the supporting structure is a qualifying structure.

(3) The improvements and equipment of the facility shall be placed to comply with the requirements of this paragraph at the time a building permit application for the facility is submitted. If the supporting structure is an antenna tower other than a qualifying structure then (i) if the facility will be located in a residential zoning district the lot line set back distance to the nearest residentially zoned lot shall be at least 50% of the height of the facility's supporting structure or (ii) if the facility will be located in a non-residential zoning district the horizontal separation distance to the nearest principal residential building shall be at least equal to the height of the facility's supporting structure.

(4) The county board may grant variations for any of the regulations, conditions, and restrictions of this subsection (h), after one public hearing on the proposed variations, by a favorable vote of a majority of the members present at a meeting held no later than 75 days after submission of an application by the telecommunications carrier. If the county board fails to act on the application within 75 days after submission, the application shall be deemed to have been approved. In its consideration of an application for variations, the county board, and any other body conducting the public hearing, shall consider the following, and no other matters:

- (A) whether, but for the granting of a variation, the service that the telecommunications carrier seeks to enhance or provide with the proposed facility will be less available, impaired, or diminished in quality, quantity, or scope of coverage;
- (B) whether the conditions upon which the application for variations is based are unique in some respect or, if not, whether the strict application of the regulations would result in a hardship on the telecommunications carrier;
- (C) whether a substantial adverse effect on public safety will result from some aspect of the facility's design or proposed construction, but only if that aspect of design or construction is modifiable by the applicant;
- (D) whether there are benefits to be derived by the users of the services to be provided or enhanced by the facility and whether public safety and emergency response capabilities would benefit by the establishment of the facility; and
- (E) the extent to which the design of the proposed facility reflects compliance with subsection (e) of this Section.

No more than one public hearing shall be required.

- (5) On judicial review of an adverse decision, the issue shall be the reasonableness of

the county board's decision in light of the evidence presented and the well-reasoned recommendations of any other body that conducted the public hearing.
(Source: P.A. 90-522, eff. 1-1-98.)

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

The foregoing motion prevailed and Amendment No. 1 was adopted.

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 ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Holbrook, HOUSE BILL 438 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 9)

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

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

HOUSE BILLS ON SECOND READING

Having been read by title a second time on April 7, 2005 and held, the following bill was taken up and held on the order of Second Reading: HOUSE BILL 1411.

HOUSE BILL 483. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on State Government Administration, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 483 by replacing everything after the enacting clause with the following:

"Section 5. The Freedom of Information Act is amended by changing Sections 2 and 7 as follows:

(5 ILCS 140/2) (from Ch. 116, par. 202)

Sec. 2. Definitions. As used in this Act:

(a) "Public body" means any legislative, executive, administrative, or advisory bodies of the State, state universities and colleges, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees, or commissions of this State, any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, and a School Finance Authority created under Article 1E of the School Code. "Public body" does not include a child death review team or the Illinois Child Death Review Teams Executive Council established under the Child Death Review Team Act.

(b) "Person" means any individual, corporation, partnership, firm, organization or association, acting individually or as a group.

(c) "Public records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, recorded information and all other documentary materials, regardless of physical form or characteristics, having been prepared, or having been or being used, received, possessed or under the control of any public body. "Public records" includes, but is expressly not limited to: (i) administrative manuals, procedural rules, and instructions to

staff, unless exempted by Section 7(p) of this Act; (ii) final opinions and orders made in the adjudication of cases, except an educational institution's adjudication of student or employee grievance or disciplinary cases; (iii) substantive rules; (iv) statements and interpretations of policy which have been adopted by a public body; (v) final planning policies, recommendations, and decisions; (vi) factual reports, inspection reports, and studies whether prepared by or for the public body; (vii) all information in any account, voucher, or contract dealing with the receipt or expenditure of public or other funds of public bodies; (viii) the names, salaries, titles, and dates of employment of all employees and officers of public bodies; (ix) materials containing opinions concerning the rights of the state, the public, a subdivision of state or a local government, or of any private persons; (x) the name of every official and the final records of voting in all proceedings of public bodies; (xi) applications for any contract, permit, grant, or agreement except as exempted from disclosure by subsection (g) of Section 7 of this Act; (xii) each report, document, study, or publication prepared by independent consultants or other independent contractors for the public body; (xiii) all other information required by law to be made available for public inspection or copying; (xiv) information relating to any grant or contract made by or between a public body and another public body or private organization; (xv) waiver documents filed with the State Superintendent of Education or the president of the University of Illinois under Section 30-12.5 of the School Code, concerning nominees for General Assembly scholarships under Sections 30-9, 30-10, and 30-11 of the School Code; (xvi) complaints, results of complaints, and Department of Children and Family Services staff findings of licensing violations at day care facilities, provided that personal and identifying information is not released; ~~and~~ (xvii) records, reports, forms, writings, letters, memoranda, books, papers, and other documentary information, regardless of physical form or characteristics, having been prepared, or having been or being used, received, possessed, or under the control of the Illinois Sports Facilities Authority dealing with the receipt or expenditure of public funds or other funds of the Authority in connection with the reconstruction, renovation, remodeling, extension, or improvement of all or substantially all of an existing "facility" as that term is defined in the Illinois Sports Facilities Authority Act ; and (xviii) settlement agreements entered into by or on behalf of a public body.

(d) "Copying" means the reproduction of any public record by means of any photographic, electronic, mechanical or other process, device or means.

(e) "Head of the public body" means the president, mayor, chairman, presiding officer, director, superintendent, manager, supervisor or individual otherwise holding primary executive and administrative authority for the public body, or such person's duly authorized designee.

(f) "News media" means a newspaper or other periodical issued at regular intervals whether in print or electronic format, a news service whether in print or electronic format, a radio station, a television station, a television network, a community antenna television service, or a person or corporation engaged in making news reels or other motion picture news for public showing.

(Source: P.A. 91-935, eff. 6-1-01; 92-335, eff. 8-10-01; 92-468, eff. 8-22-01; 92-547, eff. 6-13-02; 92-651, eff. 7-11-02.)

(5 ILCS 140/7) (from Ch. 116, par. 207)

Sec. 7. Exemptions.

(1) The following shall be exempt from inspection and copying:

(a) Information specifically prohibited from disclosure by federal or State law or rules and regulations adopted under federal or State law.

(b) Information that, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy. Information exempted under this subsection (b) shall include but is not limited to:

(i) files and personal information maintained with respect to clients, patients, residents, students or other individuals receiving social, medical, educational, vocational, financial, supervisory or custodial care or services directly or indirectly from federal agencies or public bodies;

(ii) personnel files and personal information maintained with respect to employees, appointees or elected officials of any public body or applicants for those positions;

(iii) files and personal information maintained with respect to any applicant, registrant or licensee by any public body cooperating with or engaged in professional or occupational registration, licensure or discipline;

(iv) information required of any taxpayer in connection with the assessment or collection of any tax unless disclosure is otherwise required by State statute;

(v) information revealing the identity of persons who file complaints with or provide information to administrative, investigative, law enforcement or penal agencies; provided, however, that identification of witnesses to traffic accidents, traffic accident reports, and rescue reports may be provided by agencies of local government, except in a case for which a criminal investigation is ongoing, without constituting a clearly unwarranted per se invasion of personal privacy under this subsection; and

(vi) the names, addresses, or other personal information of participants and registrants in park district, forest preserve district, and conservation district programs.

(c) Records compiled by any public body for administrative enforcement proceedings and any law enforcement or correctional agency for law enforcement purposes or for internal matters of a public body, but only to the extent that disclosure would:

(i) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency;

(ii) interfere with pending administrative enforcement proceedings conducted by any public body;

(iii) deprive a person of a fair trial or an impartial hearing;

(iv) unavoidably disclose the identity of a confidential source or confidential information furnished only by the confidential source;

(v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct;

(vi) constitute an invasion of personal privacy under subsection (b) of this Section;

(vii) endanger the life or physical safety of law enforcement personnel or any other person; or

(viii) obstruct an ongoing criminal investigation.

(d) Criminal history record information maintained by State or local criminal justice agencies, except the following which shall be open for public inspection and copying:

(i) chronologically maintained arrest information, such as traditional arrest logs or blotters;

(ii) the name of a person in the custody of a law enforcement agency and the charges for which that person is being held;

(iii) court records that are public;

(iv) records that are otherwise available under State or local law; or

(v) records in which the requesting party is the individual identified, except as provided under part (vii) of paragraph (c) of subsection (1) of this Section.

"Criminal history record information" means data identifiable to an individual and consisting of descriptions or notations of arrests, detentions, indictments, informations, pre-trial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal ordinances) and the nature of any disposition arising therefrom, including sentencing, court or correctional supervision, rehabilitation and release. The term does not apply to statistical records and reports in which individuals are not identified and from which their identities are not ascertainable, or to information that is for criminal investigative or intelligence purposes.

(e) Records that relate to or affect the security of correctional institutions and detention facilities.

(f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.

(g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or information are proprietary, privileged or confidential, and if such ~~or where~~ disclosure of the trade secrets or information may cause competitive harm, including all information determined to be confidential under Section 4002 of the Technology Advancement and Development Act. Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.

(h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.

(i) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.

(j) Test questions, scoring keys and other examination data used to administer an academic examination or determine the qualifications of an applicant for a license or employment.

(k) Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, but only to the extent that disclosure would compromise security, including but not limited to water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings.

(l) Library circulation and order records identifying library users with specific materials.

(m) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.

(n) Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.

(o) Information received by a primary or secondary school, college or university under its procedures for the evaluation of faculty members by their academic peers.

(p) Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.

(q) Documents or materials relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying.

(r) Drafts, notes, recommendations and memoranda pertaining to the financing and marketing transactions of the public body. The records of ownership, registration, transfer, and exchange of municipal debt obligations, and of persons to whom payment with respect to these obligations is made.

(s) The records, documents and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under Article VII of the Code of Civil Procedure, records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt until a sale is consummated.

(t) Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool.

(u) Information concerning a university's adjudication of student or employee grievance or disciplinary cases, to the extent that disclosure would reveal the identity of the student or employee and information concerning any public body's adjudication of student or employee grievances or disciplinary cases, except for the final outcome of the cases.

(v) Course materials or research materials used by faculty members.

- (w) Information related solely to the internal personnel rules and practices of a public body.
- (x) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is otherwise required by State law.
- (y) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.
- (z) Manuals or instruction to staff that relate to establishment or collection of liability for any State tax or that relate to investigations by a public body to determine violation of any criminal law.
- (aa) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.
- (bb) Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.
- (cc) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.
- (dd) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.
- (ee) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.
- (ff) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.
- (gg) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.
- (hh) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act.
- (ii) Beginning July 1, 1999, information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act.
- (jj) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.
- (kk) Information and data concerning the distribution of surcharge moneys collected and remitted by wireless carriers under the Wireless Emergency Telephone Safety Act.
- (ll) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.
- (mm) Maps and other records regarding the location or security of a utility's generation, transmission, distribution, storage, gathering, treatment, or switching facilities.
- (nn) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.
- (oo) Records and information provided to a residential health care facility resident sexual assault and death review team or the Residential Health Care Facility Resident Sexual Assault and Death Review Teams Executive Council under the Residential Health Care Facility Resident Sexual Assault and Death Review Team Act.
- (pp) Social security numbers, tax identification numbers, and personal identification information

contained in any settlement agreement entered into by or on behalf of a public body; provided that the identities of the parties to the settlement agreement shall remain public.

(2) This Section does not authorize withholding of information or limit the availability of records to the public, except as stated in this Section or otherwise provided in this Act.

(Source: P.A. 92-16, eff. 6-28-01; 92-241, eff. 8-3-01; 92-281, eff. 8-7-01; 92-645, eff. 7-11-02; 92-651, eff. 7-11-02; 93-43, eff. 7-1-03; 93-209, eff. 7-18-03; 93-237, eff. 7-22-03; 93-325, eff. 7-23-03, 93-422, eff. 8-5-03; 93-577, eff. 8-21-03; 93-617, eff. 12-9-03.)"

Representative Joyce offered and withdrew Amendment No. 2.

Floor Amendment No. 3 remained in the Committee on Rules.

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

HOUSE BILL 3801. Having been recalled on March 17, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Kelly offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 3801, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 1, by replacing lines 6 through 8 with the following:

"Section 5. Definitions. In this Act:

"Sex offender" means any person:

(1) who is charged pursuant to Illinois law, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law, with any of the following sex offenses set forth in the Criminal Code of 1961:

- (A) indecent solicitation of a child;
- (B) sexual exploitation of a child;
- (C) custodial sexual misconduct;
- (D) prostitution;
- (E) soliciting for a juvenile prostitute;
- (F) keeping a place of prostitution;
- (G) keeping a place of juvenile prostitution;
- (H) patronizing a juvenile prostitute;
- (I) pimping;
- (J) juvenile pimping;
- (K) aggravated juvenile pimping;
- (L) exploitation of a child; or
- (M) child pornography;

and who is:

- (A) convicted of such offense or an attempt to commit such offense;
- (B) found not guilty by reason of insanity of such offense or an attempt to commit such offense;
- (C) found not guilty by reason of insanity pursuant to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense;
- (D) the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense;
- (E) found not guilty by reason of insanity following a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or
- (F) the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963

for the alleged violation or attempted commission of such offense;

(2) who is certified as a sexually dangerous person pursuant to the Sexually Dangerous Persons Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law;

(3) who is subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act;

(4) who is found to be a sexually violent person pursuant to the Sexually Violent Persons Commitment Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(5) who is adjudicated a juvenile delinquent as the result of committing or attempting to commit an act that, if committed by an adult, would constitute any of the sex offenses set forth in subdivision (1) of this Section or a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law or found guilty under Article V of the Juvenile Court Act of 1987 of committing or attempting to commit an act that, if committed by an adult, would constitute any of the offenses set forth in subdivision (1) of this Section or a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law.

Any conviction set aside pursuant to law is not a conviction for purposes of this definition.

"Violent felony" means any of the following offenses, as defined by the Criminal Code of 1961:

- (1) First degree murder.
- (2) Second degree murder.
- (3) Aggravated arson.
- (4) Aggravated kidnapping.
- (5) Aggravated battery resulting in great bodily harm or permanent disability or disfigurement."

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 2348. Having been recalled on March 15, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Kosel offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2348 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 6-306.7 and 13B-55 as follows:
(625 ILCS 5/6-306.7)

Sec. 6-306.7. Failure to satisfy fines or penalties for toll violations or evasions; suspension of driving privileges.

(a) Upon receipt of a certified report, as prescribed by subsection (c) of this Section, from the Authority stating that the owner of a registered vehicle has failed to satisfy any fine or penalty resulting from a final order issued by the Authority relating directly or indirectly to 5 or more toll violations, toll evasions, or both, the Secretary of State shall suspend the driving privileges of the person in accordance with the procedures set forth in this Section.

(b) Following receipt of the certified report of the Authority as specified in the Section, the Secretary of State shall notify the person whose name appears on the certified report that the person's driver's license will be suspended at the end of a specified period unless the Secretary of State is presented with a notice from the Authority certifying that the fines or penalties owing the Authority have been satisfied or that inclusion of that person's name on the certified report was in error. The Secretary's notice shall state in substance the information contained in the Authority's certified report to the Secretary, and shall be effective as specified by subsection (c) of Section 6-211 of this Code, except as to those drivers who also have been issued a CDL. If a person also has been issued a CDL, notice of suspension of that person's driver's license must be given in writing by certified mail and is effective on the date listed in the notice of suspension, except that the notice is not effective until 4 days after the date on which the notice was deposited into the United States mail. The notice becomes effective 4 days after its deposit into the United

States mail regardless of whether the Secretary of State receives the return receipt and regardless of whether the written notification is returned for any reason to the Secretary of State as undeliverable.

(c) The report from the Authority notifying the Secretary of unsatisfied fines or penalties pursuant to this Section shall be certified and shall contain the following:

(1) The name, last known address, and driver's license number of the person who failed to satisfy the fines or penalties and the registration number of any vehicle known to be registered in this State to that person.

(2) A statement that the Authority sent a notice of impending suspension of the person's driver's license, vehicle registration, or both, as prescribed by rules enacted pursuant to subsection (a-5) of Section 10 of the Toll Highway Act, to the person named in the report at the address recorded with the Secretary of State; the date on which the notice was sent; and the address to which the notice was sent.

(d) The Authority, after making a certified report to the Secretary pursuant to this Section, shall notify the Secretary, on a form prescribed by the Secretary, whenever a person named in the certified report has satisfied the previously reported fines or penalties or whenever the Authority determines that the original report was in error. A certified copy of the notification shall also be given upon request and at no additional charge to the person named therein. Upon receipt of the Authority's notification or presentation of a certified copy of the notification, the Secretary shall terminate the suspension.

(e) The Authority shall, by rule, establish procedures for persons to challenge the accuracy of the certified report made pursuant to this Section. The rule shall also provide the grounds for a challenge, which may be limited to:

(1) the person not having been the owner or lessee of the vehicle or vehicles receiving 5 or more toll violations or toll evasion notices on the date or dates the notices were issued; or

(2) the person having already satisfied the fines or penalties for the 5 or more toll violations or toll evasions indicated on the certified report.

(f) All notices sent by the Authority to persons involved in administrative adjudications, hearings, and final orders issued pursuant to rules implementing subsection (a-5) of Section 10 of the Toll Highway Act shall state that failure to satisfy any fine or penalty imposed by the Authority shall result in the Secretary of State suspending the driving privileges, vehicle registration, or both, of the person failing to satisfy the fines or penalties imposed by the Authority.

(g) A person may request an administrative hearing to contest an impending suspension or a suspension made pursuant to this Section upon filing a written request with the Secretary. The filing fee for this hearing is \$20, to be paid at the time of the request. The Authority shall reimburse the Secretary for all reasonable costs incurred by the Secretary as a result of the filing of a certified report pursuant to this Section, including, but not limited to, the costs of providing notice required pursuant to subsection (b) and the costs incurred by the Secretary in any hearing conducted with respect to the report pursuant to this subsection and any appeal from that hearing.

(h) The Secretary and the Authority may promulgate rules to enable them to carry out their duties under this Section.

(i) The Authority shall cooperate with the Secretary in the administration of this Section and shall provide the Secretary with any information the Secretary may deem necessary for these purposes, including regular and timely access to toll violation enforcement records.

The Secretary shall cooperate with the Authority in the administration of this Section and shall provide the Authority with any information the Authority may deem necessary for the purposes of this Section, including regular and timely access to vehicle registration records. Section 2-123 of this Code shall not apply to the provision of this information, but the Secretary shall be reimbursed for the cost of providing this information.

(j) For purposes of this Section, the term "Authority" means the Illinois State Toll Highway Authority. (Source: P.A. 91-277, eff. 1-1-00.)

(625 ILCS 5/13B-55)

Sec. 13B-55. Enforcement.

(a) The Agency shall cooperate in the enforcement of this Chapter by (i) identifying probable violations through computer matching of vehicle registration records and inspection records; (ii) sending one notice to each suspected violator identified through such matching, stating that registration and inspection records indicate that the vehicle owner has not complied with this Chapter; (iii) directing the vehicle owner to notify the Agency or the Secretary of State if he or she has ceased to own the vehicle or has changed residence; and (iv) advising the vehicle owner of the consequences of violating this Chapter.

The Agency shall cooperate with the Secretary of State in the administration of this Chapter and the related provisions of Chapter 3, and shall provide the Secretary of State with such information as the Secretary of State may deem necessary for these purposes, including regular and timely access to vehicle inspection records. The Agency shall be reimbursed for the cost of providing this information.

The Secretary of State shall cooperate with the Agency in the administration of this Chapter and shall provide the Agency with such information as the Agency may deem necessary for the purposes of this Chapter, including regular and timely access to vehicle registration records. Section 2-123 of this Code shall not apply to the provision of this information, but the Secretary of State shall be reimbursed for the cost of providing the information.

(b) The Secretary of State shall suspend either the driving privileges or the vehicle registration, or both, of any vehicle owner who has not complied with this Chapter, if (i) the vehicle owner failed to satisfactorily respond to the one notice sent by the Agency under subsection (a), and (ii) the Secretary of State has mailed the vehicle owner a notice that the suspension will be imposed if the owner does not comply within a stated period, and the Secretary of State has not received satisfactory evidence of compliance within that period. The Secretary of State shall send this notice only after receiving a statement from the Agency that the vehicle owner has failed to comply with this Section. Notice shall be effective as specified in subsection (c) of Section 6-211 of this Code, except as to those drivers who also have been issued a CDL. If a person also has been issued a CDL, notice of suspension of that person's driver's license must be given in writing by certified mail and is effective on the date listed in the notice of suspension, except that the notice is not effective until 4 days after the date on which the notice was deposited into the United States mail. The notice becomes effective 4 days after its deposit into the United States mail regardless of whether the Secretary of State receives the return receipt and regardless of whether the written notification is returned for any reason to the Secretary of State as undeliverable.

A suspension under this subsection shall not be terminated until satisfactory proof of compliance has been submitted to the Secretary of State. No driver's license or permit, or renewal of a license or permit, may be issued to a person whose driving privileges have been suspended under this Section until the suspension has been terminated. No vehicle registration or registration plate that has been suspended under this Section may be reinstated or renewed, or transferred by the owner to any other vehicle, until the suspension has been terminated.

The filing fee for an administrative hearing to contest a suspension made under this Section shall be \$20, to be paid by the vehicle owner at the time written request for the hearing is made to the Secretary of State.

The Secretary of State may promulgate rules to enable him or her to carry out his or her duties under this Chapter.

(Source: P.A. 88-533.)

Section 99. Effective date. This Act takes effect July 1, 2006."

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL 881. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Kosel offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 881 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Article 14A as follows:

(105 ILCS 5/Art. 14A heading new)

GIFTED AND TALENTED CHILDREN

(105 ILCS 5/14A-5 new)

Sec. 14A-5. Applicability. This Article applies beginning with the 2006-2007 school year.

(105 ILCS 5/14A-10 new)

Sec. 14A-10. Legislative findings. The General Assembly finds the following:

(1) that gifted and talented children (i) exhibit high performance capabilities in intellectual, creative, and artistic areas, (ii) possess an exceptional leadership potential, (iii) excel in specific academic fields, and

(iv) have the potential to be influential in business, government, health care, the arts, and other critical sectors of our economic and cultural environment;

(2) that gifted and talented children require services and activities that are not ordinarily provided by schools; and

(3) that outstanding talents are present in children and youth from all cultural groups, across all economic strata, and in all areas of human endeavor.

(105 ILCS 5/14A-15 new)

Sec. 14A-15. Purpose. The purpose of this Article is to provide encouragement, assistance, and guidance to school districts in the development and improvement of educational programs for gifted and talented children as defined in Section 14A-20 of this Code. School districts shall continue to have the authority and flexibility to design education programs for gifted and talented children in response to community needs, but these programs must comply with the requirements established in Section 14A-30 of this Code by no later than September 1, 2006 in order to merit recognition by the State Board of Education and to qualify for State funding for the education of gifted and talented children, should such funding become available.

(105 ILCS 5/14A-20 new)

Sec. 14A-20. Gifted and talented children. For purposes of this Article, "gifted and talented children" means children and youth with outstanding talent who perform or show the potential for performing at remarkably high levels of accomplishment when compared with other children and youth of their age, experience, and environment. A child shall be considered gifted and talented in any area of aptitude, and, specifically, in language arts and mathematics, by scoring in the top 5% locally in that area of aptitude.

(105 ILCS 5/14A-25 new)

Sec. 14A-25. Non-discrimination. Eligibility for participation in programs established pursuant to this Article shall be determined solely through identification of a child as gifted or talented. No program shall condition participation upon race, religion, sex, disability, or any factor other than the identification of the child as gifted or talented.

(105 ILCS 5/14A-30 new)

Sec. 14A-30. Local programs; requirements. In order for a local program for the education of gifted and talented children to be recognized by the State Board of Education and to qualify for State funding, if available, as of the beginning of the 2006-2007 academic year, the local program must meet the following minimum requirements and demonstrate the fulfillment of these requirements in a written program description submitted to the State Board of Education by the local educational agency operating the program and modified if the program is substantively altered:

(1) The use of a minimum of 3 assessment measures used to identify gifted and talented children in each area of aptitude, which may include without limitation scores on standardized achievement tests, observation checklists, portfolios, and currently-used district assessments.

(2) A priority emphasis on language arts and mathematics.

(3) An identification method that uses the definition of gifted and talented children as defined in Section 14A-20 of this Code.

(4) Assessment instruments sensitive to the inclusion of underrepresented groups, including low-income students, minority students, and English language learners.

(5) A process of identification of gifted and talented children that is of equal rigor in each area of aptitude addressed by the program.

(6) The use of identification procedures that appropriately correspond with the planned programs, curricula, and services.

(7) A fair and equitable decision-making process.

(8) The availability of a fair and impartial appeal process within the local educational agency for parents or guardians whose children are aggrieved by a decision of the local educational agency regarding eligibility for participation in a program.

(9) Procedures for annually informing the community at-large, including parents, about the program and the methods used for the identification of gifted and talented children.

(10) Procedures for notifying parents or guardians of a child of a decision affecting that child's participation in a program.

(11) A description of how gifted and talented children will be grouped and instructed in language arts and in mathematics in order to maximize the educational benefits they derive from participation in a program addressing those areas of aptitude, including curriculum modifications and options that accelerate and add depth and complexity to the curriculum content.

(12) An explanation of how the program emphasizes higher-level skills attainment, including

problem-solving, critical thinking, creative thinking, and research skills, as embedded within relevant content areas.

(13) A methodology for measuring academic growth for gifted and talented children and a procedure for communicating a child's progress to his or her parents or guardian.

(14) The collection of data on performance outcomes for children in a program for gifted and talented children and the reporting of the data to the State Board of Education.

(15) The designation of a building-level supervisor responsible for overseeing the educational program for gifted and talented children.

(16) A showing that the certified teachers who are assigned to teach gifted and talented children are qualified to address the educational needs of the children and to differentiate the curriculum and apply instructional methods to meet the needs of the children.

(17) Plans for the continuation of professional development for staff assigned to the program serving gifted and talented children.

(105 ILCS 5/14A-35 new)

Sec. 14A-35. Administrative functions of the State Board of Education.

(a) The State Board of Education must designate a staff person who shall be in charge of educational programs for gifted and talented children. This staff person shall, at a minimum, (i) be responsible for developing a recognition program for educational programs for gifted and talented children by no later than September 1, 2006, (ii) receive and maintain the written descriptions of all programs for gifted and talented children in the State, (iii) collect and maintain the annual performance outcome data submitted by local educational agencies, (iv) identify potential funding sources for the education of gifted and talented children, and (v) serve as the main contact person at the State Board of Education for local educational agencies, parents, and other stakeholders regarding the education of gifted and talented children.

(b) Subject to the availability of funds for these purposes, the State Board of Education may perform a variety of additional administrative functions with respect to the education of gifted and talented children, including, but not limited to, supervision, quality assurance, compliance monitoring, and oversight of local programs, analysis of performance outcome data submitted by local educational agencies, the establishment of personnel standards, and a program of personnel development for teachers and administrative personnel in the education of gifted and talented children.

(105 ILCS 5/14A-40 new)

Sec. 14A-40. Advisory Council. There is hereby created an Advisory Council on the Education of Gifted and Talented Children to consist of 7 members appointed by the State Superintendent of Education. Members shall serve terms of 4 years from the date of appointment. Upon the expiration of the term of a member, that member shall continue to serve until a replacement is appointed. The Council shall meet at least 3 times each year. The Council shall organize with a chairperson selected by the Council members and shall meet at the call of the chairperson upon at least 10 days' written notice. Members of the Council shall serve without compensation, but shall be reimbursed for their travel to and from meetings and other reasonable expenses in connection with meetings if approved by the State Board of Education.

The State Board of Education shall consider recommendations for membership on the Council from organizations of educators and parents of gifted and talented children and other groups with an interest in the education of gifted and talented children. The members appointed shall be residents of the State and be selected on the basis of their knowledge of, or experience in, programs and problems of the education of gifted and talented children.

The State Board of Education shall seek the advice of the Council regarding all rules and policies to be adopted by the State Board relating to the education of gifted and talented children. The staff person designated pursuant to subsection (a) of Section 14A-35 of this Code shall serve as the State Board of Education's liaison to the Council. The State Board of Education shall provide necessary clerical support and assistance in order to facilitate meetings of the Council.

(105 ILCS 5/14A-45 new)

Sec. 14A-45. Grants for services and materials. Subject to the availability of categorical grant funding or other funding and pursuant to rules of the State Board of Education, the State Board of Education shall make grants available to fund educational programs for gifted and talented children. A request-for-proposal process shall be used in awarding grants for services and materials, with carry over to the next fiscal year, under this Section. A proposal may be submitted to the State Board of Education by a school district, 2 or more cooperating school districts, a county, 2 or more cooperating counties, or a regional office of education. The proposals shall include a statement of the qualifications and duties of the personnel required in the field of diagnostic, counseling, and consultative services and the educational materials necessary.

Upon receipt, the State Board of Education shall evaluate the proposals in accordance with criteria developed by the State Board of Education that is consistent with this Article and shall award grants to the extent funding is available. Educational programs for gifted and talented children may be offered during the regular school term and may include optional summer programs. As a condition for State funding, a grantee must comply with the requirements of this Article.

(105 ILCS 5/14A-50 new)

Sec. 14A-50. Contracts for experimental projects and institutes. Subject to the availability of funds, the State Board of Education shall have the authority to enter into and monitor contracts with school districts, regional offices of education, colleges, universities, and professional organizations for the conduct of experimental projects and institutes, including summer institutes, in the field of education of gifted and talented children as defined in Section 14A-20 of this Code. These projects and institutes shall be established in accordance with rules adopted by the State Board of Education. Prior to entering into a contract, the State Board of Education shall evaluate the proposal as to the soundness of the design of the project or institute, the probability of obtaining productive outcomes, the adequacy of resources to conduct the proposed project or institute, and the relationship of the project or institute to other projects and institutes already completed or in progress. The contents of these projects and institutes must be designed based on standards adopted by professional organizations for gifted and talented children.

(105 ILCS 5/14A-55 new)

Sec. 14A-55. Rulemaking. The State Board of Education shall have the authority to adopt all rules necessary to implement and regulate the provisions this Article.

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

The foregoing motion prevailed and Amendment No. 1 was adopted.

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 ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Kosel, HOUSE BILL 3048 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 73, Yeas; 40, Nays; 0, Answering Present.
(ROLL CALL 10)

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

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

HOUSE BILL ON SECOND READING

HOUSE BILL 2190. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Lang offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2190 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 370c as follows:

(215 ILCS 5/370c) (from Ch. 73, par. 982c)

Sec. 370c. Mental and emotional disorders.

(a) (1) On and after the effective date of this Section, every insurer which delivers, issues for delivery or renews or modifies group A&H policies providing coverage for hospital or medical treatment or services for illness on an expense-incurred basis shall offer to the applicant or group policyholder subject to the

insurers standards of insurability, coverage for reasonable and necessary treatment and services for mental, emotional or nervous disorders or conditions, other than serious mental illnesses as defined in item (2) of subsection (b), up to the limits provided in the policy for other disorders or conditions, except (i) the insured may be required to pay up to 50% of expenses incurred as a result of the treatment or services, and (ii) the annual benefit limit may be limited to the lesser of \$10,000 or 25% of the lifetime policy limit.

(2) Each insured that is covered for mental, emotional or nervous disorders or conditions shall be free to select the physician licensed to practice medicine in all its branches, licensed clinical psychologist, licensed clinical social worker, or licensed clinical professional counselor of his choice to treat such disorders, and the insurer shall pay the covered charges of such physician licensed to practice medicine in all its branches, licensed clinical psychologist, licensed clinical social worker, or licensed clinical professional counselor up to the limits of coverage, provided (i) the disorder or condition treated is covered by the policy, and (ii) the physician, licensed psychologist, licensed clinical social worker, or licensed clinical professional counselor is authorized to provide said services under the statutes of this State and in accordance with accepted principles of his profession.

(3) Insofar as this Section applies solely to licensed clinical social workers and licensed clinical professional counselors, those persons who may provide services to individuals shall do so after the licensed clinical social worker or licensed clinical professional counselor has informed the patient of the desirability of the patient conferring with the patient's primary care physician and the licensed clinical social worker or licensed clinical professional counselor has provided written notification to the patient's primary care physician, if any, that services are being provided to the patient. That notification may, however, be waived by the patient on a written form. Those forms shall be retained by the licensed clinical social worker or licensed clinical professional counselor for a period of not less than 5 years.

(b) (1) An insurer that provides coverage for hospital or medical expenses under a group policy of accident and health insurance or health care plan amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 92nd General Assembly shall provide coverage under the policy for treatment of serious mental illness under the same terms and conditions as coverage for hospital or medical expenses related to other illnesses and diseases. The coverage required under this Section must provide for same durational limits, amount limits, deductibles, and co-insurance requirements for serious mental illness as are provided for other illnesses and diseases. This subsection does not apply to coverage provided to employees by employers who have 50 or fewer employees.

(2) "Serious mental illness" means the following psychiatric illnesses as defined in the most current edition of the Diagnostic and Statistical Manual (DSM) published by the American Psychiatric Association:

- (A) schizophrenia;
- (B) paranoid and other psychotic disorders;
- (C) bipolar disorders (hypomanic, manic, depressive, and mixed);
- (D) major depressive disorders (single episode or recurrent);
- (E) schizoaffective disorders (bipolar or depressive);
- (F) pervasive developmental disorders;
- (G) obsessive-compulsive disorders;
- (H) depression in childhood and adolescence; ~~and~~
- (I) panic disorder; ~~and -~~
- (J) post-traumatic stress disorders (acute, chronic, or with delayed onset).

(3) Upon request of the reimbursing insurer, a provider of treatment of serious mental illness shall furnish medical records or other necessary data that substantiate that initial or continued treatment is at all times medically necessary. An insurer shall provide a mechanism for the timely review by a provider holding the same license and practicing in the same specialty as the patient's provider, who is unaffiliated with the insurer, jointly selected by the patient (or the patient's next of kin or legal representative if the patient is unable to act for himself or herself), the patient's provider, and the insurer in the event of a dispute between the insurer and patient's provider regarding the medical necessity of a treatment proposed by a patient's provider. If the reviewing provider determines the treatment to be medically necessary, the insurer shall provide reimbursement for the treatment. Future contractual or employment actions by the insurer regarding the patient's provider may not be based on the provider's participation in this procedure. Nothing prevents the insured from agreeing in writing to continue treatment at his or her expense. When making a determination of the medical necessity for a treatment modality for serous mental illness, an insurer must make the determination in a manner that is consistent with the manner used to make that determination with respect to other diseases or illnesses covered under the policy, including an appeals process.

- (4) A group health benefit plan:
 - (A) shall provide coverage based upon medical necessity for the following treatment of mental illness in each calendar year;
 - (i) 45 days of inpatient treatment; and
 - (ii) 35 visits for outpatient treatment including group and individual outpatient treatment;
 - (B) may not include a lifetime limit on the number of days of inpatient treatment or the number of outpatient visits covered under the plan; and
 - (C) shall include the same amount limits, deductibles, copayments, and coinsurance factors for serious mental illness as for physical illness.
 - (5) An issuer of a group health benefit plan may not count toward the number of outpatient visits required to be covered under this Section an outpatient visit for the purpose of medication management and shall cover the outpatient visits under the same terms and conditions as it covers outpatient visits for the treatment of physical illness.
 - (6) An issuer of a group health benefit plan may provide or offer coverage required under this Section through a managed care plan.
 - (7) This Section shall not be interpreted to require a group health benefit plan to provide coverage for treatment of:
 - (A) an addiction to a controlled substance or cannabis that is used in violation of law; or
 - (B) mental illness resulting from the use of a controlled substance or cannabis in violation of law.
 - (8) This subsection (b) is inoperative after December 31, 2005.
- (Source: P.A. 92-182, eff. 7-27-01; 92-185, eff. 1-1-02; 92-651, eff. 7-11-02.)
 Section 99. Effective date. This Act takes effect upon becoming law."

The foregoing motion prevailed and Amendment No. 1 was adopted.

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 ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative McKeon, HOUSE BILL 1384 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 111, Yeas; 0, Nays; 2, Answering Present.

(ROLL CALL 11)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 265. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Consumer Protection, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 265 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 1 as follows:

(215 ILCS 5/1) (from Ch. 73, par. 613)
 Sec. 1. Short title. This Act shall be known ~~and~~ ~~and~~ may be cited as the "Illinois Insurance Code."
 (Source: Laws 1937, p. 696.)".

Floor Amendment No. 2 remained in the Committee on Consumer Protection.

Representative Millner offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 265, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Use of Credit Information in Personal Insurance Act is amended by adding Section 22 as follows:

(215 ILCS 157/22 new)

Sec. 22. Extraordinary life events.

(a) An insurer authorized to do business in this State that uses credit information to underwrite or rate risks shall review and consider an exception to the risk score based upon extraordinary life events after receiving a written and signed notification from the applicant or insured explaining how the applicant or insured believes the extraordinary life event adversely impacts the applicant's or insured's insurance risk score.

(b) For the purposes of this Section, "extraordinary life event" means the following:

(1) a catastrophic illness or injury to an applicant or insured or an immediate family member of an applicant or insured;

(2) the death of a spouse, child, or parent of an applicant or insured;

(3) involuntary loss of employment for a period of 3 months or more by an applicant or insured;

(4) identity theft of an applicant or insured; or

(5) dissolution of marriage of an applicant or insured.

Section 99. Effective date. This Act takes effect July 1, 2006."

The foregoing motion prevailed and Amendment No. 3 was adopted.

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

HOUSE BILL 2946. Having been recalled on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Jerry Mitchell offered the following amendment and moved its adoption.

AMENDMENT NO. 3. Amend House Bill 2946, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 1, line 14 by deleting "₂"; and on page 1, by replacing lines 15 and 16 with the following:

"an unspayed or unneutered dog or puppy older than 12 weeks of age."; and on page 2, line 3, by replacing "sterilized" with "spayed or neutered".

The foregoing motion prevailed and Amendment No. 3 was adopted.

Floor Amendment No. 4 remained in the Committee on Rules.

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

HOUSE BILL 3711. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Molaro, HOUSE BILL 3740 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 12)

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

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

On motion of Representative Molaro, HOUSE BILL 2379 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 94, Yeas; 19, Nays; 0, Answering Present.
(ROLL CALL 13)

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

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

On motion of Representative Reis, HOUSE BILL 4052 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 113, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 14)

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

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

On motion of Representative Reitz, HOUSE BILL 829 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 15)

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

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

On motion of Representative Rita, HOUSE BILL 1310 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 113, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 16)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 360. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendments were offered in the Committee on Judiciary I - Civil Law, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 360 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Section 608 as follows:

(750 ILCS 5/608) (from Ch. 40, par. 608)

Sec. 608. Judicial Supervision.

(a) Except as otherwise agreed by the parties in writing at the time of the custody judgment or as otherwise ordered by the court, the custodian may determine the child's upbringing, including but not limited to, his education, health care and religious training, unless the court, after hearing, finds, upon motion by the noncustodial parent, that the absence of a specific limitation of the custodian's authority would clearly be contrary to the best interests of the child.

(b) If both parents or all contestants agree to the order, or if the court finds that in the absence of agreement the child's physical health would be endangered or his emotional development significantly impaired, the court may order the Department of Children and Family Services to exercise continuing supervision over the case to assure that the custodial or visitation terms of the judgment are carried out. Supervision shall be carried out under the provisions of Section 5 of the Children and Family Services Act.

(c) The court may order individual counseling for the child, family counseling for one or more of the parties and the child, or parental education for one or more of the parties, when it finds one or more of the following:

(1) both parents or all parties agree to the order;

(2) the court finds that the child's physical health is endangered or his or her emotional development is significantly impaired;

(3) the court finds that one or both of the parties have violated the joint parenting agreement with regard to conduct affecting or in the presence of the child; or

(4) the court finds that one or more of the parties has committed visitation abuse as defined by Section 607.1.

(d) If the court finds that one or more of the parties has violated an order of the court with regards to custody, visitation, or joint parenting, the court shall assess the costs of counseling against the violating party or parties. Otherwise, the court may apportion the costs between the parties as appropriate.

(e) The remedies provided in this Section are in addition to, and shall not diminish or abridge in any way, the court's power to exercise its authority through contempt or other proceedings.

(Source: P.A. 87-824)."

AMENDMENT NO. 2. Amend House Bill 360, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 2, by replacing line 13 with the following:

"a finding of visitation abuse entered against him or her under Section 607.1 that is or could be harmful to the child."

Floor Amendment No. 3 remained in the Committee on Rules.

Representative Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 4. Amend House Bill 360, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Section 608 and by adding Section 604.3 as follows:

(750 ILCS 5/604.3 new)

Sec. 604.3. Counseling. The court shall determine whether counseling is appropriate for a child who is involved in a custody proceeding. If the court determines that counseling is appropriate, the court may order counseling and may apportion the costs between the parties.

All counseling sessions shall be confidential. The communications in counseling shall not be used in any manner in litigation nor relied upon by any expert appointed by the court or retained by any party.

(750 ILCS 5/608) (from Ch. 40, par. 608)

Sec. 608. Judicial Supervision.

(a) Except as otherwise agreed by the parties in writing at the time of the custody judgment or as otherwise ordered by the court, the custodian may determine the child's upbringing, including but not

limited to, his education, health care and religious training, unless the court, after hearing, finds, upon motion by the noncustodial parent, that the absence of a specific limitation of the custodian's authority would clearly be contrary to the best interests of the child.

(b) If both parents or all contestants agree to the order, or if the court finds that in the absence of agreement the child's physical health would be endangered or his emotional development significantly impaired, the court may order the Department of Children and Family Services to exercise continuing supervision over the case to assure that the custodial or visitation terms of the judgment are carried out. Supervision shall be carried out under the provisions of Section 5 of the Children and Family Services Act.

(c) The court may order individual counseling for the child, family counseling for one or more of the parties and the child, or parental education for one or more of the parties, when it finds one or more of the following:

(1) both parents or all parties agree to the order;

(2) the court finds that the child's physical health is endangered or his or her emotional development is impaired including, but not limited to, a finding of visitation abuse as defined by Section 607.1; or

(3) the court finds that one or both of the parties have violated the joint parenting agreement with regard to conduct affecting or in the presence of the child.

(d) If the court finds that one or more of the parties has violated an order of the court with regards to custody, visitation, or joint parenting, the court shall assess the costs of counseling against the violating party or parties. Otherwise, the court may apportion the costs between the parties as appropriate.

(e) The remedies provided in this Section are in addition to, and shall not diminish or abridge in any way, the court's power to exercise its authority through contempt or other proceedings.

(Source: P.A. 87-824.)".

The foregoing motion prevailed and Amendment No. 4 was adopted.

There being no further amendments, the foregoing Amendments numbered 1, 2 and 4 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 3526. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Rose offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3526 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Agriculture Law of the Civil Administrative Code of Illinois is amended by adding Section 205-450 as follows:

(20 ILCS 205/205-450 new)

Sec. 205-450. Anhydrous ammonia security grants. The Department of Agriculture shall establish a grant program to improve security at anhydrous ammonia facilities by encouraging the industry to utilize industry approved ammonia additives, install tank locking devices, or install security systems to prevent the use of anhydrous ammonia in the illegal manufacture of methamphetamine. The Department shall determine the eligibility of applicants for grants under this Section. Subject to appropriation made for this purpose by the General Assembly, the Department shall award grants to eligible recipients in accordance with rules adopted by the Department.

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

The foregoing motion prevailed and Amendment No. 1 was adopted.

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 231. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

RECALL

At the request of the principal sponsor, Representative Giles, HOUSE BILL 230 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON SECOND READING

HOUSE BILL 1063. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

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

AMENDMENT NO. 1. Amend House Bill 1063 on page 11, line 5 by replacing "Single-sex" with "As to discrimination based on sex, single-sex".

Floor Amendment No. 2 remained in the Committee on Rules.

Representative Reis offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 1063, AS AMENDED, in Section 5, Sec. 2-101, subsection (B), paragraph (2), subparagraph (a), by inserting after "institution or organization" the following:

"acting upon the tenets of its faith"; and

in Section 5, Sec. 2-104, subsection (D), by inserting after "(2000)" the following:

", unless this decision is overturned by the U.S. Supreme Court"; and

in Section 5, Sec. 5-103, by replacing subsection (B) with the following:

"(B) Facilities Distinctly Private. Any facility, as to discrimination based on sex, which restricts the use of public accommodations to individuals of one sex and which is distinctly private in nature such as restrooms, bathrooms, shower rooms, changing rooms, bath houses, health clubs and other similar facilities for which the Department, in its rules and regulations, may grant additional exemptions based on bona fide considerations of public policy."

Representative Lang requested a roll call vote.

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

68, Yeas; 46, Nays; 0, Answering Present.

(ROLL CALL 17)

The foregoing motion prevailed and Amendment No. 3 was adopted.

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

HOUSE BILL 930. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Registration and Regulation, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 930 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Plumbing License Law is amended by changing Sections 18 and 37 as follows:

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

Sec. 18. Local regulation; Department standards.

(1) It is hereby declared to be the policy of this State that each city, town, village, township or county with a water supply system or sewage disposal system or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Public Health, provide by ordinance, bylaws or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in

or in connection with any building in any such city, town, village, township, or county and to provide for and appoint a competent Plumbing Inspector or more as required. The Department may by rule establish voluntary standards for the content and conduct of local plumbing regulation and inspection programs and may evaluate and certify local programs that are in compliance with the voluntary standards. The Department may by rule establish voluntary education, training, and experience standards for Plumbing Inspectors and may certify Plumbing Inspectors who are in compliance with the voluntary standards. Nothing contained in this Act shall prohibit any city, town, village, township or county from providing for a Plumbing Inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor, but a city, town, village, township, or county that requires a permit for installation and repair of plumbing may not issue that permit without verification that the applicant has a valid plumbing license or that the applicant is the owner occupant of a single family residence that is the subject of the permit. For the purpose of this Section, the term "occupant" has the same meaning as in subsection (2) of Section 3 of this Act. No person shall be appointed as a Plumbing Inspector who is not a licensed plumber under this Act, including persons employed as Plumbing Inspectors in home rule units.

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

The Department of Public Health may conduct such inquiries in any city, town, village, township or county in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health or the Department of Public Health may designate some other person or persons to conduct such investigation.

(Source: P.A. 90-714, eff. 8-7-98.)

(225 ILCS 320/37) (from Ch. 111, par. 1135)

Sec. 37. Each governmental unit which is authorized to adopt and has adopted any ordinance or resolution regulating plumbing may provide for its administration and enforcement by requiring permits for any plumbing system installation, the inspection of plumbing system installations by inspectors who are licensed as plumbers in accordance with the Illinois Plumbing License Law, and the issue of certificates of approval or compliance which shall be evidence that a plumbing system has been installed in compliance with the Code of standards so adopted.

A letter of intent shall be included with all plumbing permit applications. The letter shall be written on the licensed plumber of record's personal stationary and shall include the license holder's signature and corporate seal. A home rule unit in a county with a population over 500,000 may not regulate the information required to be included with an application for a plumbing permit in a manner less restrictive than this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

A governmental unit authorized to adopt regulations may, by ordinance or resolution, prescribe reasonable fees for the issue of permits for installation work, the issue of certificates of compliance or approval, and for the inspection of plumbing installations.

(Source: P.A. 79-1000.)

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

Representative Saviano offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 930, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 3, line 12, by replacing "personal" with "business"; and on page 3, by replacing line 13 with the following:

"include the license holder's signature and, if the license holder is incorporated, the license holder's corporate seal. If the license holder is not incorporated, the letter must be notarized. A".

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 2525. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Saviano offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2525 by replacing everything after the enacting clause with the following:

"Section 5. The Physical Fitness Services Act is amended by changing Sections 2, 8, and 9 as follows:
(815 ILCS 645/2) (from Ch. 29, par. 52)

Sec. 2. Definitions. (a) "Physical fitness center" or "center" means any person or business entity offering physical fitness services to the public.

(b) "Physical fitness services" or "services" includes instruction, training or assistance in physical culture, bodybuilding, exercising, weight reducing, figure development, judo, karate, self-defense training, or any similar activity; use of the facilities of a physical fitness center for any of the above activities; or membership in any group formed by a physical fitness center for any of the above purposes.

(c) "Basic physical fitness services" means access or membership to the physical fitness center and the use of the equipment and facilities as well as any classes, programs or physical fitness services offered by the physical fitness center as provided under subsection (b) of this Section, which are allowed for or provided as part of the membership fee or package, and excluding optional physical fitness services and any non-physical fitness services which may be offered by the physical fitness center.

(d) "Optional physical services" means additional goods or physical fitness services offered by the physical fitness center which are not part of the membership package or contract but are available for additional cost and includes, but are not limited to, personal training services, physical fitness, wellness or exercise classes, nutritional counseling, weight reduction, court time, privileges to use other physical fitness centers, and use of specialized physical fitness equipment or facilities such as rock climbing walls or aquatic facilities.

(e) "Personal training services" means services performed for a fee by a personal trainer or fitness instructor for individuals or groups relating to developing, monitoring or supervising physical training, exercise or fitness programs, education and instruction regarding the use of exercise equipment or techniques, or rendering advice relating to any of the aforementioned subjects or related issues such as diet.

(f) "Non-physical fitness services" means services or amenities offered by the physical fitness center which are not directly related to physical fitness activities and which are not included in the price of membership to the physical fitness center and includes, but are not limited to, locker fees, spa treatments, massage, tanning, personal grooming services, laundry fees, room rental, parking, food and beverage, vitamins, nutritional supplements, shoes, clothing, clothing apparel, and sports or exercise equipment.

(Source: P.A. 84-850.)

(815 ILCS 645/8) (from Ch. 29, par. 58)

Sec. 8. Prohibited contract provisions. (a) No contract for physical fitness services shall require payment of a total amount in excess of \$2500 per year, and every such contract must so provide in writing; except that this limit shall not apply to any contract for: (1) family or couple memberships, or (2) group memberships, membership, other than family membership, where the purchaser is a corporation or other business entity or any social, fraternal or charitable organization not created for the purpose of encouraging this contractual arrangement.

(b) No contract for family or couple memberships for basic physical fitness services shall require payment in excess of \$2,500 per year per person covered under the membership.

(c) ~~(b)~~ No contract for physical fitness services shall require payments or financing over a period in excess of 3 years from the date the contract is entered into, nor shall the term of any such contract be measured by the life of the customer. The initial term of services to be rendered under the contract may not extend over a period of more than 2 years from the date the parties enter into the contract; provided that the customer may be given an option to renew the contract for consecutive periods of not more than one year each for a reasonable consideration not less than 10% of the cash price of the original membership.

(d) ~~(c)~~ No contract for physical fitness services shall require or entail the execution of any note by the customer which, when separately negotiated, will cut off as to third parties any right of action or defense which the customer may have against the physical fitness center. No right of action or defense arising out of a contract for physical fitness services which the customer has against the center shall be cut off by assignment of the contract whether or not the assignee acquires the contract in good faith and for value. Such an assignee is not a holder in due course.

(Source: P.A. 84-1463.)

(815 ILCS 645/9) (from Ch. 29, par. 59)

Sec. 9. General provisions. (a) All contracts for basic physical fitness services which may be in effect between the same center and the same customer, the terms of which overlap for any period, shall be considered as one contract for the purposes of this Act. No physical fitness center may sell, induce, or permit any purchaser of basic physical fitness services to become obligated directly or contingently under more than one contract for services at the same time for purposes of avoiding the provisions of this Act.

(b) Any waiver by the customer of the provisions of this Act shall be void and unenforceable.

(c) Any contract for physical fitness services which does not comply with the applicable provisions of this Act shall be void and unenforceable.

(d) If any court finds, as a matter of law, that a contract or any provision thereof was unconscionable when made, the court may refuse to enforce the contract, enforce the remainder of the contract without the unconscionable provision, or limit the application of any unconscionable provision to avoid an unconscionable result.

(Source: P.A. 84-850.)

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

The foregoing motion prevailed and Amendment No. 1 was adopted.

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 3498. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Saviano offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3498 on page 1, lines 31 and 32, by deleting "and balance" each time it appears; and on page 2, lines 8 and 9, by replacing "balance vestibular function" with "vestibular function"; and on page 3, by deleting lines 7 through 35; and on page 4, by deleting lines 1 through 11.

The foregoing motion prevailed and Amendment No. 1 was adopted.

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 3449. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Schock offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3449 on page 2, by replacing lines 34 through 36 with the following:
"years of age who is the defendant's or victim's child or step-child or who is a minor child residing within or visiting the household of the defendant or victim. For purposes of this".

The foregoing motion prevailed and Amendment No. 1 was adopted.

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 3500. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Schock offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3500 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 2-3.25d as follows:

(105 ILCS 5/2-3.25d) (from Ch. 122, par. 2-3.25d)

Sec. 2-3.25d. Academic early warning and watch status.

(a) Those schools that do not meet adequate yearly progress criteria, as specified by the State Board of Education through the adoption of rules, for 2 consecutive annual calculations, shall be placed on academic early warning status for the next school year. Schools on academic early warning status that do not meet adequate yearly progress criteria for a third annual calculation shall remain on academic early warning status. Schools on academic early warning status that do not meet adequate yearly progress criteria for a fourth annual calculation shall be placed on initial academic watch status. Schools on academic watch status that do not meet adequate yearly progress criteria for a fifth or subsequent annual calculation shall remain on academic watch status. Schools on academic early warning or academic watch status that meet adequate yearly progress criteria for one annual calculation shall be acknowledged for making improvement and shall maintain their current statuses for the next school year. Schools on academic early warning or academic watch status that meet adequate yearly progress criteria for 2 consecutive annual calculations shall be considered as having met expectations and shall be removed from any status designation.

The school district of a school placed on either academic early warning status or academic watch status may appeal the status to the State Board of Education in accordance with Section 2-3.25m of this Code.

A school district that has one or more schools on academic early warning or academic watch status shall prepare a revised School Improvement Plan or amendments thereto setting forth the district's expectations for removing each school from academic early warning or academic watch status and for improving student performance in the affected school or schools. Districts operating under Article 34 of this Code may prepare the School Improvement Plan required under Section 34-2.4 of this Code.

The revised School Improvement Plan for a school that is initially placed on academic early warning status or that remains on academic early warning status after a third annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code).

The revised School Improvement Plan for a school placed on initial academic watch status after a fourth annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code) and the State Superintendent of Education.

The revised School Improvement Plan for a school that remains on academic watch status after a fifth annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code) and the State Superintendent of Education. In addition, the district must develop a school restructuring plan for the school that must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code) and subsequently approved by the State Superintendent of Education.

A school on academic watch status that does not meet adequate yearly progress criteria for a sixth annual calculation shall implement its approved school restructuring plan beginning with the next school year, subject to the State interventions specified in Section 2-3.25f of this Code.

(b) Those school districts that do not meet adequate yearly progress criteria, as specified by the State Board of Education through the adoption of rules, for 2 consecutive annual calculations, shall be placed on academic early warning status for the next school year. Districts on academic early warning status that do not meet adequate yearly progress criteria for a third annual calculation shall remain on academic early warning status. Districts on academic early warning status that do not meet adequate yearly progress criteria for a fourth annual calculation shall be placed on initial academic watch status. Districts on academic watch status that do not meet adequate yearly progress criteria for a fifth or subsequent annual calculation shall remain on academic watch status. Districts on academic early warning or academic watch status that meet adequate yearly progress criteria for one annual calculation shall be acknowledged for making improvement and shall maintain their current statuses for the next school year. Districts on academic early warning or academic watch status that meet adequate yearly progress criteria for 2 consecutive annual calculations shall be considered as having met expectations and shall be removed from any status designation.

A district placed on either academic early warning status or academic watch status may appeal the status to the State Board of Education in accordance with Section 2-3.25m of this Code.

Districts on academic early warning or academic watch status shall prepare a District Improvement Plan or amendments thereto setting forth the district's expectations for removing the district from academic early warning or academic watch status and for improving student performance in the district.

The District Improvement Plan for a district that is initially placed on academic early warning status must be approved by the school board.

The revised District Improvement Plan for a district that remains on academic early warning status after a third annual calculation must be approved by the school board.

The revised District Improvement Plan for a district on initial academic watch status after a fourth annual calculation must be approved by the school board and the State Superintendent of Education.

The revised District Improvement Plan for a district that remains on academic watch status after a fifth annual calculation must be approved by the school board and the State Superintendent of Education. In addition, the district must develop a district restructuring plan that must be approved by the school board and the State Superintendent of Education.

A district on academic watch status that does not meet adequate yearly progress criteria for a sixth annual calculation shall implement its approved district restructuring plan beginning with the next school year, subject to the State interventions specified in Section 2-3.25f of this Code.

(b-5) For the purpose of calculating adequate yearly progress under subsections (a) and (b) of this Section by the State, a school district, or a school, a full academic year must be defined as continuous enrollment of a student in the district or school for 176 days of pupil attendance prior to the date of the administration of State assessments. Nothing in this amendatory Act of the 94th General Assembly prohibits a school district or school from administering a State assessment to any student for the purpose of assessing the student's mastery of the curriculum.

(c) All revised School and District Improvement Plans shall be developed in collaboration with staff in the affected school or school district. All revised School and District Improvement Plans shall be developed, submitted, and approved pursuant to rules adopted by the State Board of Education. The revised Improvement Plan shall address measurable outcomes for improving student performance so that such performance meets adequate yearly progress criteria as specified by the State Board of Education.

(d) All federal requirements apply to schools and school districts utilizing federal funds under Title I, Part A of the federal Elementary and Secondary Education Act of 1965.

(e) The State Board of Education, from any moneys it may have available for this purpose, must implement and administer a grant program that provides 2-year grants to school districts on the academic watch list and other school districts that have the lowest achieving students, as determined by the State Board of Education, to be used to improve student achievement. In order to receive a grant under this program, a school district must establish an accountability program. The accountability program must involve the use of statewide testing standards and local evaluation measures. A grant shall be automatically renewed when achievement goals are met. The Board may adopt any rules necessary to implement and administer this grant program.

(Source: P.A. 93-470, eff. 8-8-03; 93-890, eff. 8-9-04.)

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

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

RECALLS

At the request of the principal sponsor, Representative Soto, HOUSE BILL 3471 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Soto, HOUSE BILL 1133 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 reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Soto, HOUSE BILL 1565 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 18)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 2768. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 1 remained in the Committee on Rules.

Representative Stephens offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 2768 by replacing everything after the enacting clause with the following:

"Section 5. The Pharmacy Practice Act of 1987 is amended by adding Section 24.5 as follows:
(225 ILCS 85/24.5 new)

Sec. 24.5. Sale of prescription drugs at best price. If a wholesale drug distributor or pharmacy benefit manager has entered into a contract with the State to sell or negotiate the sale of a prescription drug to the State at a particular price, then, upon the request of any pharmacy domiciled in this State, the wholesale drug distributor or pharmacy benefit manager must disclose that price and make that prescription drug available to the pharmacy at that same price during the period that the contract with the State is in effect, regardless of the quantity of the drug purchased by the pharmacy. This Section applies only to contracts for the sale of prescription drugs entered into between a pharmacy and a wholesale drug distributor or pharmacy benefit manager on or after the effective date of this amendatory Act of the 94th General Assembly.

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 2449. Having been recalled on March 16, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Washington offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2449 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Railroad Employees Medical Treatment Act.

Section 5. Definition. As used in this Act:

"Discipline" means to bring charges against in a disciplinary proceeding, suspend, terminate, or make a note of reprimand on an employee's record.

Section 10. Railroad employee access to first aid or medical treatment.

(a) A railroad shall make a good faith effort to provide prompt medical attention for a railroad employee

who is injured in the course of his or her employment.

(b) It is unlawful for a railroad or person employed by a railroad to:

(1) deny, delay, or interfere with medical treatment or first aid treatment to an employee of that railroad who has been injured during employment; or

(2) discipline or threaten discipline to an employee of a railroad who has been injured during employment for (i) requesting medical or first aid treatment or (ii) following the orders or treatment plan of his or her treating physician.

(c) Nothing in this Section shall be construed to require a railroad or railroad employee to perform first aid or medical care.

(d) This Section does not prevent an employer from:

(1) noting in an employee's record that an injury occurred; or

(2) offering light duty or an alternate work assignment to an injured employee if the light duty or alternate work assignment does not conflict with the orders or treatment plan of the employee's treating physician.

(e) A violation of this Section is a business offense and punishable by a fine of not more than \$10,000 for each violation."

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Washington, HOUSE BILL 711 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

85, Yeas; 29, Nays; 0, Answering Present.

(ROLL CALL 19)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 3685. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Winters offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3685 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Sections 10-20.40 and 34-18.32 as follows:

(105 ILCS 5/10-20.40 new)

Sec. 10-20.40. School bus idling policy.

(a) Each school board shall adopt a policy that prohibits a school bus that is in operation for the purpose of transporting students to or from school or a school-related function or activity from running on idle for more than 10 minutes while the bus is parked.

The policy shall not apply when the ambient air temperature is less than 0 degrees fahrenheit.

(b) The policy must require all diesel school buses to be parked and loaded at least 100 feet from school air-intake systems unless the school board determines that alternative locations block traffic, impair student safety, or are not cost-effective. The policy must also require that, when they are not in use, all diesel

school buses on school property or near school air-intake systems must be parked in a manner that reduces contamination of school bus cabins and school facilities by diesel engine exhaust fumes. The policy must allow exceptions to these requirements when:

(1) the bus is loading and unloading children;

(2) maintenance or repairs are being conducted on the bus;

(3) lift equipment is being used to load and unload children with special needs;

(4) the bus is running in order to power defrosters, heaters, air conditioners, or other equipment necessary for safety or health considerations of passengers, unless the equipment can be powered by the battery;

(5) the bus is running in order to power headlights or warning lights, unless the lights can be powered by the battery; and

(6) the bus is running due to a traffic, safety, or emergency situation.

(105 ILCS 5/34-18.32 new)

Sec. 34-18.32. School bus idling policy.

(a) The board shall adopt a policy that prohibits a school bus that is in operation for the purpose of transporting students to or from school or a school-related function or activity from running on idle for more than 10 minutes while the bus is parked.

The policy shall not apply when the ambient air temperature is less than 0 degrees fahrenheit.

(b) The policy must require all diesel school buses to be parked and loaded at least 100 feet from school air-intake systems unless the school board determines that alternative locations block traffic, impair student safety, or are not cost-effective. The policy must also require that, when they are not in use, all diesel school buses on school property or near school air-intake systems must be parked in a manner that reduces contamination of school bus cabins and school facilities by diesel engine exhaust fumes. The policy must allow exceptions to these requirements when:

(1) the bus is loading and unloading children;

(2) maintenance or repairs are being conducted on the bus;

(3) lift equipment is being used to load and unload children with special needs;

(4) the bus is running in order to power defrosters, heaters, air conditioners, or other equipment necessary for safety or health considerations of passengers, unless the equipment can be powered by the battery;

(5) the bus is running in order to power headlights or warning lights, unless the lights can be powered by the battery; and

(6) the bus is running due to a traffic, safety, or emergency situation.

Section 99. Effective date. This Act takes effect September 1, 2005."

The foregoing motion prevailed and Amendment No. 1 was adopted.

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 1560. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Younge, HOUSE BILL 1272 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

113, Yeas; 1, Nay; 0, Answering Present.

(ROLL CALL 20)

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

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

On motion of Representative Bailey, HOUSE BILL 58 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 82, Yeas; 32, Nays; 0, Answering Present.

(ROLL CALL 21)

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

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

On motion of Representative John Bradley, HOUSE BILL 2528 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 93, Yeas; 15, Nays; 6, Answering Present.

(ROLL CALL 22)

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

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

On motion of Representative McAuliffe, HOUSE BILL 2900 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 113, Yeas; 0, Nays; 1, Answering Present.

(ROLL CALL 23)

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

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

HOUSE BILL ON SECOND READING

HOUSE BILL 3853. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

RECALL

At the request of the principal sponsor, Representative Richard Bradley, HOUSE BILL 805 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

ACTION ON MOTIONS

Pursuant to the motion submitted previously, Representative Flowers moved to table HOUSE BILL 246.

The motion prevailed.

Pursuant to the motion submitted previously, Representative Flowers moved to table Amendment No. 2 to HOUSE BILL 248.

The motion prevailed.

Pursuant to the motion submitted previously, Representative Soto moved to table HOUSE BILL 382.

The motion prevailed.

Pursuant to the motion submitted previously, Representative Flowers moved to table HOUSE BILL 639.

The motion prevailed.

Pursuant to the motion submitted previously, Representative Osmond moved to table HOUSE BILL 1061.

The motion prevailed.

Pursuant to the motion submitted previously, Representative Daniels moved to table HOUSE BILL 1449.

The motion prevailed.

Pursuant to the motion submitted previously, Representative Pritchard moved to table HOUSE BILL 3487.

The motion prevailed.

RECALL

At the request of the principal sponsor, Representative Sacia, HOUSE BILL 3621 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 290, 292, 293, 294 and 295 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

SUSPEND POSTING REQUIREMENTS

Pursuant to the motion submitted previously, Representative Currie moved to suspend the posting requirements in Rule 21 in relation to House Resolutions 83, 86, 90, 117, 119, 120, 136, 141, 143, 144, 145, 147, 148, 149, 151, 152, 153, 154, 155, 156, 169, 170, 172, 175, 177, 180, 182, 186, 188, 193, 196, 199, 201, 214, 220, 228, 233, 234, 259, 260, 261, 262 and House Joint Resolutions 6, 7, 9, 17, 18, 20, 21, 22, 23, 24, 25, 28, 29, 31, 33 and 34 to be heard in Committee.

The motion prevailed.

At the hour of 5:25 o'clock p.m., Representative Currie moved that the House do now adjourn until Tuesday, April 12, 2005, at 12:00 o'clock noon, allowing perfunctory time for the Clerk.

The motion prevailed.

And the House stood adjourned.

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

April 11, 2005

0 YEAS

0 NAYS

114 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1289
LIQUOR-PRIOR CONTIN COMPLI TXP
THIRD READING
PASSED

April 11, 2005

111 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2355
 WEIGHTS & MEASURES-GAS-INSPECT
 THIRD READING
 PASSED

April 11, 2005

108 YEAS

3 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2460
 NO FOREIGN CHILD LABOR GOODS
 THIRD READING
 PASSED

April 11, 2005

111 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1039
CRIM CD-ARMED HABITUAL CRIM
THIRD READING
PASSED

April 11, 2005

110 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1451
 MHDD-SERVICES-MINIMUM STNDS
 THIRD READING
 PASSED

April 11, 2005

110 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1447
 MHDD FEE-FOR-SERVICE PAYMNTS
 THIRD READING
 PASSED

April 11, 2005

111 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 473
 PROC CD-VEHICLES-FUELS
 THIRD READING
 PASSED

April 11, 2005

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 438
 DISABLD PERSN-HOME SRVCS-ASSET
 THIRD READING
 PASSED

April 11, 2005

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3048
 REGULATION-TECH
 THIRD READING
 PASSED

April 11, 2005

73 YEAS

40 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1384
 PEN CD-SURS-MEDICARE
 THIRD READING
 PASSED

April 11, 2005

111 YEAS

0 NAYS

2 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3740
 PEN CD-CHGO TEACHR-ERRORS
 THIRD READING
 PASSED

April 11, 2005

112 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2379
 PEN CD-MWRD-ADMINISTRATIVE PKG
 THIRD READING
 PASSED

April 11, 2005

94 YEAS

19 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 4052
 CRIM CD-HEINOUS BAT UNBORN
 THIRD READING
 PASSED

April 11, 2005

113 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 829
 PROP TX-INTEREST PAYMENT FUNDS
 THIRD READING
 PASSED

April 11, 2005

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1310
 LOC GOV-TWP PUBLIC GRAVEYARD
 THIRD READING
 PASSED

April 11, 2005

113 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1063
HUMAN RTS-RELIGIOUS ORGANIZATN
SECOND READING
FLOOR AMENDMENT NO. 3 -REIS
ADOPTED

April 11, 2005

68 YEAS

46 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1565
VEH CD-RECORDS & EQUIPMENT
THIRD READING
PASSED

April 11, 2005

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 711
MILITARY SURPLUS ID ACT
THIRD READING
PASSED

April 11, 2005

85 YEAS

29 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1272
 COMMUNITY SELF-REVITALIZE ACT
 THIRD READING
 PASSED

April 11, 2005

113 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 58
HEALTH ED-REQUIRED INSTRUCTION
THIRD READING
PASSED

April 11, 2005

82 YEAS

32 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2528
 FINANCE-FACILITIES CLOSURES
 THIRD READING
 PASSED

April 11, 2005

93 YEAS

15 NAYS

6 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2900
CRIMINAL LAW-TECH
THIRD READING
PASSED

April 11, 2005

113 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

37TH LEGISLATIVE DAY**Perfunctory Session****MONDAY, APRIL 11, 2005**

At the hour of 5:29 o'clock p.m., the House convened perfunctory session.

RESOLUTIONS

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

HOUSE RESOLUTION 291

Offered by Representative Jefferson:

WHEREAS, Hundreds of people die and thousands are injured each year in electrical accidents; and
 WHEREAS, There are, on average, 910 civilian deaths related to electrical home structure fires; and
 WHEREAS, Nearly three people are electrocuted in the home and five more in the workplace each week; and

WHEREAS, Property damage due to home fires caused by electrical distribution, appliances and equipment, and heating and air conditioning systems amounts to nearly \$1.7 billion annually; and

WHEREAS, Following basic electrical safety precautions can help prevent injury or death to thousands of people each year; and

WHEREAS, Citizens are encouraged to check their home and workplace for possible electrical hazards to help protect lives and property; and

WHEREAS, Citizens are encouraged to test their smoke detectors and ground fault circuit interrupters monthly and after every major electrical storm; and

WHEREAS, It is important to establish and practice electrical safety habits in the home, school, and workplace to decrease electrical hazards, injuries, and property damage, and to prevent deaths; and

WHEREAS, The efforts of the Electrical Safety Foundation International and the U.S. Consumer Product Safety Commission promote and educate the public about the importance of respecting electricity and practicing electrical safety in the home, school, and workplace; and

WHEREAS, International Brotherhood of Electrical Workers, Local Union 364, is actively helping to move this effort forward in order to reduce the number of electrical injuries and deaths from electrical hazards; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize May as Electrical Safety Month and urge the people of Illinois to participate in Electrical Safety Month activities and to conduct an electrical safety check of their home, school, and workplace.

HOUSE JOINT RESOLUTION 38

Offered by Representative Mendoza:

WHEREAS, The Community Development Block Grant (CDBG) program was enacted, and signed into law by President Gerald Ford, as the centerpiece of the Housing and Community Development Act of 1974; and

WHEREAS, The CDBG program has as its primary objective "the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income"; and

WHEREAS, The CDBG program has considerable flexibility to allow communities to carry out activities that are tailored to their unique affordable housing and neighborhood revitalization needs; and

WHEREAS, Throughout its 30-year history, the CDBG program has been a partnership between the federal, state, and local governments, business, and the nonprofit sector, which carry out activities that

improve the lives and neighborhoods of low and moderate income families; and

WHEREAS, According to the Department of Housing and Urban Development (HUD), in FY 2004 the CDBG program provided funds for thousands of activities, assisting over 23 million persons and households through such activities as expanding homeownership activities, eliminating slums and blighting influences, improving infrastructure such as roads, water and sewer systems, libraries, and community centers, and providing adult day care and after school care for children, homeless housing facilities, employment training, transportation services, crime awareness, and business and job creation; and

WHEREAS, The City of Chicago uses CDBG funds in the amount of \$95.5 million to provide housing, economic development, and various public services to approximately 400,000 people annually; and

WHEREAS, The President's FY 2006 budget proposes to completely eliminate the CDBG program; and

WHEREAS, Should such a proposal be enacted, it would have a devastating effect on the State's CDBG program in the following ways: (1) reduced number of housing developments; (2) reduced business development and urban planning; and (3) elimination of youth, violence prevention, health, and homeless services that serve millions of people annually; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge the United States Congress to preserve the Community Development Block Grant (CDBG) Program within the Department of Housing and Urban Development and provide FY 2006 funding of at least \$4.7 billion overall, with no less than \$4.35 billion in formula funding; and be it further

RESOLVED, That suitable copies of this Resolution be sent to the President of the United States Senate, the Minority Leader of the Senate, the Speaker of the United States House of Representatives, the Minority Leader of the House of Representatives, and each member of the Illinois Congressional delegation.

SENATE BILLS ON FIRST READING

Having been reproduced, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 3 (Black), 12 (Feigenholtz), 475 (Forby), 479 (Schock), 559 (Sacia), 562 (Beiser), 615 (Schock), 659 (Myers), 769 (Eddy), 770 (Parke), 849 (Gordon), 1219 (Saviano), 1220 (Rita), 1221 (Meyer), 1354 (Stephens), 1442 (Lang), 1453 (Miller), 1622 (Mendoza), 1626 (Mendoza), 1639 (Black), 1645 (Munson), 1651 (Miller), 1660 (Winters), 1666 (Verschoore), 1707 (Krause), 1741 (Hoffman), 1751 (Miller), 1814 (Reitz), 1857 (Saviano), 1862 (Hamos), 1863 (Hamos), 1878 (Feigenholtz), 1882 (Mathias), 1895 (Mathias), 1912 (Scully) and 1977 (Verschoore).

At the hour of 5:40 o'clock p.m., the House Perfunctory Session adjourned.