

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FOURTH GENERAL ASSEMBLY

38TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

TUESDAY, APRIL 12, 2005

12:06 O'CLOCK P.M.

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The House met pursuant to adjournment.
Representative Hannig in the chair.
Prayer by First Reader Herb White, with the First Church of Christ Scientist of Winnettka in Winnettka, IL.
Representative Fritchey led the House in the Pledge of Allegiance.
By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:
117 present. (ROLL CALL 1)

By unanimous consent, Representative McKeon was excused from attendance.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Joseph Lyons replaced Representative Hannig in the Committee on Rules on April 12, 2005.

Representative Delgado replaced Representative Hoffman in the Committee on Labor on April 11, 2005.

Representative William Davis replaced Representative Osterman in the Committee on Local Government on April 11, 2005.

Representative Ryg replaced Representative Hamos in the Committee on Judiciary I - Civil Law on April 12, 2005.

Representative Jenisch replaced Representative Black in the Committee on Transportation and Motor Vehicles on April 12, 2005.

Representative Flider replaced Representative Joyce in the Committee on Transportation and Motor Vehicles on April 12, 2005.

Representative Monique Davis replaced Representative Molaro in the Committee on Transportation and Motor Vehicles on April 12, 2005.

Representative Rose replaced Representative Stephens in the Committee on Transportation and Motor Vehicles on April 12, 2005.

Representative Flider replaced Representative McCarthy in the Committee on Transportation and Motor Vehicles on April 12, 2005.

Representative Patterson replaced Representative Graham in the Committee on Transportation and Motor Vehicles on April 12, 2005.

Representative Chapa LaVia replaced Representative Collins in the Committee on Judiciary II - Criminal Law on April 12, 2005.

Representative Flowers replaced Representative Delgado in the Committee on Judiciary II - Criminal Law on April 12, 2005.

Representative Jefferson replaced Representative Franks in the Committee on International Trade & Commerce on April 12, 2005.

Representative May replaced Representative Collins in the Committee on Human Services on April 12, 2005.

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Representative Eddy replaced Representative Cultra in the Committee on Human Services on April 12, 2005.

LETTER OF TRANSMITTAL

April 13, 2005

Mark Mahoney
Clerk of the House
Capitol Room #402
Springfield, IL 62706

Mark,

Yesterday during session, we voted on #HB2347 – Vehicle CD-Excessive Idling. Unfortunately, some sort of error must have occurred during the voting process and my vote was recorded as a yes. This was not my intention and would like to be recorded as a NO vote.

Please contact me if you have further questions or a problem occurs with the change. Thank you for your time and consideration of this matter.

Respectfully,
s/Patrick J. Verschoore

REPORTS FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 12, 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 298.
Amendment No. 2 to HOUSE BILL 1445.
Amendment No. 2 to HOUSE BILL 1475.
Amendment No. 3 to HOUSE BILL 2373.
Amendment No. 3 to HOUSE BILL 3499.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Computer Technology: HOUSE AMENDMENT No. 1 to HOUSE BILL 2408.
Consumer Protection: HOUSE AMENDMENT No. 1 to HOUSE BILL 2853.
Electric Utility Oversight: HOUSE AMENDMENT No. 1 to HOUSE BILL 3246.
Judiciary II - Criminal Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 2369.
Labor: HOUSE AMENDMENT No. 1 to HOUSE BILL 2260.
Gaming: HOUSE AMENDMENT No. 3 to HOUSE BILL 1271.

The committee roll call vote on the foregoing Legislative Measures is as follows:
3, Yeas; 1, Nay; 0, Answering Present.

Y Currie,Barbara(D), Chairperson
Y Lyons, J(D) (replacing Hannig)
Y Turner,Arthur(D)

A Black,William(R), Republican Spokesperson
N Hassert,Brent(R)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 12, 2005, (A) 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 9.
 Amendment No. 2 to HOUSE BILL 805.
 Amendment No. 2 to HOUSE BILL 834.
 Amendment No. 1 to HOUSE BILL 1320.
 Amendment No. 4 to HOUSE BILL 1428.
 Amendment No. 4 to HOUSE BILL 1633.
 Amendment No. 2 to HOUSE BILL 2241.
 Amendment No. 1 to HOUSE BILL 2451.
 Amendment No. 1 to HOUSE BILL 2461.
 Amendment No. 3 to HOUSE BILL 2578.
 Amendment No. 3 to HOUSE BILL 2593.
 Amendment No. 4 to HOUSE BILL 2946.
 Amendment No. 2 to HOUSE BILL 3471.
 Amendment No. 1 to HOUSE BILL 3615.
 Amendment No. 1 to HOUSE BILL 3694.
 Amendment No. 1 to HOUSE BILL 3767.
 Amendment No. 1 to HOUSE BILL 3819.
 Amendment No. 2 to HOUSE BILL 3851.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Computer Technology: HOUSE AMENDMENT No. 3 to HOUSE BILL 3650.
 Consumer Protection: HOUSE AMENDMENT No. 1 to HOUSE BILL 1662.
 Elementary & Secondary Education: HOUSE AMENDMENT No. 1 to HOUSE BILL 978.
 Environmental Health: HOUSE AMENDMENT No. 1 to HOUSE BILL 2196.
 Executive: HOUSE AMENDMENT No. 1 to HOUSE BILL 2249.
 Human Services: HOUSE AMENDMENTS Numbered 1 and 2 to HOUSE BILL 44; HOUSE AMENDMENT No. 1 to HOUSE BILL 1604.
 Judiciary I - Civil Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 1870.
 Judiciary II - Criminal Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 2913.
 Labor: HOUSE AMENDMENT No. 1 to HOUSE BILL 1308.
 Local Government: HOUSE AMENDMENT No. 1 to HOUSE BILL 1679.
 Registration and Regulation: HOUSE AMENDMENT No. 2 to HOUSE BILL 1031.
 Revenue: HOUSE AMENDMENT No. 2 to HOUSE BILL 666; HOUSE AMENDMENT No. 2 to HOUSE BILL 2712.
 Developmental Disabilities and Mental Illness: HOUSE AMENDMENT No. 2 to HOUSE BILL 1450.

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

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

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

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

REPORTS FROM STANDING COMMITTEES

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 resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 83.

The committee roll call vote on House Resolution 83 is as follows:

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

| | |
|---------------------------------|---|
| Y Giles, Calvin(D), Chairperson | Y Davis, Monique(D), Vice-Chairperson |
| Y Bassi, Suzanne(R) | Y Beiser, Daniel(D) |
| Y Chapa LaVia, Linda(D) | A Colvin, Marlow(D) |
| Y Dugan, Lisa(D) | Y Eddy, Roger(R) |
| Y Flider, Robert(D) | Y Joyce, Kevin(D) |
| Y Miller, David(D) | Y Mitchell, Jerry(R), Republican Spokesperson |
| Y Moffitt, Donald(R) | A Mulligan, Rosemary(R) |
| Y Munson, Ruth(R) | Y Osterman, Harry(D) |
| Y Pihos, Sandra(R) | Y Pritchard, Robert(R) |
| A Reis, David(R) | Y Smith, Michael(D) |
| Y Watson, Jim(R) | |

Representative Holbrook, Chairperson, from the Committee on Environment & Energy 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 2250.

The committee roll call vote on Amendment No. 1 to House Bill 2250 is as follows:

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

| | |
|---|--|
| Y Holbrook, Thomas(D), Chairperson | Y Nekritz, Elaine(D), Vice-Chairperson |
| Y Bradley, Richard(D) | A Cultra, Shane(R) |
| A Hamos, Julie(D) | A Joyce, Kevin(D) |
| Y Kosel, Renee(R) | A Leitch, David(R) |
| A Mautino, Frank(D) | Y May, Karen(D) |
| A Meyer, James(R) | Y Parke, Terry(R) |
| Y Phelps, Brandon(D) | Y Reitz, Dan(D) |
| Y Rita, Robert(D) | Y Rose, Chapin(R) |
| Y Schock, Aaron(R) | Y Smith, Michael(D) |
| Y Tenhouse, Art(R), Republican Spokesperson | A Tryon, Michael(R) |
| A Verschoore, Patrick(D) | Y Winters, Dave(R) |

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

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 90 and HOUSE JOINT RESOLUTION 18.

The committee roll call vote on House Resolution 90 is as follows:

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

| | |
|----------------------------------|-------------------------|
| A McKeon, Larry(D), Chairperson | A Beaubien, Mark(R) |
| Y Boland, Mike(D) | Y Colvin, Marlow(D) |
| A Cultra, Shane(R) | Y D'Amico, John(D) |
| Y Davis, William(D) | A Dunn, Joe(R) |
| Y Eddy, Roger(R) | Y Graham, Deborah(D) |
| Y Delgado(D) (replacing Hoffman) | Y Howard, Constance(D) |
| Y Hultgren, Randall(R) | Y Jefferson, Charles(D) |
| Y Parke, Terry(R) | Y Schmitz, Timothy(R) |

Y Soto,Cynthia(D), Vice-Chairperson
 Y Washington,Eddie(D)

Y Tenhouse,Art(R)
 Y Winters,Dave(R), Republican Spokesperson

The committee roll call vote on House Joint Resolution 18 is as follows:
 12, Yeas; 0, Nays; 0, Answering Present.

A McKeon,Larry(D), Chairperson
 A Boland,Mike(D)
 A Cultra,Shane(R)
 A Davis,William(D)
 Y Eddy,Roger(R)
 A Hoffman,Jay(D)
 Y Hultgren,Randall(R)
 Y Parke,Terry(R)
 Y Soto,Cynthia(D), Vice-Chairperson
 Y Washington,Eddie(D)

A Beaubien,Mark(R)
 Y Colvin,Marlow(D)
 Y D'Amico,John(D)
 A Dunn,Joe(R)
 Y Graham,Deborah(D)
 Y Howard,Constance(D)
 A Jefferson,Charles(D)
 Y Schmitz,Timothy(R)
 Y Tenhouse,Art(R)
 Y Winters,Dave(R), Republican Spokesperson

Representative Flider, Chairperson, from the Committee on Local Government 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 1680.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:
 HOUSE RESOLUTION 234.

The committee roll call vote on Amendment No. 1 to House Bill 1680 is as follows:
 10, Yeas; 0, Nays; 0, Answering Present.

Y Davis, W(D) (replacing Osterman)
 Y Flider,Robert(D), Vice-Chairperson
 Y Mathias,Sidney(R), Republican Spokesperson
 Y Ryg,Kathleen(D)
 Y Tryon,Michael(R)
 Y Younge,Wyvetter(D)

Y Beiser,Daniel(D)
 Y Kelly,Robin(D)
 Y Moffitt,Donald(R)
 A Sommer,Keith(R)
 Y Watson,Jim(R)

The committee roll call vote on House Resolution 234 is as follows:
 8, Yeas; 0, Nays; 0, Answering Present.

Y Davis, W(D) (replacing Osterman)
 Y Flider,Robert(D), Vice-Chairperson
 Y Mathias,Sidney(R), Republican Spokesperson
 A Ryg,Kathleen(D)
 Y Tryon,Michael(R)
 Y Younge,Wyvetter(D)

Y Beiser,Daniel(D)
 Y Kelly,Robin(D)
 Y Moffitt,Donald(R)
 A Sommer,Keith(R)
 A Watson,Jim(R)

Representative Daniels, Chairperson, from the Committee on Developmental Disabilities and Mental Illness 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 1197.

The committee roll call vote on Amendment No. 3 to House Bill 1197 is as follows:
 6, Yeas; 0, Nays; 0, Answering Present.

Y Daniels, Lee(R), Chairperson
 Y Bellock, Patricia(R)
 Y Churchill, Robert(R), Republican Spokesperson
 A McKeon, Larry(D)

Y Ryg, Kathleen(D), Vice-Chairperson
 Y Chapa LaVia, Linda(D)
 Y Hultgren, Randall(R)

Representative Collins, Chairperson, from the Committee on Public Utilities 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 1411.

The committee roll call vote on Amendment No. 1 to House Bill 1411 is as follows:

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

- | | |
|--|--|
| Y Collins,Annazette(D), Chairperson | Y Biggins,Bob(R) |
| Y Davis,Monique(D) | Y Hassert,Brent(R) |
| Y Holbrook,Thomas(D), Vice-Chairperson | Y Jefferson,Charles(D) |
| A Jones,Lovana(D) | Y Leitch,David(R) |
| A Saviano,Angelo(R) | A Watson,Jim(R), Republican Spokesperson |

Representative Franks, Chairperson, from the Committee on State Government Administration 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 1656.

Amendment No. 1 to HOUSE BILL 3273.

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTIONS 120, 151, 177, 196, 228 and 233.

The committee roll call vote on House Resolution 177 is as follows:

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

- | | |
|--|------------------------|
| Y Franks,Jack(D), Chairperson | A Bradley,John(D) |
| Y Chavez,Michelle(D) | A Collins,Annazette(D) |
| Y Dugan,Lisa(D), Vice-Chairperson | A Lindner,Patricia(R) |
| Y Mitchell,Bill(R) | A Myers,Richard(R) |
| Y Stephens,Ron(R), Republican Spokesperson | |

The committee roll call vote on House Resolutions 151, 196, 228 and Amendment No. 1 to House Bill 3273 is as follows:

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

- | | |
|--|------------------------|
| Y Franks,Jack(D), Chairperson | Y Bradley,John(D) |
| Y Chavez,Michelle(D) | A Collins,Annazette(D) |
| Y Dugan,Lisa(D), Vice-Chairperson | Y Lindner,Patricia(R) |
| Y Mitchell,Bill(R) | Y Myers,Richard(R) |
| Y Stephens,Ron(R), Republican Spokesperson | |

The committee roll call vote on House Resolutions 120 and 233 is as follows:

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

- | | |
|--|------------------------|
| Y Franks,Jack(D), Chairperson | A Bradley,John(D) |
| Y Chavez,Michelle(D) | A Collins,Annazette(D) |
| Y Dugan,Lisa(D), Vice-Chairperson | Y Lindner,Patricia(R) |
| Y Mitchell,Bill(R) | Y Myers,Richard(R) |
| Y Stephens,Ron(R), Republican Spokesperson | |

Representative Fritchey, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken on April 12, 2005, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 2390.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 214.

The committee roll call vote on House Bill 2390 is as follows:

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

| | |
|--|-------------------------------------|
| Y Fritchey,John(D), Chairperson | Y Bradley,John(D), Vice-Chairperson |
| Y Brosnahan,James(D) | N Gordon,Careen(D) |
| Y Ryg(D) (replacing Hamos) | Y Hoffman,Jay(D) |
| Y Hultgren,Randall(R), Republican Spokesperson | Y Lang,Lou(D) |
| N Mathias,Sidney(R) | Y Nekritz,Elaine(D) |
| Y Osmond,JoAnn(R) | N Rose,Chapin(R) |
| N Sacia,Jim(R) | N Wait,Ronald(R) |

The committee roll call vote on House Resolution 214 is as follows:

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

| | |
|--|-------------------------------------|
| Y Fritchey,John(D), Chairperson | A Bradley,John(D), Vice-Chairperson |
| A Brosnahan,James(D) | Y Gordon,Careen(D) |
| A Hamos,Julie(D) | A Hoffman,Jay(D) |
| Y Hultgren,Randall(R), Republican Spokesperson | A Lang,Lou(D) |
| Y Mathias,Sidney(R) | Y Nekritz,Elaine(D) |
| Y Osmond,JoAnn(R) | Y Rose,Chapin(R) |
| Y Sacia,Jim(R) | A Wait,Ronald(R) |

Representative Hoffman, Chairperson, from the Committee on Transportation and Motor Vehicles to which the following were referred, action taken on April 12, 2005, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 3463.

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTIONS 117, 143, 154, 182, 188 and HOUSE JOINT RESOLUTIONS 22 and 34.

The committee roll call vote on House Bill 3463 is as follows:

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

| | |
|-------------------------------------|---|
| Y Hoffman,Jay(D), Chairperson | A Beiser,Daniel(D) |
| Y Jenisch(R) (replacing Black) | A Bost,Mike(R) |
| Y Brauer,Rich(R) | A Brosnahan,James(D) |
| Y D'Amico,John(D) | A Fritchey,John(D) |
| Y Froehlich,Paul(R) | Y Graham,Deborah(D) |
| Y Flider(D) (replacing Joyce) | Y Lyons,Joseph(D) |
| Y Mathias,Sidney(R) | A McAuliffe,Michael(R) |
| Y McCarthy,Kevin(D) | A Mendoza,Susana(D) |
| Y Miller,David(D), Vice-Chairperson | A Millner,John(R) |
| Y Davis, M(D) (replacing Molaro) | Y Nekritz,Elaine(D) |
| Y Poe,Raymond(R) | N Soto,Cynthia(D) |
| A Rose(R) (replacing Stephens) | A Tenhouse,Art(R) |
| Y Tryon,Michael(R) | Y Wait,Ronald(R), Republican Spokesperson |
| A Washington,Eddie(D) | |

The committee roll call vote on House Resolution 188 is as follows:

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

| | |
|--------------------------------|--------------------|
| Y Hoffman,Jay(D), Chairperson | Y Beiser,Daniel(D) |
| Y Jenisch(R) (replacing Black) | Y Bost,Mike(R) |

| | |
|-------------------------------------|---|
| Y Brauer,Rich(R) | Y Brosnahan,James(D) |
| Y D'Amico,John(D) | P Fritchey,John(D) |
| 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) | Y Mendoza,Susana(D) |
| Y Miller,David(D), Vice-Chairperson | Y Millner,John(R) |
| Y Davis, M(D) (replacing Molaro) | Y Nekritz,Elaine(D) |
| Y Poe,Raymond(R) | Y Soto,Cynthia(D) |
| Y Rose(R) (replacing Stephens) | A Tenhouse,Art(R) |
| Y Tryon,Michael(R) | Y Wait,Ronald(R), Republican Spokesperson |
| Y Washington,Eddie(D) | |

The committee roll call vote on House Joint Resolutions 22, 34 and House Resolution 117 is as follows:

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

| | |
|-------------------------------------|---|
| Y Hoffman,Jay(D), Chairperson | Y Beiser,Daniel(D) |
| Y Jenisch(R) (replacing Black) | Y Bost,Mike(R) |
| Y Brauer,Rich(R) | Y Brosnahan,James(D) |
| Y D'Amico,John(D) | Y Fritchey,John(D) |
| 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) | Y Mendoza,Susana(D) |
| Y Miller,David(D), Vice-Chairperson | Y Millner,John(R) |
| Y Davis, M(D) (replacing Molaro) | Y Nekritz,Elaine(D) |
| Y Poe,Raymond(R) | Y Soto,Cynthia(D) |
| Y Rose(R) (replacing Stephens) | A Tenhouse,Art(R) |
| Y Tryon,Michael(R) | Y Wait,Ronald(R), Republican Spokesperson |
| Y Washington,Eddie(D) | |

The committee roll call vote on House Resolutions 143, 154 and 182 is as follows:

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

| | |
|-------------------------------------|---|
| Y Hoffman,Jay(D), Chairperson | Y Beiser,Daniel(D) |
| Y Jenisch(R) (replacing Black) | Y Bost,Mike(R) |
| Y Brauer,Rich(R) | Y Brosnahan,James(D) |
| Y D'Amico,John(D) | Y Fritchey,John(D) |
| Y Froehlich,Paul(R) | Y Graham,Deborah(D) |
| Y Joyce,Kevin(D) | Y Lyons,Joseph(D) |
| Y Mathias,Sidney(R) | Y McAuliffe,Michael(R) |
| Y Flider(D) (replacing McCarthy) | Y Mendoza,Susana(D) |
| Y Miller,David(D), Vice-Chairperson | Y Millner,John(R) |
| Y Davis, M(D) (replacing Molaro) | Y Nekritz,Elaine(D) |
| Y Poe,Raymond(R) | Y Soto,Cynthia(D) |
| Y Rose(R) (replacing Stephens) | A Tenhouse,Art(R) |
| Y Tryon,Michael(R) | Y Wait,Ronald(R), Republican Spokesperson |
| Y Washington,Eddie(D) | |

Representative Molaro, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on April 12, 2005, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 644.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:
HOUSE RESOLUTION 261.

The committee roll call vote on House Bill 644 is as follows:

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

| | |
|---------------------------------|--|
| Y Molaro,Robert(D), Chairperson | Y Bailey,Patricia(D) |
| Y Bradley,John(D) | Y Chapa LaVia(D) (replacing Collins) |
| N Cultra,Shane(R) | Y Flowers(D) (replacing Delgado) |
| Y Gordon,Careen(D) | Y Howard,Constance(D) |
| Y Jones,Lovana(D) | N Lindner,Patricia(R), Republican Spokesperson |
| Y Mautino,Frank(D) | N Millner,John(R) |
| N Reis,David(R) | A Sacia,Jim(R) |
| N Stephens,Ron(R) | A Wait,Ronald(R) |

The committee roll call vote on House Resolution 261 is as follows:

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

| | |
|---------------------------------|--|
| Y Molaro,Robert(D), Chairperson | Y Bailey,Patricia(D) |
| Y Bradley,John(D) | Y Chapa LaVia(D) (replacing Collins) |
| Y Cultra,Shane(R) | Y Flowers(D) (replacing Delgado) |
| Y Gordon,Careen(D) | Y Howard,Constance(D) |
| Y Jones,Lovana(D) | Y Lindner,Patricia(R), Republican Spokesperson |
| Y Mautino,Frank(D) | Y Millner,John(R) |
| Y Reis,David(R) | Y Sacia,Jim(R) |
| Y Stephens,Ron(R) | A Wait,Ronald(R) |

Representative Mendoza, Chairperson, from the Committee on International Trade & Commerce to which the following were referred, action taken on April 12, 2005, reported the same back with the following recommendations:

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar:
HOUSE RESOLUTIONS 149 and 262.

The committee roll call vote on House Resolution 262 is as follows:

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

| | |
|----------------------------------|--|
| Y Mendoza,Susana(D), Chairperson | A Acevedo,Edward(D) |
| Y Bellock,Patricia(R) | A Berrios,Maria(D) |
| Y Bradley,John(D) | Y Chapa LaVia,Linda(D) |
| Y Davis,William(D) | Y Dugan,Lisa(D) |
| A Flowers,Mary(D) | Y Jefferson(D) (replacing Franks) |
| Y Hultgren,Randall(R) | Y Kelly,Robin(D) |
| Y Krause,Carolyn(R) | Y Lyons,Eileen(R) |
| Y Myers,Richard(R) | Y Reis,David(R) |
| A Sacia,Jim(R) | A Sommer,Keith(R), Republican Spokesperson |

The committee roll call vote on House Resolution 149 is as follows:

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

| | |
|----------------------------------|--|
| Y Mendoza,Susana(D), Chairperson | A Acevedo,Edward(D) |
| Y Bellock,Patricia(R) | Y Berrios,Maria(D) |
| Y Bradley,John(D) | Y Chapa LaVia,Linda(D) |
| Y Davis,William(D) | Y Dugan,Lisa(D) |
| A Flowers,Mary(D) | Y Jefferson(D) (replacing Franks) |
| Y Hultgren,Randall(R) | Y Kelly,Robin(D) |
| Y Krause,Carolyn(R) | Y Lyons,Eileen(R) |
| Y Myers,Richard(R) | Y Reis,David(R) |
| A Sacia,Jim(R) | A Sommer,Keith(R), Republican Spokesperson |

Representative Delgado, Chairperson, from the Committee on Human Services to which the following were referred, action taken on April 12, 2005, reported the same back with the following recommendations:

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTIONS 152, 153, 220, 259 and HOUSE JOINT RESOLUTIONS 17 and 29.

The committee roll call vote on House Resolution 220 is as follows:

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

- | | |
|-----------------------------------|--|
| Y Delgado,William(D), Chairperson | Y Bellock,Patricia(R), Republican Spokesperson |
| Y Chavez,Michelle(D) | Y May(D) (replacing Collins) |
| Y Coulson,Elizabeth(R) | Y Eddy(R) (replacing Cultra) |
| Y Dunn,Joe(R) | A Flowers,Mary(D) |
| Y Howard,Constance(D) | Y Jakobsson,Naomi(D) |
| A Jenisch,Roger(R) | Y Rita,Robert(D), Vice-Chairperson |

The committee roll call vote on House Joint Resolution 17 and House Resolution 152 is as follows: 11, Yeas; 0, Nays; 0, Answering Present.

- | | |
|-----------------------------------|--|
| Y Delgado,William(D), Chairperson | Y Bellock,Patricia(R), Republican Spokesperson |
| Y Chavez,Michelle(D) | Y May(D) (replacing Collins) |
| Y Coulson,Elizabeth(R) | Y Eddy(R) (replacing Cultra) |
| Y Dunn,Joe(R) | Y Flowers,Mary(D) |
| Y Howard,Constance(D) | Y Jakobsson,Naomi(D) |
| A Jenisch,Roger(R) | Y Rita,Robert(D), Vice-Chairperson |

The committee roll call vote on House Joint Resolution 29 and House Resolutions 153 and 259 is as follows:

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

- | | |
|-----------------------------------|--|
| Y Delgado,William(D), Chairperson | Y Bellock,Patricia(R), Republican Spokesperson |
| Y Chavez,Michelle(D) | Y May(D) (replacing Collins) |
| Y Coulson,Elizabeth(R) | Y Eddy(R) (replacing Cultra) |
| Y Dunn,Joe(R) | Y Flowers,Mary(D) |
| A Howard,Constance(D) | Y Jakobsson,Naomi(D) |
| A Jenisch,Roger(R) | Y Rita,Robert(D), Vice-Chairperson |

MOTIONS SUBMITTED

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

MOTION

I move to table Amendment No. 1 to HOUSE BILL 1680.

Representative May 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 2552.

Representative Beaubien 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 1441.

Representative Beaubien 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 2403.

Representative Beaubien 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 2494.

BALANCED BUDGET NOTES SUPPLIED

Balanced Budget Notes have been supplied for HOUSE BILLS 45, as amended, 1100 as amended, 2607 and 3501, as amended.

PENSION NOTE SUPPLIED

A Pension Note has been supplied for HOUSE BILL 1000, as amended.

HOUSING AFFORDABILITY IMPACT NOTES SUPPLIED

Housing Affordability Impact Notes have been supplied for HOUSE BILLS 1000, as amended, and 3501.

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for HOUSE BILLS 45, as amended, 1000, as amended, 1063, as amended, 1349, as amended, 2449, as amended, 2578, as amended, 2607, 3867, and SENATE BILL 13.

HOME RULE NOTES SUPPLIED

Home Rule Notes have been supplied for HOUSE BILLS 45, as amended, 1000, as amended, and 1063, as amended.

STATE MANDATES FISCAL NOTES SUPPLIED

State Mandates Fiscal Notes have been supplied for HOUSE BILLS 45, as amended, 1000, as amended, 1063, as amended, 1349, as amended, 2408, 2449, as amended, and 2578, as amended.

JUDICIAL NOTES SUPPLIED

Judicial Notes have been supplied for HOUSE BILLS 483, as amended, and 1349, as amended.

CORRECTIONAL NOTES SUPPLIED

Correctional Notes have been supplied for HOUSE BILLS 2607 and 3867.

LAND CONVEYANCE APPRAISAL NOTE SUPPLIED

A Land Conveyance Appraisal Note has been supplied for HOUSE BILL 721.

REQUEST FOR FISCAL NOTES

Representative Parke requested that Fiscal Notes be supplied for HOUSE BILLS 1628, as amended, and 2249, as amended.

Representative Black requested that a Fiscal Note be supplied for HOUSE BILL 1044, as amended.

Representative Phelps requested that a Fiscal Note be supplied for HOUSE BILL 3273.

Representative Molaro requested that a Fiscal Note be supplied for HOUSE BILL 1337.

REQUEST FOR STATE MANDATES FISCAL NOTES

Representative Parke requested that State Mandates Fiscal Notes be supplied for HOUSE BILLS 1628, as amended, and 2249, as amended.

Representative Black requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 1044, as amended.

Representative Phelps requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 2396.

Representative Holbrook requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 1366.

REQUEST FOR BALANCED BUDGET NOTES

Representative Phelps requested that a Balanced Budget Note be supplied for HOUSE BILL 3823.

Representative Parke requested that a Balanced Budget Note be supplied for HOUSE BILL 3596.

Representative Molaro requested that a Balanced Budget Note be supplied for HOUSE BILL 1337.

REQUEST FOR HOUSING AFFORDABILITY IMPACT NOTES

Representative Black requested that a Housing Affordability Impact Note be supplied for HOUSE BILL 1044, as amended.

Representative Mautino requested that a Housing Affordability Impact Note be supplied for HOUSE BILL 3867.

REQUEST FOR JUDICIAL NOTE

Representative Parke requested that a Judicial Note be supplied for HOUSE BILL 2249, as amended.

REQUEST FOR HOME RULE NOTE

Representative Molaro requested that a Home Rule Note be supplied for HOUSE BILL 1337.

REQUEST FOR STATE DEBT IMPACT NOTE

Representative Molaro requested that a State Debt Impact Note be supplied for HOUSE BILL 1337.

REQUEST FOR PENSION NOTE

Representative Mautino requested that a Pension Note be supplied for HOUSE BILL 3867.

CORRECTIONAL NOTE WITHDRAWN

Representative Jenisch withdrew his request for a Correctional Note on HOUSE BILL 2408.

CHANGE OF SPONSORSHIPS

With the consent of the affected members, Representative Kelly was removed as principal sponsor, and Representative William Davis became the new principal sponsor of HOUSE BILL 2.

With the consent of the affected members, Representative Molaro was removed as principal sponsor, and Representative Mautino became the new principal sponsor of HOUSE BILL 2612.

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 2941.

With the consent of the affected members, Representative Lang was removed as principal sponsor, and Representative Mendoza became the new principal sponsor of HOUSE BILL 1197.

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 1679.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Tryon became the new principal sponsor of HOUSE BILL 2853.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 296

Offered by Representatives Granberg and Colvin:

Congratulates LuAlice Kampwerth of Carlyle, an Illinois Master Teacher, on her National Board Certification as an Early Childhood Generalist.

HOUSE RESOLUTION 297

Offered by Representative Granberg:

Congratulates Linda Bottom of Germantown, an Illinois Master Teacher, on her National Board Certification as a Middle Childhood Generalist.

HOUSE RESOLUTION 298

Offered by Representative Granberg:
Congratulates Ann Michele Garrett of Mount Vernon, an Illinois Master Teacher, on her National Board Certification in Adolescence and Young Adulthood/English Language Arts.

HOUSE RESOLUTION 301

Offered by Representative Joseph Lyons:
Mourns the death of Edward J. Moskal, President of the Polish National Alliance.

HOUSE JOINT RESOLUTION 39

Offered by Representative Franks:
Congratulates McHenry Savings Bank on the occasion of its 50th anniversary.

HOUSE BILL ON SECOND READING

HOUSE BILL 4014. 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 Boland, HOUSE BILL 3472 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: 63, Yeas; 53, Nays; 1, Answering Present.
(ROLL CALL 2)

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

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

On motion of Representative Black, HOUSE BILL 551 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 116, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 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.

HOUSE BILL ON SECOND READING

HOUSE BILL 1445. 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 1445 by replacing everything after the enacting clause with the following:

"Section 5. The Fire Sprinkler Contractor Licensing Act is amended by changing Section 30 as follows:

(225 ILCS 317/30)

Sec. 30. Requirements for the installation and repair of fire protection systems.

(a) Equipment shall be listed by a nationally recognized testing laboratory, such as Underwriters Laboratories, Inc. or Factory Mutual Laboratories, Inc., or shall comply with nationally accepted standards. The State Fire Marshal shall adopt by rule procedures for determining whether a laboratory is nationally recognized, taking into account the laboratory's facilities, procedures, use of nationally recognized standards, and any other criteria reasonably calculated to reach an informed determination.

(b) Equipment shall be installed in accordance with the applicable standards of the National Fire Protection Association and the manufacturer's specifications.

(c) The contractor shall furnish the user with operating instructions for all equipment installed, together with a diagram of the final installation.

(d) All fire sprinkler systems shall have a backflow prevention device or, in a municipality with a population over 500,000, a double detector check assembly installed by a licensed plumber before the fire sprinkler system connection to the water service. Connection to the backflow prevention device or, in a municipality with a population over 500,000, a double detector assembly shall be done in a manner consistent with the Department of Public Health's Plumbing Code.

(d-5) Prior to submitting any layout drawing of sprinkler systems to the authority that has jurisdiction, the layout drawing must be stamped by a professional engineer who is licensed under the laws of the State or certified by a holder of a valid NICET level 3 or higher certification in "fire protection technology, automatic sprinkler system layout" who is licensed under this Act or is employed by a person or an organization licensed under this Act.

(e) This licensing Act is not intended to require any additional fire inspections at State level. (Source: P.A. 92-871, eff. 1-3-03.)"

Representative Burke offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 1445, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Fire Sprinkler Contractor Licensing Act is amended by changing Sections 10 and 15 as follows:

(225 ILCS 317/10)

Sec. 10. Definitions. As used in this Act, unless the context otherwise requires:

"Designated certified person" means an individual who has met the qualifications set forth under Section 20 of this Act.

"Fire protection system layout documents" means and includes, but is not limited to, layout drawings, catalog information on standard products, and other construction data that provide detail on the location of risers, cross mains, branch lines, sprinklers, sizing of piping per applicable standard, and hanger locations. "Fire protection system layout documents" serve as a guide for fabrication and installation of a fire sprinkler system and shall be based upon applicable standards pursuant to Section 30 of this Act.

"Fire sprinkler contractor" means a person who holds himself or herself out to be in the business of or contracts with a person to install or repair a fire sprinkler system.

"Fire sprinkler system" means any water-based automatic fire extinguishing system employing fire sprinklers, including accessory fire pumps and associated piping, fire standpipes, or underground fire main systems starting at the connection to the water service after the approved backflow device is installed under the requirements of the Illinois Plumbing Code and ending at the most remote fire sprinkler. "Fire sprinkler system" includes but is not limited to a fire sprinkler system in a residential, commercial, institutional, educational, public, or private occupancy. "Fire sprinkler system" does not include single sprinkler heads that are in a loop of the potable water system, as referenced in 77 Ill. Adm. Code 890.1130 and 890.1200.

"Licensee" means a person or business organization licensed in accordance with this Act.

"NICET" means the National Institute for Certification in Engineering Technologies.

"Person" means an individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the State of Illinois, or department thereof, any other state-owned and operated institution, or any other entity.

"Supervision" means the direction and management by a designated certified person of the activities of non-certified personnel in the installation or repair of fire sprinkler systems.

(Source: P.A. 92-871, eff. 1-3-03.)

(225 ILCS 317/15)

Sec. 15. Licensing requirements.

(a) It shall be unlawful for any person or business to engage in, advertise, or hold itself out to be in the business of installing or repairing fire sprinkler systems in this State after 6 months after the effective date of this Act, unless such person or business is licensed by the State Fire Marshal. This license must be renewed every year.

(b) In order to obtain a license, a person or business must submit an application to the State Fire Marshal, on a form provided by the State Fire Marshal containing the information prescribed, along with the application fee.

(c) A business applying for a license must have a designated certified person employed at the business location and the designated certified person shall be identified on the license application.

(d) A person or business applying for a license must show proof of having liability and property damage insurance in such amounts and under such circumstances as may be determined by the State Fire Marshal. The amount of liability and property damage insurance, however, shall not be less than the amount specified in Section 35 of this Act.

(e) A person or business applying for a license must show proof of having workers' compensation insurance covering its employees or be approved as a self-insurer of workers' compensation in accordance with the laws of this State.

(f) A person or business so licensed shall have a separate license for each business location within the State or outside the State when the business location is responsible for any installation or repair of fire sprinkler systems performed within the State.

(g) When an individual proposes to do business in her or his own name, a license, when granted, shall be issued only to that individual.

(h) If the applicant requesting licensure to engage in contracting is a business organization, such as a partnership, corporation, business trust, or other legal entity, the application shall state the name of the partnership and its partners, the name of the corporation and its officers and directors, the name of the business trust and its trustees, or the name of such other legal entity and its members and shall furnish evidence of statutory compliance if a fictitious name is used. Such application shall also show that the business entity employs a designated certified person as required under Section 20. The license, when issued upon application of a business organization, shall be in the name of the business organization and the name of the qualifying designated certified person shall be noted thereon.

(i) No license is required for a person or business that is engaged in the installation of fire sprinkler systems only in single family or multiple family residential dwellings up to and including 8 family units that do not exceed 2 1/2 stories in height from the lowest grade level.

(j) All fire protection system layout documents of fire sprinkler systems, as defined in Section 10 of this Act, shall be prepared by either (i) a professional engineer who is licensed by the Professional Engineering Practice Act of 1989 or (ii) a holder of a valid NICET level 3 or 4 certification in fire protection technology automatic sprinkler system layout who is licensed under this Act or employed by an organization licensed under this Act.

(Source: P.A. 92-871, eff. 1-3-03.)"

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 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 Churchill, HOUSE BILL 911 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 2, 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.

On motion of Representative Cross, HOUSE BILL 1540 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 5)

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

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

On motion of Representative Bassi, HOUSE BILL 442 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 6)

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

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

On motion of Representative William Davis, HOUSE BILL 1311 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 7)

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

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

On motion of Representative Currie, HOUSE BILL 4051 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; 3, 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.

On motion of Representative Delgado, HOUSE BILL 2594 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 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.

RECALLS

At the request of the principal sponsor, Representative Saviano, HOUSE BILL 875 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 Burke, HOUSE BILL 315 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 Feigenholtz, HOUSE BILL 3628 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 1 was distributed to the Members at 1:02 o'clock p.m.

HOUSE BILL ON SECOND READING

HOUSE BILL 1475. 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 Eddy offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1475 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 10-20.21 as follows:

(105 ILCS 5/10-20.21) (from Ch. 122, par. 10-20.21)

Sec. 10-20.21. Contracts.

(a) To award all contracts for purchase of supplies, materials or work or contracts with private carriers for transportation of pupils involving an expenditure in excess of \$25,000 or a lower amount as required by board policy ~~\$10,000~~ to the lowest responsible bidder, considering conformity with specifications, terms of delivery, quality and serviceability, after due advertisement, except the following: (i) contracts for the services of individuals or corporations possessing a high degree of professional skill where the ability or fitness of the individual or corporation plays an important part; (ii) contracts for the printing of finance committee reports and departmental reports; (iii) contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness; (iv) contracts for the purchase of perishable foods and perishable beverages, including, but not limited to, food service contracts; (v) contracts for materials and work which have been awarded to the lowest responsible bidder after due advertisement, but due to unforeseen revisions, not the fault of the contractor for materials and work, must be revised causing expenditures not in excess of 10% of the contract price; (vi) contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent; (vii) purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, and services; (viii) contracts for duplicating machines and supplies; (ix) contracts for the purchase of natural gas when the cost is less than that offered by a public utility; (x) purchases of equipment previously owned by some entity other than the district itself; (xi) contracts for repair, maintenance, remodeling, renovation, or construction, or a single project involving an expenditure not to exceed \$50,000 ~~\$20,000~~ and not involving a change or increase in the size, type, or extent of an existing facility; (xii) contracts for goods or services procured from another governmental agency or consortia of governmental agencies; (xiii) contracts for goods or services which are economically procurable from only one source, such as for the purchase of magazines, books, periodicals, pamphlets and reports, and for utility services such as water, light, heat, telephone or telegraph; (xiv) where funds are expended in an emergency and such emergency expenditure is approved by 3/4 of the members of the board; and (xv) State master contracts authorized under Article 28A of this Code.

All competitive bids for contracts involving an expenditure in excess of \$25,000 or a lower amount as required by board policy ~~\$10,000~~ must be sealed by the bidder and must be opened by a member or employee of the school board at a public bid opening at which the contents of the bids must be announced. Each bidder must receive at least 3 days' notice of the time and place of the bid opening. For purposes of

this Section due advertisement includes, but is not limited to, at least one public notice at least 10 days before the bid date in a newspaper published in the district, or if no newspaper is published in the district, in a newspaper of general circulation in the area of the district. State master contracts and certified education purchasing contracts, as defined in Article 28A of this Code, are not subject to the requirements of this paragraph.

(b) To require, as a condition of any contract for goods and services, that persons bidding for and awarded a contract and all affiliates of the person collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provisions of the Illinois Use Tax Act regardless of whether the person or affiliate is a "retailer maintaining a place of business within this State" as defined in Section 2 of the Use Tax Act. For purposes of this Section, the term "affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. For purposes of this subsection (b), an entity controls another entity if it owns, directly or individually, more than 10% of the voting securities of that entity. As used in this subsection (b), the term "voting security" means a security that (1) confers upon the holder the right to vote for the election of members of the board of directors or similar governing body of the business or (2) is convertible into, or entitles the holder to receive upon its exercise, a security that confers such a right to vote. A general partnership interest is a voting security.

To require that bids and contracts include a certification by the bidder or contractor that the bidder or contractor is not barred from bidding for or entering into a contract under this Section and that the bidder or contractor acknowledges that the school board may declare the contract void if the certification completed pursuant to this subsection (b) is false.

(c) If the State education purchasing entity creates a master contract as defined in Article 28A of this Code, then the State education purchasing entity shall notify school districts of the existence of the master contract.

(d) In purchasing supplies, materials, equipment, or services that are not subject to subsection (c) of this Section, before a school district solicits bids or awards a contract, the district may review and consider as a bid under subsection (a) of this Section certified education purchasing contracts that are already available through the State education purchasing entity.

(Source: P.A. 93-25, eff. 6-20-03; 93-1036, eff. 9-14-04.)

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 3415 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 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 BILLS ON SECOND READING

HOUSE BILL 2373. 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 Human Services, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 2373 on page 5, by replacing lines 3 through 19 with the following:

"Services may adopt. The Department of Human Services shall ensure that each client who visits a Department of Human Services office, authorized agent, or community-based organization partnering with the Department of Human Services to apply for benefits is provided an application and requested to complete his or her name and the date and to sign the application to begin the application process that same day."; and

on page 9, line 8, after the period, by inserting the following: "The Department of Human Services may, by rule, allow for a longer period of time between eligibility redeterminations for an individual, household, or family that is eligible for a longer certification period under federal law or waiver."

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

Representative Delgado offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 2373, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 11-1 as follows:

(305 ILCS 5/11-1) (from Ch. 23, par. 11-1)

Sec. 11-1. No discrimination). There shall be no discrimination or denial of financial aid ~~and~~ ~~and~~ social services on account of the race, religion, color, national origin, sex, marital status, or political affiliation of any applicant or recipient. This paragraph shall not prevent the Department from treating individuals differently as a result of the rights and responsibilities that arise under law from marital status.

Participation in any marriage promotion or family formation activity is voluntary. Non-participation shall not affect any person's eligibility for or receipt of financial aid or social services in any program under this Code.

Where financial aid or social services are granted to certain classes of persons under a program for which federal funds are available, nothing in this Section shall require granting of financial aid or social services to other persons where federal funds would not be available as to those other persons.

(Source: P.A. 93-598, eff. 8-26-03.)"

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 3485. Having been recalled on April 5, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Fritchey offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3485 on page 1, by inserting after line 10 the following:

"(b) This Section applies only to hotels and other establishments licensed for transient occupancy that are located in a county with a population greater than 3,000,000."; and

on page 1, line 11 by changing "(b)" to "(c)": and

on page 1, line 17 by changing "(c)" to "(d)": and

on page 1, line 23 by changing "(d)" to "(e)": and

on page 1, line 26 by changing "(e)" to "(f)": and

on page 1, line 30 by changing "(f)" to "(g)": and

on page 2, line 1 by changing "(f)" to "(g)": and

on page 2, line 12 by changing "(g)" to "(h)": and

on page 2, by inserting after line 22 the following:

"Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on

Statutes."

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 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 Giles, HOUSE BILL 231 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 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.

On motion of Representative Graham, HOUSE BILL 1351 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 12)

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

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

On motion of Representative Hassert, HOUSE BILL 3183 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 115, Yeas; 0, Nays; 1, Answering Present.

(ROLL CALL 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.

HOUSE BILLS ON SECOND READING

HOUSE BILL 1411. 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 Hoffman offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1411 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by adding Section 18b-106.2 as follows:
(625 ILCS 5/18b-106.2 new)

Sec. 18b-106.2. Hours of service; utility service interruption emergencies.

(a) As used in this Section:

"Commercial driver's license" has the meaning set forth in Section 1-111.6 of this Code.

"Commercial motor vehicle" has the meaning set forth in Section 18b-101 of this Code.

"Utility service interruption emergency" means an outage or interruption of utility service in Illinois occasioned by a set of circumstances included in the definition of "emergency" set forth at 49 CFR 390.5.

"Utility service" means the repairing, maintaining, or operating of any structures or any other physical facilities necessary for the delivery of utility services, including the furnishing of electric, gas, water, sanitary sewer, telephone, and television cable or community antenna service.

"Utility service vehicle" has the meaning set forth in 49 CFR 395.2.

(b) Upon receipt of notification of a utility service interruption emergency by a utility service provider, the Illinois Department of Transportation shall declare that an emergency exists pursuant to 49 CFR 390.23. Should an audit by the Illinois Department of Transportation establish that there has been an abuse of the notification procedure by a utility service provider, the Illinois Department of Transportation may refuse to grant emergency declarations to that utility service provider in the future without further confirmation of the existence of a utility service interruption emergency.

(c) A utility service interruption emergency continues until:

(1) the necessary maintenance or repair work is completed; and

(2) personnel used to perform necessary maintenance or repair work have returned to their respective normal work routines.

(d) An individual is exempt from any regulation of the maximum hours of service that an employee may work under 49 CFR 395 if he or she:

(1) is the holder of a commercial driver's license;

(2) is:

(A) an employee;

(B) an employee of a contractor; or

(C) an employee of a subcontractor;

of a utility service provider in an employment capacity in which the commercial driver's license is used; and

(3) operates a commercial motor vehicle as a utility service vehicle and engages in intrastate maintenance or repair work in response to a utility service interruption emergency.

(e) The exemption from maximum hours of service regulations provided under subsection (d) shall not exceed the duration of the utility service provider's or driver's direct assistance in providing utility service interruption emergency relief, or 5 days from the date of the initial declaration, whichever is less.

(f) Nothing in this amendatory Act of the 94th General Assembly shall be construed to contravene any federal law or to jeopardize State of Illinois entitlement to federal funding. If any provision of this amendatory Act of the 94th General Assembly or its application is found to jeopardize federal funding, that provision is declared invalid but does not affect any other provision or application. The provisions of this amendatory Act of the 94th General Assembly are declared to be severable.

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 3463. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 3463 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 6-306.5, 11-208, 11-208.3, and 11-306 and adding Section 11-208.5 as follows:

(625 ILCS 5/6-306.5) (from Ch. 95 1/2, par. 6-306.5)

Sec. 6-306.5. Failure to pay fine or penalty for standing, parking, ~~or~~ compliance, or automated traffic law violations; suspension of driving privileges.

(a) Upon receipt of a certified report, as prescribed by subsection (c) of this Section, from any municipality stating that the owner of a registered vehicle has: (1) failed to pay any fine or penalty due and owing as a result of 10 or more violations of a municipality's vehicular standing, parking, or compliance regulations established by ordinance pursuant to Section 11-208.3 of this Code, or (2) failed to pay any fine or penalty due and owing as a result of 5 offenses for automated traffic violations as defined in Section

11-208.5, the Secretary of State shall suspend the driving privileges of such person in accordance with the procedures set forth in this Section. The Secretary shall also suspend the driving privileges of an owner of a registered vehicle upon receipt of a certified report, as prescribed by subsection (f) of this Section, from any municipality stating that such person has failed to satisfy any fines or penalties imposed by final judgments for 5 or more automated traffic law violations or 10 or more violations of local standing, parking, or compliance regulations after exhaustion of judicial review procedures.

(b) Following receipt of the certified report of the municipality as specified in this Section, the Secretary of State shall notify the person whose name appears on the certified report that the person's drivers license will be suspended at the end of a specified period of time unless the Secretary of State is presented with a notice from the municipality certifying that the fine or penalty due and owing the municipality has been paid 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 municipality's certified report to the Secretary, and shall be effective as specified by subsection (c) of Section 6-211 of this Code.

(c) The report of the appropriate municipal official notifying the Secretary of State of unpaid fines or penalties pursuant to this Section shall be certified and shall contain the following:

(1) The name, last known address and drivers license number of the person who failed to pay the fine or penalty and the registration number of any vehicle known to be registered to such person in this State.

(2) The name of the municipality making the report pursuant to this Section.

(3) A statement that the municipality sent a notice of impending drivers license suspension as prescribed by ordinance enacted pursuant to Section 11-208.3, to the person named in the report at the address recorded with the Secretary of State; the date on which such notice was sent; and the address to which such notice was sent. In a municipality with a population of 1,000,000 or more, the report shall also include a statement that the alleged violator's State vehicle registration number and vehicle make are correct as they appear on the citations.

(d) Any municipality making a certified report to the Secretary of State pursuant to this Section shall notify the Secretary of State, in a form prescribed by the Secretary, whenever a person named in the certified report has paid the previously reported fine or penalty or whenever the municipality determines that the original report was in error. A certified copy of such notification shall also be given upon request and at no additional charge to the person named therein. Upon receipt of the municipality's notification or presentation of a certified copy of such notification, the Secretary of State shall terminate the suspension.

(e) Any municipality making a certified report to the Secretary of State pursuant to this Section shall also by ordinance establish procedures for persons to challenge the accuracy of the certified report. The ordinance shall also state the grounds for such a challenge, which may be limited to (1) the person not having been the owner or lessee of the vehicle or vehicles receiving 10 or more standing, parking, or compliance violation notices or 5 or more automated traffic law violation notices on the date or dates such notices were issued; and (2) the person having already paid the fine or penalty for the 10 or more standing, parking, or compliance violations or 5 or more automated traffic law violations indicated on the certified report.

(f) Any municipality, other than a municipality establishing vehicular standing, parking, and compliance regulations pursuant to Section 11-208.3 or automated traffic law regulations under Section 11-208.5, may also cause a suspension of a person's drivers license pursuant to this Section. Such municipality may invoke this sanction by making a certified report to the Secretary of State upon a person's failure to satisfy any fine or penalty imposed by final judgment for 10 or more violations of local standing, parking, or compliance regulations or 5 or more automated traffic law violations after exhaustion of judicial review procedures, but only if:

(1) the municipality complies with the provisions of this Section in all respects except in regard to enacting an ordinance pursuant to Section 11-208.3;

(2) the municipality has sent a notice of impending drivers license suspension as prescribed by an ordinance enacted pursuant to subsection (g) of this Section; and

(3) in municipalities with a population of 1,000,000 or more, the municipality has verified that the alleged violator's State vehicle registration number and vehicle make are correct as they appear on the citations.

(g) Any municipality, other than a municipality establishing standing, parking, and compliance regulations pursuant to Section 11-208.3 or automated traffic law regulations under Section 11-208.5, may provide by ordinance for the sending of a notice of impending drivers license suspension to the person who has failed to satisfy any fine or penalty imposed by final judgment for 10 or more violations of local

standing, parking, or compliance regulations or 5 or more automated traffic law violations after exhaustion of judicial review procedures. An ordinance so providing shall specify that the notice sent to the person liable for any fine or penalty shall state that failure to pay the fine or penalty owing within 45 days of the notice's date will result in the municipality notifying the Secretary of State that the person's drivers license is eligible for suspension pursuant to this Section. The notice of impending drivers license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State.

(h) An administrative hearing to contest an impending suspension or a suspension made pursuant to this Section may be had upon filing a written request with the Secretary of State. The filing fee for this hearing shall be \$20, to be paid at the time the request is made. A municipality which files a certified report with the Secretary of State pursuant to this Section shall reimburse the Secretary for all reasonable costs incurred by the Secretary as a result of the filing of the report, including but not limited to the costs of providing the 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 such a hearing.

(i) The provisions of this Section shall apply on and after January 1, 1988.

(j) For purposes of this Section, the term "compliance violation" is defined as in Section 11-208.3. (Source: P.A. 89-190, eff. 1-1-96; 90-145, eff. 1-1-98; 90-481, eff. 8-17-97.)

(625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

Sec. 11-208. Powers of local authorities.

(a) The provisions of this Code shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

1. Regulating the standing or parking of vehicles, except as limited by Section 11-1306 of this Act;
2. Regulating traffic by means of police officers or traffic control signals;
3. Regulating or prohibiting processions or assemblages on the highways;
4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;
5. Regulating the speed of vehicles in public parks subject to the limitations set forth in Section 11-604;
6. Designating any highway as a through highway, as authorized in Section 11-302, and requiring that all vehicles stop before entering or crossing the same or designating any intersection as a stop intersection or a yield right-of-way intersection and requiring all vehicles to stop or yield the right-of-way at one or more entrances to such intersections;
7. Restricting the use of highways as authorized in Chapter 15;
8. Regulating the operation of bicycles and requiring the registration and licensing of same, including the requirement of a registration fee;
9. Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;
10. Altering the speed limits as authorized in Section 11-604;
11. Prohibiting U-turns;
12. Prohibiting pedestrian crossings at other than designated and marked crosswalks or at intersections;
13. Prohibiting parking during snow removal operation;
14. Imposing fines in accordance with Section 11-1301.3 as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, or disabled veterans by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran;
15. Adopting such other traffic regulations as are specifically authorized by this Code; or
16. Enforcing the provisions of subsection (f) of Section 3-413 of this Code or a similar local ordinance.

(b) No ordinance or regulation enacted under subsections 1, 4, 5, 6, 7, 9, 10, 11 or 13 of paragraph (a) shall be effective until signs giving reasonable notice of such local traffic regulations are posted.

(c) The provisions of this Code shall not prevent any municipality having a population of 500,000 or more inhabitants from prohibiting any person from driving or operating any motor vehicle upon the roadways of such municipality with headlamps on high beam or bright.

(d) The provisions of this Code shall not be deemed to prevent local authorities within the reasonable exercise of their police power from prohibiting, on private property, the unauthorized use of parking spaces reserved for persons with disabilities.

(e) No unit of local government, including a home rule unit, may enact or enforce an ordinance that applies only to motorcycles if the principal purpose for that ordinance is to restrict the access of motorcycles to any highway or portion of a highway for which federal or State funds have been used for the planning, design, construction, or maintenance of that highway. No unit of local government, including a home rule unit, may enact an ordinance requiring motorcycle users to wear protective headgear. Nothing in this subsection (e) shall affect the authority of a unit of local government to regulate motorcycles for traffic control purposes or in accordance with Section 12-602 of this Code. No unit of local government, including a home rule unit, may regulate motorcycles in a manner inconsistent with this Code. This subsection (e) 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.

(f) A municipality or county may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-306 of this Code or a similar provision of a local ordinance.

(Source: P.A. 90-106, eff. 1-1-98; 90-513, eff. 8-22-97; 90-655, eff. 7-30-98; 91-519, eff. 1-1-00.)

(625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

Sec. 11-208.3. Administrative adjudication of violations of traffic regulations concerning the standing, parking, or condition of vehicles and automated traffic law violations.

(a) Any municipality may provide by ordinance for a system of administrative adjudication of vehicular standing and parking violations and vehicle compliance violations as defined in this subsection, and automated traffic law violations as defined in Section 11-208.5. The administrative system shall have as its purpose the fair and efficient enforcement of municipal regulations through the administrative adjudication of automated traffic law violations and violations of municipal ordinances regulating the standing and parking of vehicles, the condition and use of vehicle equipment, and the display of municipal wheel tax licenses within the municipality's borders. The administrative system shall only have authority to adjudicate civil offenses carrying fines not in excess of \$250 that occur after the effective date of the ordinance adopting such a system under this Section. For purposes of this Section, "compliance violation" means a violation of a municipal regulation governing the condition or use of equipment on a vehicle or governing the display of a municipal wheel tax license.

(b) Any ordinance establishing a system of administrative adjudication under this Section shall provide for:

(1) A traffic compliance administrator authorized to adopt, distribute and process parking, ~~and~~ compliance and automated traffic law violation notices and other notices required by this Section, collect money paid as fines and penalties for violation of parking and compliance ordinances and automated traffic law violations, and operate an administrative adjudication system. The traffic compliance administrator also may make a certified report to the Secretary of State under Section 6-306.5.

(2) A parking, standing, ~~or~~ compliance or automated traffic law violation notice that shall specify the date,

time, and place of violation of a parking, standing, ~~or~~ compliance or automated traffic law regulation; the particular regulation violated; the fine and any penalty that may be assessed for late payment, when so provided by ordinance; the vehicle make and state registration number; and the identification number of the person issuing the notice. With regard to municipalities with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the State registration number or vehicle make specified is incorrect. The violation notice shall state that the payment of the indicated fine, and of any applicable penalty for late payment, shall operate as a final disposition of the violation. The notice also shall contain information as to the availability of a hearing in which the violation may be contested on its merits. The violation notice shall specify the time and manner in which a hearing may be had.

(3) Service of the parking, standing, or compliance violation notice by affixing the original or a facsimile of the notice to an unlawfully parked vehicle or by handing the notice to the operator of a vehicle if he or she is present and service of an automated traffic law violation notice by mail to the address of the registered owner of the cited vehicle as recorded with the Secretary of State within 30 days after the violation. A person authorized by ordinance to issue and serve parking, standing, ~~and~~ compliance or automated traffic law violation notices shall certify as to the correctness of the facts entered on the violation notice by signing his or her name to the notice at the time of service or in the case of a notice produced by a computerized device, by signing a single certificate to be kept by the

traffic compliance administrator attesting to the correctness of all notices produced by the device while it was under his or her control. In the case of an automated traffic law violation, the ordinance shall require a signed statement by a technician employed by the municipality or county that, based on inspection of recorded images, the motor vehicle was being operated in violation Section 11-208.5. If the technician determines that the vehicle entered the intersection as part of a funeral procession or in order to yield the right-of-way to an emergency vehicle, a citation may not be issued. The original or a facsimile of the violation notice or, in the case of a notice produced by a computerized device, a printed record generated by the device showing the facts entered on the notice, shall be retained by the traffic compliance administrator, and shall be a record kept in the ordinary course of business. A parking, standing, ~~or~~ compliance or automated traffic law violation notice issued, signed and served in accordance with this Section, a copy of the notice, or the computer generated record shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice. The notice, copy, or computer generated record shall be admissible in any subsequent administrative or legal proceedings.

(4) An opportunity for a hearing for the registered owner of the vehicle cited in the parking, standing, ~~or~~ compliance or automated traffic law violation notice in which the owner may contest the merits of the alleged violation, and during which formal or technical rules of evidence shall not apply; provided, however, that under Section 11-1306 of this Code the lessee of a vehicle cited in the violation notice likewise shall be provided an opportunity for a hearing of the same kind afforded the registered owner. The hearings shall be recorded, and the person conducting the hearing on behalf of the traffic compliance administrator shall be empowered to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and papers. Persons appearing at a hearing under this Section may be represented by counsel at their expense. The ordinance may also provide for internal administrative review following the decision of the hearing officer.

(5) Service of additional notices, sent by first class United States mail, postage prepaid, to the address of the registered owner of the cited vehicle as recorded with the Secretary of State or, under Section 11-1306 of this Code, to the lessee of the cited vehicle at the last address known to the lessor of the cited vehicle at the time of lease. The service shall be deemed complete as of the date of deposit in the United States mail. The notices shall be in the following sequence and shall include but not be limited to the information specified herein:

(i) A second notice of violation. This notice shall specify the date and location of the violation cited in the parking, standing, ~~or~~ compliance or automated traffic law violation notice, the particular regulation violated, the vehicle make and state registration number, the fine and any penalty that may be assessed for late payment when so provided by ordinance, the availability of a hearing in which the violation may be contested on its merits, and the time and manner in which the hearing may be had. The notice of violation shall also state that failure either to pay the indicated fine and any applicable penalty, or to appear at a hearing on the merits in the time and manner specified, will result in a final determination of violation liability for the cited violation in the amount of the fine or penalty indicated, and that, upon the occurrence of a final determination of violation liability for the failure, and the exhaustion of, or failure to exhaust, available administrative or judicial procedures for review, any unpaid fine or penalty will constitute a debt due and owing the municipality.

(ii) A notice of final determination of parking, standing, ~~or~~ compliance or automated traffic law violation liability. This notice shall be sent following a final determination of parking, standing, ~~or~~ compliance or automated traffic law violation liability and the conclusion of judicial review procedures taken under this Section. The notice shall state that the unpaid fine or penalty is a debt due and owing the municipality. The notice shall contain warnings that failure to pay any fine or penalty due and owing the municipality within the time specified may result in the municipality's filing of a petition in the Circuit Court to have the unpaid fine or penalty rendered a judgment as provided by this Section, or may result in suspension of the person's drivers license for failure to pay fines or penalties for 10 or more parking violations under Section 6-306.5 or 5 more automated traffic law violations under Section 11-208.5.

(6) A Notice of impending drivers license suspension. This notice shall be sent to the person liable for any fine or penalty that remains due and owing on 10 or more parking violations or 5 or more unpaid automated traffic law violations. The notice shall state that failure to pay the fine or penalty owing within 45 days of the notice's date will result in the municipality notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under Section 6-306.5 of this Code. The notice shall also state that the person may obtain a photostatic copy of an original ticket

imposing a fine or penalty by sending a self addressed, stamped envelope to the municipality along with a request for the photostatic copy. The notice of impending drivers license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State.

(7) Final determinations of violation liability. A final determination of violation liability shall occur following failure to pay the fine or penalty after a hearing officer's determination of violation liability and the exhaustion of or failure to exhaust any administrative review procedures provided by ordinance. Where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice, the hearing officer's determination of violation liability shall become final: (A) upon denial of a timely petition to set aside that determination, or (B) upon expiration of the period for filing the petition without a filing having been made.

(8) A petition to set aside a determination of parking, standing, ~~or compliance~~ , or automated traffic law violation liability that may be filed by a person owing an unpaid fine or penalty. The petition shall be filed with and ruled upon by the traffic compliance administrator in the manner and within the time specified by ordinance. The grounds for the petition may be limited to: (A) the person not having been the owner or lessee of the cited vehicle on the date the violation notice was issued, (B) the person having already paid the fine or penalty for the violation in question, and (C) excusable failure to appear at or request a new date for a hearing. With regard to municipalities with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the State registration number or vehicle make specified is incorrect. After the determination of parking, standing, ~~or compliance~~ , or automated traffic law violation liability has been set aside upon a showing of just cause, the registered owner shall be provided with a hearing on the merits for that violation.

(9) Procedures for non-residents. Procedures by which persons who are not residents of the municipality may contest the merits of the alleged violation without attending a hearing.

(10) A schedule of civil fines for violations of vehicular standing, parking, ~~and~~ compliance, and automated traffic law regulations enacted by ordinance pursuant to this Section, and a schedule of penalties for late payment of the fines, provided, however, that the total amount of the fine and penalty for any one violation shall not exceed \$250.

(11) Other provisions as are necessary and proper to carry into effect the powers granted and purposes stated in this Section.

(c) Any municipality establishing vehicular standing, parking, ~~and~~ compliance, and automated traffic law regulations under this Section may also provide by ordinance for a program of vehicle immobilization for the purpose of facilitating enforcement of those regulations. The program of vehicle immobilization shall provide for immobilizing any eligible vehicle upon the public way by presence of a restraint in a manner to prevent operation of the vehicle. Any ordinance establishing a program of vehicle immobilization under this Section shall provide:

(1) Criteria for the designation of vehicles eligible for immobilization. A vehicle shall be eligible for immobilization when the registered owner of the vehicle has accumulated the number of unpaid final determinations of parking, standing, ~~or compliance~~ , or automated traffic law violation liability as determined by ordinance.

(2) A notice of impending vehicle immobilization and a right to a hearing to challenge the validity of the notice by disproving liability for the unpaid final determinations of parking, standing, ~~or compliance~~ , or automated traffic law violation liability listed on the notice.

(3) The right to a prompt hearing after a vehicle has been immobilized or subsequently towed without payment of the outstanding fines and penalties on parking, standing, ~~or compliance~~ , or automated traffic law violations for which final determinations have been issued. An order issued after the hearing is a final administrative decision within the meaning of Section 3-101 of the Code of Civil Procedure.

(4) A post immobilization and post-towing notice advising the registered owner of the vehicle of the right to a hearing to challenge the validity of the impoundment.

(d) Judicial review of final determinations of parking, standing, ~~and~~ compliance, and automated traffic law violations and final administrative decisions issued after hearings regarding vehicle immobilization and impoundment made under this Section shall be subject to the provisions of the Administrative Review Law.

(e) Any fine, penalty, or part of any fine or any penalty remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies created under this Section and the conclusion of any judicial review procedures shall be a debt due and owing the municipality and, as such, may be collected in accordance with applicable law. Payment in full of any fine or penalty resulting from a standing, parking,

~~or~~ compliance ~~, or automated traffic law~~ violation shall constitute a final disposition of that violation.

(f) After the expiration of the period within which judicial review may be sought for a final determination of parking, standing, ~~or~~ compliance ~~, or automated traffic law~~ violation, the municipality may commence a proceeding in the Circuit Court for purposes of obtaining a judgment on the final determination of violation. Nothing in this Section shall prevent a municipality from consolidating multiple final determinations of parking, standing, ~~or~~ compliance ~~, or automated traffic law~~ violations ~~violation~~ against a person in a proceeding. Upon commencement of the action, the municipality shall file a certified copy of the final determination of parking, standing, ~~or~~ compliance ~~, or automated traffic law~~ violation, which shall be accompanied by a certification that recites facts sufficient to show that the final determination of violation was issued in accordance with this Section and the applicable municipal ordinance. Service of the summons and a copy of the petition may be by any method provided by Section 2-203 of the Code of Civil Procedure or by certified mail, return receipt requested, provided that the total amount of fines and penalties for final determinations of parking, standing, ~~or~~ compliance ~~, or automated traffic law~~ violations does not exceed \$2500. If the court is satisfied that the final determination of parking, standing, ~~or~~ compliance ~~, or automated traffic law~~ violation was entered in accordance with the requirements of this Section and the applicable municipal ordinance, and that the registered owner or the lessee, as the case may be, had an opportunity for an administrative hearing and for judicial review as provided in this Section, the court shall render judgment in favor of the municipality and against the registered owner or the lessee for the amount indicated in the final determination of parking, standing, ~~or~~ compliance ~~, or automated traffic law~~ violation, plus costs. The judgment shall have the same effect and may be enforced in the same manner as other judgments for the recovery of money.

(Source: P.A. 92-695, eff. 1-1-03.)

(625 ILCS 5/11-208.5 new)

Sec. 11-208.5. Automated traffic law enforcement system.

(a) As used in this Section, "automated traffic law enforcement system" means a device with one or more motor vehicle sensors working in conjunction with a red light signal to produce recorded images of motor vehicles entering an intersection against a red signal indication in violation of Section 11-306 of this Code or a similar provision of a local ordinance.

An automated traffic law enforcement system is a system in a municipality or county operated by a governmental agency, in cooperation with a law enforcement agency, that produces a recorded image of a motor vehicle's violation of a provision of this Code or a local ordinance and is designed to obtain a clear recorded image of the vehicle and the vehicle's license plate. The recorded image must also display the time, date, and location of the violation.

(b) As used in this Section, "recorded images" means images recorded by an automated traffic law enforcement system on:

- (1) 2 or more photographs;
- (2) 2 or more microphotographs;
- (3) 2 or more electronic images; or

(4) a videotape showing the motor vehicle and, on at least one image or portion of tape, clearly identifying the registration plate number of the motor vehicle.

(c) For each violation of a provision of this Code or a local ordinance recorded by an automatic traffic law enforcement system, the local law enforcement agency having jurisdiction shall issue a written citation and a notice of the violation to the registered owner of the vehicle as the alleged violator. The citation and notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days of the violation.

The citation shall include:

- (1) the name and address of the registered owner of the vehicle;
- (2) the registration number of the motor vehicle involved in the violation;
- (3) the violation charged;
- (4) the location where the violation occurred;
- (5) the date and time of the violation;
- (6) a copy of the recorded images;
- (7) the amount of the civil penalty imposed and the date by which the civil penalty should be paid;
- (8) a signed statement by a technician employed by the agency that, based on inspection of recorded images, the motor vehicle was being operated in violation of a automated traffic law enforcement system;
- (9) a statement that recorded images are evidence of a violation of a red light signal; and
- (10) warning that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability and may result in a suspension of the driving privileges of the registered owner of the

vehicle.

(d) The citation issued to the registered owner of the vehicle shall be accompanied by a written notice, the contents of which is set forth in subsection (e) of this Section, explaining how the registered owner of the vehicle can elect to proceed by either paying the civil penalty or challenging the issuance of the citation.

(e) The written notice explaining the alleged violator's rights and obligations must include the following text:

"You have been served with the accompanying citation and cited with having violated Section 11-208.5 of the Illinois Vehicle Code. You can elect to proceed by:

1. paying the fine; or
2. challenging the issuance of the Citation in court."

(f) If a person charged with a traffic violation, as a result of automated traffic law enforcement system, does not pay or successfully contest the civil penalty resulting from that violation, the Secretary of State shall suspend the driving privileges of the registered owner of the vehicle under Section 6-306.5 of this Code for failing to pay any fine or penalty due and owing as a result of 5 violations of the automated traffic law enforcement system.

(g) Based on inspection of recorded images produced by an automated traffic law enforcement system, a citation or a copy of a citation alleging that the violation occurred and signed by a duly authorized agent of the agency shall be evidence of the facts contained in the citation or copy and admissible in any proceeding alleging a violation under this Section.

(h) Recorded images made by an automatic traffic law enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section. Any recorded image evidencing a violation of this Section, however, is admissible in any proceeding resulting from the issuance of the citation when there is reasonable and sufficient proof of the accuracy of the camera or electronic instrument recording the image. There is a rebuttable presumption that the recorded image is accurate if the camera or electronic recording instrument was in good working order at the beginning and the end of the day of the alleged offense.

(i) The court may consider in defense of a violation:

(1) that the motor vehicle or registration plates of the motor vehicle were stolen before the violation occurred and not under the control of or in the possession of the owner at the time of the violation;

(2) that the driver of the vehicle passed through the intersection when the light was red either (i) in order to yield the right-of-way to an emergency vehicle or (ii) as part of a funeral procession; and

(3) any other evidence or issues that the Court deems pertinent.

(j) To demonstrate that the motor vehicle or the registration plates were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner must submit proof that a police report concerning the stolen motor vehicle or registration plates was filed in a timely manner.

(k) Unless the driver of the motor vehicle received a Uniform Traffic Citation from a police officer at the time of the violation, the motor vehicle owner is subject to a civil penalty not exceeding \$500 if the motor vehicle is recorded by an automated traffic law enforcement system. A violation for which a civil penalty is imposed under this Section is not a violation of a traffic regulation governing the movement of vehicles and may not be recorded on the driving record of the owner of the vehicle.

(l) An intersection equipped with an automated traffic law enforcement system must be posted with a sign visible to approaching traffic indicating that the intersection is being monitored by an automated traffic law enforcement system.

(m) The compensation paid for an automated traffic law enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system.

(625 ILCS 5/11-306) (from Ch. 95 1/2, par. 11-306)

Sec. 11-306. Traffic-control signal legend. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights or color lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and the lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green indication.

1. Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. Vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

2. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

3. Unless otherwise directed by a pedestrian-control signal, as provided in Section 11-307, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) Steady yellow indication.

1. Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter.

2. Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal as provided in Section 11-307, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(c) Steady red indication.

1. Except as provided in paragraph 3 of this subsection (c), vehicular traffic facing a steady circular red signal alone shall stop at a clearly marked stop line, but if there is no such stop line, before entering the crosswalk on the near side of the intersection, or if there is no such crosswalk, then before entering the intersection, and shall remain standing until an indication to proceed is shown.

2. Except as provided in paragraph 3 of this subsection (c), vehicular traffic facing a steady red arrow signal shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make a movement permitted by another signal, shall stop at a clearly marked stop line, but if there is no such stop line, before entering the crosswalk on the near side of the intersection, or if there is no such crosswalk, then before entering the intersection, and shall remain standing until an indication permitting the movement indicated by such red arrow is shown.

3. Except when a sign is in place prohibiting a turn and local authorities by ordinance or State authorities by rule or regulation prohibit any such turn, vehicular traffic facing any steady red signal may cautiously enter the intersection to turn right, or to turn left from a one-way street into a one-way street, after stopping as required by paragraph 1 or paragraph 2 of this subsection. After stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction or roadways. Such driver shall yield the right of way to pedestrians within the intersection or an adjacent crosswalk.

4. Unless otherwise directed by a pedestrian-control signal as provided in Section 11-307, pedestrians facing a steady circular red or red arrow signal alone shall not enter the roadway.

~~5. A municipality with a population of 1,000,000 or more may enact an ordinance that provides for the use of an automated red light enforcement system to enforce violations of this subsection (c) that result in or involve a motor vehicle accident, leaving the scene of a motor vehicle accident, or reckless driving that results in bodily injury.~~

~~This paragraph 5 is subject to prosecutorial discretion that is consistent with applicable law.~~

(d) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this Section shall be applicable except as to provisions which by their nature can have no application. Any stop required shall be at a traffic sign or a marking on the pavement indicating where the stop shall be made or, in the absence of such sign or marking, the stop shall be made at the signal.

(e) The motorman of any streetcar shall obey the above signals as applicable to vehicles.

(Source: P.A. 90-86, eff. 7-10-97; 91-357, eff. 7-29-99.)

(625 ILCS 5/1-105.5 rep.)

Section 10. The Illinois Vehicle Code is amended by repealing Section 1-105.5.

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 2047. 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 Joyce offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2047 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Hotel Bed Covering Posting Act.

Section 5. Hotel. "Hotel" means any building or buildings maintained, advertised, and held out to the public to be a place where lodging is offered for consideration to travelers and guests. "Hotel" includes inns, motels, tourist homes or courts, and lodging homes.

Section 10. Hotel bed covering posting. The operator of a hotel shall post or cause to be posted in each guest room of the hotel that he or she operates a sign indicating the date and time any bed covering in the guest room is changed. The sign shall be posted in a conspicuous location in the guest room. "Bed covering" includes quilts, blankets, sheets, and comforters.

Section 15. Penalty. Any hotel operator who violates this Act shall be guilty of a petty offense, punishable by a fine not to exceed \$50 for each day of 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 advanced to the order of Third Reading.

HOUSE BILL 2250. 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 Holbrook offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2250 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Emergency Management Act is amended by changing Sections 4 and 5 as follows:

(20 ILCS 3305/4) (from Ch. 127, par. 1054)

Sec. 4. Definitions. As used in this Act, unless the context clearly indicates otherwise, the following words and terms have the meanings ascribed to them in this Section:

"Coordinator" means the staff assistant to the principal executive officer of a political subdivision with the duty of coordinating the emergency management programs of that political subdivision.

"Disaster" means an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural or technological cause, including but not limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels and energy, explosion, riot, hostile military or paramilitary action, public health emergencies, or acts of domestic terrorism.

"Emergency Management" means the efforts of the State and the political subdivisions to develop, plan, analyze, conduct, provide, implement and maintain programs for disaster mitigation, preparedness, response and recovery.

"Emergency Services and Disaster Agency" means the agency by this name, by the name Emergency Management Agency, or by any other name that is established by ordinance within a political subdivision to coordinate the emergency management program within that political subdivision and with private organizations, other political subdivisions, the State and federal governments.

"Emergency Operations Plan" means the written plan of the State and political subdivisions describing the organization, mission, and functions of the government and supporting services for responding to and recovering from disasters.

"Emergency Services" means the coordination of functions by the State and its political subdivision, other than functions for which military forces are primarily responsible, as may be necessary or proper to prevent, minimize, repair, and alleviate injury and damage resulting from any natural or technological causes. These functions include, without limitation, fire fighting services, police services, emergency aviation services, medical and health services, HazMat and technical rescue teams, rescue, engineering,

warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken or threatened areas, emergency assigned functions of plant protection, temporary restoration of public utility services and other functions related to civilian protection, together with all other activities necessary or incidental to protecting life or property.

"Exercise" means a planned event realistically simulating a disaster, conducted for the purpose of evaluating the political subdivision's coordinated emergency management capabilities, including, but not limited to, testing the emergency operations plan.

"HazMat team" means a career or volunteer mobile support team that has been authorized by a unit of local government to respond to hazardous materials emergencies and that is primarily designed for emergency response to chemical or biological terrorism, radiological emergencies, hazardous material spills, releases, or fires, or other contamination events.

"Illinois Emergency Management Agency" means the agency established by this Act within the executive branch of State Government responsible for coordination of the overall emergency management program of the State and with private organizations, political subdivisions, and the federal government. Illinois Emergency Management Agency also means the State Emergency Response Commission responsible for the implementation of Title III of the Superfund Amendments and Reauthorization Act of 1986.

"Mobile Support Team" means a group of individuals designated as a team by the Governor or Director to train prior to and to be dispatched, if the Governor or the Director so determines, to aid and reinforce the State and political subdivision emergency management efforts in response to a disaster.

"Municipality" means any city, village, and incorporated town.

"Political Subdivision" means any county, city, village, or incorporated town or township if the township is in a county having a population of more than 2,000,000.

"Principal Executive Officer" means chair of the county board, supervisor of a township if the township is in a county having a population of more than 2,000,000, mayor of a city or incorporated town, president of a village, or in their absence or disability, the interim successor as established under Section 7 of the Emergency Interim Executive Succession Act.

"Public health emergency" means an occurrence or imminent threat of an illness or health condition that:

- (a) is believed to be caused by any of the following:
 - (i) bioterrorism;
 - (ii) the appearance of a novel or previously controlled or eradicated infectious agent or biological toxin;
 - (iii) a natural disaster;
 - (iv) a chemical attack or accidental release; or
 - (v) a nuclear attack or accident; and
- (b) poses a high probability of any of the following harms:
 - (i) a large number of deaths in the affected population;
 - (ii) a large number of serious or long-term disabilities in the affected population; or
 - (iii) widespread exposure to an infectious or toxic agent that poses a significant risk of substantial future harm to a large number of people in the affected population.

"Technical rescue team" means a career or volunteer mobile support team that has been authorized by a unit of local government to respond to building collapse, high angle rescue, and other specialized rescue emergencies and that is primarily designated for emergency response to technical rescue events.

(Source: P.A. 92-73, eff. 1-1-02; 93-249, eff. 7-22-03.)

(20 ILCS 3305/5) (from Ch. 127, par. 1055)

Sec. 5. Illinois Emergency Management Agency.

(a) There is created within the executive branch of the State Government an Illinois Emergency Management Agency and a Director of the Illinois Emergency Management Agency, herein called the "Director" who shall be the head thereof. The Director shall be appointed by the Governor, with the advice and consent of the Senate, and shall serve for a term of 2 years beginning on the third Monday in January of the odd-numbered year, and until a successor is appointed and has qualified; except that the term of the first Director appointed under this Act shall expire on the third Monday in January, 1989. The Director shall not hold any other remunerative public office. The Director shall receive an annual salary as set by the Governor from time to time or the amount set by the Compensation Review Board, whichever is higher. If set by the Governor, the Director's annual salary may not exceed 85% of the Governor's annual salary.

(b) The Illinois Emergency Management Agency shall obtain, under the provisions of the Personnel

Code, technical, clerical, stenographic and other administrative personnel, and may make expenditures within the appropriation therefor as may be necessary to carry out the purpose of this Act. The agency created by this Act is intended to be a successor to the agency created under the Illinois Emergency Services and Disaster Agency Act of 1975 and the personnel, equipment, records, and appropriations of that agency are transferred to the successor agency as of the effective date of this Act.

(c) The Director, subject to the direction and control of the Governor, shall be the executive head of the Illinois Emergency Management Agency and the State Emergency Response Commission and shall be responsible under the direction of the Governor, for carrying out the program for emergency management of this State. The Director shall also maintain liaison and cooperate with the emergency management organizations of this State and other states and of the federal government.

(d) The Illinois Emergency Management Agency shall take an integral part in the development and revision of political subdivision emergency operations plans prepared under paragraph (f) of Section 10. To this end it shall employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to the emergency services and disaster agencies. These personnel shall consult with emergency services and disaster agencies on a regular basis and shall make field examinations of the areas, circumstances, and conditions that particular political subdivision emergency operations plans are intended to apply.

(e) The Illinois Emergency Management Agency and political subdivisions shall be encouraged to form an emergency management advisory committee composed of private and public personnel representing the emergency management phases of mitigation, preparedness, response, and recovery. The Local Emergency Planning Committee, as created under the Illinois Emergency Planning and Community Right to Know Act, shall serve as an advisory committee to the emergency services and disaster agency or agencies serving within the boundaries of that Local Emergency Planning Committee planning district for:

- (1) the development of emergency operations plan provisions for hazardous chemical emergencies; and
- (2) the assessment of emergency response capabilities related to hazardous chemical emergencies.

(f) The Illinois Emergency Management Agency shall:

(1) Coordinate the overall emergency management program of the State.

(2) Cooperate with local governments, the federal government and any public or private agency or entity in achieving any purpose of this Act and in implementing emergency management programs for mitigation, preparedness, response, and recovery.

(2.5) ~~Develop a~~ ~~Cooperate with the Department of Nuclear Safety in development of the~~ comprehensive emergency preparedness and response plan for any nuclear accident in accordance with Section ~~65~~ ~~2005-65~~ of the Department of Nuclear Safety Law of ~~2004~~ ~~(20 ILCS 3310)~~ ~~the Civil Administrative Code of Illinois~~ and in development of the Illinois Nuclear Safety Preparedness program in accordance with Section 8 of the Illinois Nuclear Safety Preparedness Act.

(2.6) Coordinate with the Department of Public Health with respect to planning for and responding to public health emergencies.

(3) Prepare, for issuance by the Governor, executive orders, proclamations, and regulations as necessary or appropriate in coping with disasters.

(4) Promulgate rules and requirements for political subdivision emergency operations plans that are not inconsistent with and are at least as stringent as applicable federal laws and regulations.

(5) Review and approve, in accordance with Illinois Emergency Management Agency rules, emergency operations plans for those political subdivisions required to have an emergency services and disaster agency pursuant to this Act.

(5.5) Promulgate rules and requirements for the political subdivision emergency management exercises, including, but not limited to, exercises of the emergency operations plans.

(5.10) Review, evaluate, and approve, in accordance with Illinois Emergency Management Agency rules, political subdivision emergency management exercises for those political subdivisions required to have an emergency services and disaster agency pursuant to this Act.

(6) Determine requirements of the State and its political subdivisions for food, clothing, and other necessities in event of a disaster.

(7) Establish a register of persons with types of emergency management training and skills in mitigation, preparedness, response, and recovery.

(8) Establish a register of government and private response resources available for use in a disaster.

(9) Expand the Earthquake Awareness Program and its efforts to distribute earthquake preparedness materials to schools, political subdivisions, community groups, civic organizations, and the media. Emphasis will be placed on those areas of the State most at risk from an earthquake. Maintain the list of all school districts, hospitals, airports, power plants, including nuclear power plants, lakes, dams, emergency response facilities of all types, and all other major public or private structures which are at the greatest risk of damage from earthquakes under circumstances where the damage would cause subsequent harm to the surrounding communities and residents.

(10) Disseminate all information, completely and without delay, on water levels for rivers and streams and any other data pertaining to potential flooding supplied by the Division of Water Resources within the Department of Natural Resources to all political subdivisions to the maximum extent possible.

(11) Develop agreements, if feasible, with medical supply and equipment firms to supply resources as are necessary to respond to an earthquake or any other disaster as defined in this Act. These resources will be made available upon notifying the vendor of the disaster. Payment for the resources will be in accordance with Section 7 of this Act. The Illinois Department of Public Health shall determine which resources will be required and requested.

(11.5) In coordination with the Department of State Police, develop and implement a community outreach program to promote awareness among the State's parents and children of child abduction prevention and response.

(12) Out of funds appropriated for these purposes, award capital and non-capital grants to Illinois hospitals or health care facilities located outside of a city with a population in excess of 1,000,000 to be used for purposes that include, but are not limited to, preparing to respond to mass casualties and disasters, maintaining and improving patient safety and quality of care, and protecting the confidentiality of patient information. No single grant for a capital expenditure shall exceed \$300,000. No single grant for a non-capital expenditure shall exceed \$100,000. In awarding such grants, preference shall be given to hospitals that serve a significant number of Medicaid recipients, but do not qualify for disproportionate share hospital adjustment payments under the Illinois Public Aid Code. To receive such a grant, a hospital or health care facility must provide funding of at least 50% of the cost of the project for which the grant is being requested. In awarding such grants the Illinois Emergency Management Agency shall consider the recommendations of the Illinois Hospital Association.

(13) Do all other things necessary, incidental or appropriate for the implementation of this Act.

(Source: P.A. 92-73, eff. 1-1-02; 92-597, eff. 6-28-02; 93-249, eff. 7-22-03; 93-310, eff. 7-23-03; revised 9-11-03.)

Section 10. The Counties Code is amended by adding Section 5-1127 as follows:

(55 ILCS 5/5-1127 new)

Sec. 5-1127. HazMat and technical rescue teams.

(a) The county board of any county may, by ordinance, authorize a HazMat team to provide emergency response to chemical and biological terrorism, radiological emergencies, hazardous material spills, releases, or fires, or other contamination events. The county board may make reasonable appropriations from the county treasury to fund and encourage the formation and operation of a Hazmat team. The ordinance may provide for benefits to be paid by the county if a team member suffers disease, injury, or death in the line of duty. A HazMat team authorized under this subsection may be a not-for-profit organization exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code.

(b) The county board of any county may, by ordinance, authorize a technical rescue team to provide emergency response to building collapse, high angle rescue, and other technical and specialized rescue emergencies. The county board may make reasonable appropriations from the county treasury to fund and encourage the formation and operation of a technical rescue team. The ordinance may provide for benefits to be paid by the county if a team member suffers disease, injury, or death in the line of duty. A technical rescue team authorized under this subsection may be a not-for-profit organization exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code.

Section 15. The Illinois Vehicle Code is amended by changing Sections 1-105 and 6-500 as follows:

(625 ILCS 5/1-105) (from Ch. 95 1/2, par. 1-105)

Sec. 1-105. Authorized emergency vehicle. Emergency vehicles of municipal departments or public service corporations as are designated or authorized by proper local authorities; police vehicles; vehicles of the fire department; vehicles of a HazMat or technical rescue team authorized by a county board under Section 5-1127 of the Counties Code; ambulances; vehicles of the Illinois Emergency Management

Agency; ~~and~~ vehicles of the Illinois Department of Public Health, ~~and vehicles of the Department of Nuclear Safety.~~

(Source: P.A. 92-138, eff. 7-24-01; 93-829, eff. 7-28-04.)

(625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)

Sec. 6-500. Definitions of words and phrases. Notwithstanding the definitions set forth elsewhere in this Code, for purposes of the Uniform Commercial Driver's License Act (UCDLA), the words and phrases listed below have the meanings ascribed to them as follows:

(1) Alcohol. "Alcohol" means any substance containing any form of alcohol, including but not limited to ethanol, methanol, propanol, and isopropanol.

(2) Alcohol concentration. "Alcohol concentration" means:

(A) the number of grams of alcohol per 210 liters of breath; or

(B) the number of grams of alcohol per 100 milliliters of blood; or

(C) the number of grams of alcohol per 67 milliliters of urine.

Alcohol tests administered within 2 hours of the driver being "stopped or detained" shall be considered that driver's "alcohol concentration" for the purposes of enforcing this UCDLA.

(3) (Blank).

(4) (Blank).

(5) (Blank).

(6) Commercial Motor Vehicle.

(A) "Commercial motor vehicle" means a motor vehicle, except those referred to in subdivision (B), designed to transport passengers or property if:

(i) the vehicle has a GVWR of 26,001 pounds or more or such a lesser GVWR as subsequently determined by federal regulations or the Secretary of State; or any combination of vehicles with a GCWR of 26,001 pounds or more, provided the GVWR of any vehicle or vehicles being towed is 10,001 pounds or more; or

(ii) the vehicle is designed to transport 16 or more persons; or

(iii) the vehicle is transporting hazardous materials and is required to be placarded in accordance with 49 C.F.R. Part 172, subpart F.

(B) Pursuant to the interpretation of the Commercial Motor Vehicle Safety Act of 1986

by the Federal Highway Administration, the definition of "commercial motor vehicle" does not include:

(i) recreational vehicles, when operated primarily for personal use;

(ii) United States Department of Defense vehicles being operated by non-civilian personnel. This includes any operator on active military duty; members of the Reserves; National Guard; personnel on part-time training; and National Guard military technicians (civilians who are required to wear military uniforms and are subject to the Code of Military Justice); or

(iii) firefighting and other emergency equipment (including, without limitation, equipment owned or operated by a HazMat or technical rescue team authorized by a county board under Section 5-1127 of the Counties Code), with audible and visual signals,

owned or operated by or for a governmental entity, which is necessary to the preservation of life or property or the execution of emergency governmental functions which are normally not subject to general traffic rules and regulations.

(7) Controlled Substance. "Controlled substance" shall have the same meaning as defined in Section 102 of the Illinois Controlled Substances Act, and shall also include cannabis as defined in Section 3 of the Cannabis Control Act.

(8) Conviction. "Conviction" means an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative tribunal; an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court; the payment of a fine or court cost regardless of whether the imposition of sentence is deferred and ultimately a judgment dismissing the underlying charge is entered; or a violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended or probated.

(9) (Blank).

(10) (Blank).

(11) (Blank).

(12) (Blank).

(13) Driver. "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle, or who is required to hold a CDL.

(14) Employee. "Employee" means a person who is employed as a commercial motor vehicle driver. A

person who is self-employed as a commercial motor vehicle driver must comply with the requirements of this UCDLA pertaining to employees. An owner-operator on a long-term lease shall be considered an employee.

(15) Employer. "Employer" means a person (including the United States, a State or a local authority) who owns or leases a commercial motor vehicle or assigns employees to operate such a vehicle. A person who is self-employed as a commercial motor vehicle driver must comply with the requirements of this UCDLA.

(16) (Blank).

(17) Foreign jurisdiction. "Foreign jurisdiction" means a sovereign jurisdiction that does not fall within the definition of "State".

(18) (Blank).

(19) (Blank).

(20) Hazardous Material. Upon a finding by the United States Secretary of Transportation, in his or her discretion, under 49 App. U.S.C. 5103(a), that the transportation of a particular quantity and form of material in commerce may pose an unreasonable risk to health and safety or property, he or she shall designate the quantity and form of material or group or class of the materials as a hazardous material. The materials so designated may include but are not limited to explosives, radioactive materials, etiologic agents, flammable liquids or solids, combustible liquids or solids, poisons, oxidizing or corrosive materials, and compressed gases.

(21) Long-term lease. "Long-term lease" means a lease of a commercial motor vehicle by the owner-lessor to a lessee, for a period of more than 29 days.

(22) Motor Vehicle. "Motor vehicle" means every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from over head trolley wires but not operated upon rails, except vehicles moved solely by human power and motorized wheel chairs.

(23) Non-resident CDL. "Non-resident CDL" means a commercial driver's license issued by a state to an individual who is domiciled in a foreign jurisdiction.

(24) (Blank).

(25) (Blank).

(25.5) Railroad-Highway Grade Crossing Violation. "Railroad-highway grade crossing violation" means a violation, while operating a commercial motor vehicle, of any of the following:

(A) Section 11-1201, 11-1202, or 11-1425 of this Code.

(B) ~~(C) (D) (E) (F) (G) (H)~~ Any other similar law or local ordinance of any state relating to railroad-highway grade crossing. ~~(A) (G)~~

(26) Serious Traffic Violation. "Serious traffic violation" means:

(A) a conviction when operating a commercial motor vehicle of:

(i) a violation relating to excessive speeding, involving a single speeding charge of 15 miles per hour or more above the legal speed limit; or

(ii) a violation relating to reckless driving; or

(iii) a violation of any State law or local ordinance relating to motor vehicle traffic control (other than parking violations) arising in connection with a fatal traffic accident; or

(iv) a violation of Section 6-501, relating to having multiple driver's licenses; or

(v) a violation of paragraph (a) of Section 6-507, relating to the requirement to have a valid CDL; or

(vi) a violation relating to improper or erratic traffic lane changes; or

(vii) a violation relating to following another vehicle too closely; or

(B) any other similar violation of a law or local ordinance of any state relating to motor vehicle traffic control, other than a parking violation, which the Secretary of State determines by administrative rule to be serious.

(27) State. "State" means a state of the United States, the District of Columbia and any province or territory of Canada.

(28) (Blank).

(29) (Blank).

(30) (Blank).

(31) (Blank).

(Source: P.A. 92-249, eff. 1-1-02; 92-651, eff. 7-11-02; 92-834, eff. 8-22-02; revised 8-26-02.)"

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 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 Kelly, HOUSE BILL 2417 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: 64, Yeas; 53, 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 Kelly, HOUSE BILL 3801 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 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 Kosel, HOUSE BILL 881 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 16)

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

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

On motion of Representative Kosel, HOUSE BILL 2348 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 17)

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

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

On motion of Representative Lang, HOUSE BILL 2190 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: 117, 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 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 Bill Mitchell, HOUSE BILL 3711 was taken up and read by title a third time.

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

On motion of Representative Mulligan, HOUSE BILL 3853 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
115, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 20)

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

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

HOUSE BILL ON SECOND READING

HOUSE BILL 1100. 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 Rose, HOUSE BILL 3526 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; 2, 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 Rose, HOUSE BILL 360 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
116, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 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 Sacia, HOUSE BILL 2506 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: 68, Yeas; 44, Nays; 4, Answering Present.

(ROLL CALL 23)

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

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

On motion of Representative Millner, HOUSE BILL 265 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 24)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 298. 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 298 by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Section 4.16 and by adding Section 4.26 as follows:

(5 ILCS 80/4.16)

Sec. 4.16. Acts repealed January 1, 2006. The following Acts are repealed January 1, 2006:

The Respiratory Care Practice Act.

The Hearing Instrument Consumer Protection Act.

The Illinois Dental Practice Act.

The Professional Geologist Licensing Act.

~~The Illinois Athletic Trainers Practice Act.~~

The Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985.

The Collection Agency Act.

The Illinois Roofing Industry Licensing Act.

The Illinois Physical Therapy Act.

(Source: P.A. 89-33, eff. 1-1-96; 89-72, eff. 12-31-95; 89-80, eff. 6-30-95; 89-116, eff. 7-7-95; 89-366, eff. 7-1-96; 89-387, eff. 8-20-95; 89-626, eff. 8-9-96.)

(5 ILCS 80/4.26 new)

Sec. 4.26. Act repealed on January 1, 2016. The following Act is repealed on January 1, 2016:

The Illinois Athletic Trainers Practice Act.

Section 10. The Illinois Athletic Trainers Practice Act is amended changing Sections 3, 4, 6, 9, 10, 13, 16, 17.5, and 34 and by adding Sections 34.1 and 34.2 as follows:

(225 ILCS 5/3) (from Ch. 111, par. 7603)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3. Definitions. As used in this Act:

(1) "Department" means the Department of Professional Regulation.

(2) "Director" means the Director of Professional Regulation.

(3) "Board" means the Illinois Board of Athletic Trainers appointed by the Director.

(4) "Licensed athletic trainer" means a person licensed to practice athletic training as defined in this Act and with the specific qualifications set forth in Section 9 of this Act who, upon the direction of his or her team physician or consulting physician, carries out the practice of prevention/emergency care or physical reconditioning of injuries incurred by athletes participating in an athletic program conducted by an educational institution, professional athletic organization, or sanctioned amateur athletic organization

employing the athletic trainer; or a person who, under the direction of a physician, carries out comparable functions for a health organization-based extramural program of athletic training services for athletes. Specific duties of the athletic trainer include but are not limited to:

- A. Supervision of the selection, fitting, and maintenance of protective equipment;
- B. Provision of assistance to the coaching staff in the development and implementation of conditioning programs;
- C. Counseling of athletes on nutrition and hygiene;
- D. Supervision of athletic training facility and inspection of playing facilities;
- E. Selection and maintenance of athletic training equipment and supplies;
- F. Instruction and supervision of student trainer staff;
- G. Coordination with a team physician to provide:
 - (i) pre-competition physical exam and health history updates,
 - (ii) game coverage or phone access to a physician or paramedic,
 - (iii) follow-up injury care,
 - (iv) reconditioning programs, and
 - (v) assistance on all matters pertaining to the health and well-being of athletes.
- H. Provision of on-site injury care and evaluation as well as appropriate transportation, follow-up treatment and rehabilitation as necessary for all injuries sustained by athletes in the program;
- I. With a physician, determination of when an athlete may safely return to full participation post-injury; and
- J. Maintenance of complete and accurate records of all athletic injuries and treatments rendered.

To carry out these functions the athletic trainer is authorized to utilize modalities, including, but not limited to, such as heat, light, sound, cold, electricity, exercise, or mechanical devices related to care and reconditioning.

(5) "Referral" means the guidance and ~~or~~ direction ~~to the athletic trainer~~ given by the physician, who shall maintain supervision of the athlete.

(6) "Athletic trainer aide" means a person who has received on-the-job training specific to the facility in which he or she is employed, on either a paid or volunteer basis, but is not enrolled in an accredited athletic training curriculum.

(Source: P.A. 91-357, eff. 7-29-99.)

(225 ILCS 5/4) (from Ch. 111, par. 7604)

(Section scheduled to be repealed on January 1, 2006)

Sec. 4. Licensure requirement - Exempt activities. After the effective date of this Act, no person shall provide any of the services set forth in subsection (4) of Section 3 of this Act, or use the title "athletic trainer" or "certified athletic trainer" or "athletic trainer certified" or the letters "A.T.", "C.A.T.", "A.T.C.", "A.C.T.", or "I.A.T.L." after his name, unless licensed under this Act.

Nothing in this Act shall be construed as preventing or restricting the practice, services, or activities of:

(1) Any person licensed or registered in this State by any other law from engaging in the profession or occupation for which he or she is licensed or registered. ~~;~~ ~~or~~

(2) Any person employed as an athletic trainer by the Government of the United States, if such person provides athletic training solely under the direction or control of the organization by which he or she is employed. ~~;~~ ~~or~~

(3) Any person pursuing a course of study leading to a degree or certificate in athletic training at an accredited ~~or approved~~ educational program if such activities and services constitute a part of a supervised course of study involving daily personal or verbal contact at the site of supervision between the athletic training student and the licensed athletic trainer who plans, directs, advises, and evaluates the student's athletic training clinical education. The supervising licensed athletic trainer must be on-site where the athletic training clinical education is being obtained. , and if such person is A person meeting the criteria under this paragraph (3) must be designated by a title which clearly indicates his or her status as a student or trainee. ~~;~~ ~~or~~

(4) (Blank). ~~Any person fulfilling the supervised work experience requirements of Section 9 of this Act, if such activities and services constitute a part of the experience necessary to meet the requirements of that Section; or~~

(5) The practice of athletic training under the supervision of a licensed athletic trainer by one who has applied in writing to the Department for licensure and has complied with all the provisions of Section 9

except the passing of the examination to be eligible to receive such license. In no event shall this exemption extend to any person for longer than 3 months. Anyone who has previously failed the examination, or who fails the examination during this 3-month period, shall immediately cease practice as an athletic trainer and shall not engage in the practice of athletic training again until he or she passes the examination. ~~;~~

(6) Any person in a coaching position from rendering emergency care on an as needed basis to the athletes under his or her supervision when a licensed athletic trainer is not available. ~~;~~

(7) Any person who is an athletic trainer from another nation, state, or territory acting as an athletic trainer while performing his duties for his or her respective non-Illinois based team or organization, so long as he or she restricts his or her duties to his or her team or organization during the course of his or her team's or organization's stay in this State. For the purposes of this Act, a team shall be considered based in Illinois if its home contests are held in Illinois, regardless of the location of the team's administrative offices.

(8) The practice of athletic training by persons licensed in another state who have applied in writing to the Department for licensure by endorsement for no longer than 6 months or until notification has been given that licensure has been granted or denied, whichever period of time is lesser.

(9) The practice of athletic training by one who has applied in writing to the Department for licensure and has complied with all the provisions of Section 9 for no longer than 6 months or until notification has been given that licensure has been granted or denied, whichever period of time is lesser.

(10) The practice of athletic training by persons actively licensed as an athletic trainer in another state, or currently certified by the National Athletic Trainers Association Board of Certification, Inc., or its successor entity, at a special athletic tournament or event conducted by a sanctioned amateur athletic organization, including, but not limited to, the Prairie State Games and the Special Olympics, for no more than 14 days. This shall not include contests or events that are part of a scheduled series of regular season events.

(11) Athletic trainer aides from performing patient care activities under the on-site supervision of a licensed athletic trainer. These patient care activities shall not include interpretation of referrals or evaluation procedures, planning or major modifications of patient programs, administration of medication, or solo practice or event coverage without immediate access to a licensed athletic trainer.

(Source: P.A. 89-216, eff. 1-1-96.)

(225 ILCS 5/6) (from Ch. 111, par. 7606)

(Section scheduled to be repealed on January 1, 2006)

Sec. 6. Athletic Training Board - Appointment - Membership - Term - Duties. The Director shall appoint an Illinois Board of Athletic Trainers as follows: ~~7~~ 6 persons who shall be appointed by and shall serve in an advisory capacity to the Director. Two members must be licensed physicians; ~~4~~ 3 members must be licensed ~~registered~~ athletic trainers in good standing, and actively engaged in the practice or teaching of athletic training in this State; and 1 member must be a public member who is not licensed ~~registered~~ under this Act, or a similar Act of another jurisdiction, and is not a provider of athletic health care service.

Members shall serve 4 year terms and until their successors are appointed and qualified ~~except that of the initial appointments, 1 member shall be appointed to serve for one year, 2 shall be appointed to serve for 2 years, 2 shall be appointed to serve for 3 years, and the remaining one, who shall be the public member, shall be appointed to serve for 4 years, and until their successors are appointed and qualified.~~ No member shall be reappointed to the Board for more than 2 terms. Appointments to fill vacancies shall be made in the same manner as original appointments, for the unexpired portion of the vacated term. ~~Initial terms shall begin upon the effective date of this Act.~~

The membership of the Board should reasonably reflect representation from the geographic areas in this State.

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

The Director shall consider the recommendation of the Board on questions involving standards of professional conduct, discipline, and qualifications of candidates and license holders under this Act.

(Source: P.A. 91-827, eff. 6-13-00.)

(225 ILCS 5/9) (from Ch. 111, par. 7609)

(Section scheduled to be repealed on January 1, 2006)

Sec. 9. Educational and Professional Requirements. A person having the qualifications prescribed in this Section shall be qualified to receive a license as an athletic trainer if he or she:

(a) ~~Has~~ has graduated from a curriculum in athletic training accredited ~~approved by the Department. In approving a curriculum in athletic training, the Department shall consider, but not be bound by,~~

~~accreditation~~ by the Joint Review Committee on Athletic Training (JRC-AT) of the Commission ~~Committee~~ on Accreditation of Allied Health Education Programs (CAAHEP) or its successor entity ~~;~~ ~~or~~

(b) ~~Gives~~ gives proof of current certification, on the date of application, in CPR/AED for the Healthcare Professional or its equivalent based on American Red Cross or American Heart Association standards and graduation from a 4 year accredited college or university, and has met the following minimum athletic training curriculum requirements established by the Board:

Completion of the following specific course requirements:

- (1) Anatomy
- (2) Physiology
- (3) Physiology of Exercise
- (4) Applied Anatomy and Kinesiology
- (5) Psychology (2 courses)
- (6) First Aid and CPR or equivalent (American Red Cross standards)
- (7) Nutrition
- (8) Remedial Exercise or Therapeutic Exercise
- (9) Personal, Community, and School Health
- (10) Techniques of Athletic Training (fundamentals)
- (11) Advanced Techniques of Athletic Training (modalities, administration)
- (12) Clinical Experience (1500 hours) over a minimum of a 2 year academic period within a 5 year calendar period.

(c) Has passed an examination approved by the Department to determine his or her fitness for practice as an athletic trainer, or is entitled to be licensed without examination as provided in Sections 7 and 8 of this Act.

The Department may request a personal interview of an applicant before the Board committee to further evaluate his or her qualifications for a license.

An applicant has 3 years from the date of his or her application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 89-216, eff. 1-1-96.)

(225 ILCS 5/10) (from Ch. 111, par. 7610)

(Section scheduled to be repealed on January 1, 2006)

Sec. 10. License expiration; renewal; continuing education requirement. The expiration date of licenses issued under this Act shall be set by rule. Licenses shall be renewed according to procedures established by the Department and upon payment of the renewal fee established herein and ~~notarized~~ proof of completion 40 contact hours of approved continuing education relating to the performance and practice of athletic training. The number of hours required and their composition shall be set by rule.

(Source: P.A. 89-216, eff. 1-1-96; 89-626, eff. 8-9-96.)

(225 ILCS 5/13) (from Ch. 111, par. 7613)

(Section scheduled to be repealed on January 1, 2006)

Sec. 13. Endorsement. The Department may, at its discretion, license as an athletic trainer, without examination, on payment of the fee, an applicant for licensure who is an athletic trainer registered or licensed under the laws of another state if the requirements pertaining to athletic trainers in such state were at the date of his or her registration or licensure substantially equal to the requirements in force in Illinois on that date. If the requirements of that state are not substantially equal to the Illinois requirements, or if at the time of application the state in which the applicant has been practicing does not regulate the practice of athletic training, and the applicant began practice in that state prior to January 1, 2004, a person having the qualifications prescribed in this Section shall be qualified to receive a license as an athletic trainer if he or she:

(1) has passed an examination approved by the Department to determine his or her fitness for practice as an athletic trainer; and

(2) gives proof of current certification, on the date of application, in CPR/AED for the Healthcare Professional or equivalent based on American Red Cross or American Heart Association standards.

The Department may request a personal interview of an applicant before the Board to further evaluate his or her qualifications for a license.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee forfeited and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 89-216, eff. 1-1-96.)

(225 ILCS 5/16) (from Ch. 111, par. 7616)

(Section scheduled to be repealed on January 1, 2006)

Sec. 16. Refusal to issue, suspension, or revocation of license. The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary action as the Department may deem proper, including fines not to exceed \$5,000 ~~\$1,000~~ for each violation, with regard to any licensee for any one or combination of the following:

- (A) Material misstatement in furnishing information to the Department;
- (B) Negligent or intentional disregard of this Act, or of the rules or regulations promulgated hereunder;
- (C) Conviction of any crime under the laws of the United States or any state or territory thereof that is (i) a felony, (ii) ~~or~~ a misdemeanor, ~~and~~ an essential element of which is dishonesty, or (iii) of any crime that is directly related to the practice of the profession;
- (D) Making any misrepresentation for the purpose of obtaining registration, or violating any provision of this Act;
- (E) Professional incompetence;
- (F) Malpractice;
- (G) Aiding or assisting another person in violating any provision of this Act or rules;
- (H) Failing, within 60 days, to provide information in response to a written request made by the Department;
- (I) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud or harm the public;
- (J) Habitual intoxication or addiction to the use of drugs;
- (K) Discipline by another state, District of Columbia, territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth herein;
- (L) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered;
- (M) A finding that the licensee after having his or her license placed on probationary status has violated the terms of probation;
- (N) Abandonment of an athlete;
- (O) Willfully making or filing false records or reports in his or her practice, including but not limited to false records filed with State agencies or departments;
- (P) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act;
- (Q) Physical illness, including but not limited to deterioration through the aging process, or loss of motor skill that results in the inability to practice the profession with reasonable judgment, skill, or safety;
- (R) Solicitation of professional services other than by permitted institutional policy;
- (S) The use of any words, abbreviations, figures or letters with the intention of indicating practice as an athletic trainer without a valid license as an athletic trainer under this Act;
- (T) The evaluation or treatment of ailments of human beings other than by the practice of athletic training as defined in this Act or the ~~The~~ treatment of injuries of athletes by a licensed athletic trainer except by the referral of a physician, podiatrist, or dentist;
- (U) Willfully violating or knowingly assisting in the violation of any law of this State relating to the use of habit-forming drugs;
- (V) Willfully violating or knowingly assisting in the violation of any law of this State relating to the practice of abortion;
- (W) Continued practice by a person knowingly having an infectious communicable or contagious disease;
- (X) Being named as a perpetrator in an indicated report by the Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act;
- (Y) Failure to file a return, or to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied; or
- (Z) Failure to fulfill continuing education requirements as prescribed in Section 10 of this Act.

The determination by a circuit court that a licensee is subject to involuntary admission or judicial

admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. Such suspension will end only upon a finding by a court that the athletic trainer is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the athlete; and upon the recommendation of the Board to the Director that the licensee be allowed to resume his or her practice.

(Source: P.A. 91-357, eff. 7-29-99.)

(225 ILCS 5/17.5)

(Section scheduled to be repealed on January 1, 2006)

Sec. 17.5. ~~Unlicensed~~ ~~Unregistered~~ practice; violation; civil penalty.

(a) Any person who practices, offers to practice, attempts to practice, or holds oneself out to practice as a ~~licensed registered~~ athletic trainer without being ~~licensed registered~~ under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$5,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

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

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

(Source: P.A. 89-474, eff. 6-18-96.)

(225 ILCS 5/34) (from Ch. 111, par. 7634)

(Section scheduled to be repealed on January 1, 2006)

Sec. 34. Persons currently practicing. Any person currently holding an active Illinois license as an athletic trainer on the effective date of this amendatory Act of the 94th General Assembly shall be considered licensed under this Act. Any person actively engaged as an athletic trainer on the effective date of this Act will be considered licensed under this Act if he or she submits an application, pays the license fee required by this Act and upon evaluation of his or her qualifications by the Department is found to have a level of competence equal to that of one possessing the educational qualifications set forth in Section 9 of this Act. In its evaluation, the Department shall accept the applicant's having certification by the National Athletic Trainers Association as being the required level of competence. For applicants not having such certification, the Department shall, with the advice of the Board, establish rules for examination and evaluation which shall take into account the applicant's education, training, and experience qualifications.

~~For the purpose of this Section a person is actively engaged as an athletic trainer if he or she is employed on a salary basis by an educational institution, health care organization, professional athletic organization, or sanctioned amateur athletic organization for the duration of the institution's school year, or the length of the athletic organization's season, and performs the duties of athletic trainer as a major responsibility of his or her employment.~~

Applications for a license under this Section must be made within 180 days from the effective date of this Act.

(Source: P.A. 89-216, eff. 1-1-96.)

(225 ILCS 5/34.1 new)

Sec. 34.1. Partial invalidity. If any portion of this Act is held invalid, such invalidity shall not affect any other part of this Act, which can be given effect without the invalid portion.

(225 ILCS 5/34.2 new)

Sec. 34.2. Emergency care without fee - liability. Any licensed athletic trainer, as defined in Section 3 of this Act, who in good faith provides emergency care without fee to any person shall not, as a result of his acts or omissions, except willful and wanton misconduct on the part of the person in providing such care, be liable for civil damages to a person to whom such care is provided.

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

Representative Saviano offered and withdrew Amendment No. 2.

Representative Saviano offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 298, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 2, line 5, by replacing "Sections 34.1 and 34.2" with

"Section 34.1"; and
 on page 8, line 5, by replacing "or its successor entity," with "~~or its successor entity~~, or its equivalent, as approved by the Department."; and
 on page 10, line 3, by replacing "shall" with "may"; and
 on page 15, by deleting lines 9 through 17; and
 on page 15, by deleting "becoming law."

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 3499. 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 Registration and Regulation, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 3499 on page 6, by deleting lines 4 through 6.

AMENDMENT NO. 2. Amend House Bill 3499 on page 2, lines 7 and 8, by replacing "and determining a treatment diagnosis for these disorders and" with "classifying these disorders, and determining"; and
 on page 3, lines 17 and 19, by deleting "medical" each time it appears.

Representative Saviano offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 3499 on page 5, by replacing lines 19 through 23 with the following:

~~"are appointed and qualified, except that of the initial appointments, 2 members shall be appointed to serve for 2 years, 2 shall be appointed to serve for 3 years and the remaining shall be appointed to serve for 4 years and until their successors are appointed and qualified. No member shall"; and~~

on page 5, by replacing lines 28 through 31 with the following:

~~"the unexpired portion of the vacated term. Initial terms shall begin upon the effective date of this amendatory Act of 1987 and Committee members in office on that date shall be eligible for appointment to specific terms as indicated herein."~~

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

There being no further amendments, the foregoing Amendments numbered 1, 2 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 3749. 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 3749 by replacing everything after the enacting clause with the following:

"Section 5. The Cemetery Protection Act is amended by changing Section 16 as follows:
 (765 ILCS 835/16)

Sec. 16. When a multiple interment right owner becomes deceased, the ownership of any unused rights of interment shall pass in accordance with the specific bequest in the decedent's will. If there is no will or specific bequest then the ownership and use of the unused rights of interment shall be determined by a cemetery authority in accordance with the information set out on a standard affidavit for cemetery interment rights use form if such a form has been prepared. The unused right of interment shall be used for the interment of the first deceased heir listed on the standard affidavit and continue in sequence until all

listed heirs are deceased. In the event that an interment right is not used, the interment right shall pass to the heirs of the heirs of the deceased interment right owner in perpetuity. Except as otherwise provided in this Section, this ~~This~~ shall not preclude the ability of the heirs to sell said interment rights, in the event that all listed living heirs are in agreement, and it shall not preclude the ability of a 2/3 majority of the living heirs to sell a specific interment right to the spouse of a living or deceased heir. If the standard affidavit for cemetery interment rights use, showing heirship of decedent interment right owner's living heirs is provided to and followed by a cemetery authority, the cemetery authority shall be released of any liability in relying on that affidavit.

The following is the form of the standard affidavit:

STATE OF ILLINOIS)
) SS
COUNTY OF)

AFFIDAVIT FOR CEMETERY INTERMENT RIGHTS USE

I,, being first duly sworn on oath depose and say that:

- 1. A. My place of residence is
- B. My post office address is
- C. I understand that I am providing the information contained in this affidavit to the ("Cemetery") and the Cemetery shall, in the absence of directions to the contrary in my will, rely on this information to allow the listed individuals to be interred in any unused interment rights in the order of their death.
- D. I understand that, if I am an out-of-state resident, I submit myself to the jurisdiction of Illinois courts for all matters related to the preparation and use of this affidavit. My agent for service of process in Illinois is:

 Name Address

 City Telephone

Items 2 through 6 must be completed by the executor of the decedent's estate, a personal representative, owner's surviving spouse, or surviving heir.

- 2. The decedent's name is
- 3. The date of decedent's death was
- 4. The decedent's place of residence immediately before his or her death was
- 5. My relationship to the decedent is and I am authorized to sign and file this affidavit.
- 6. At the time of death, the decedent (had no) (had a) surviving spouse. The name of the surviving spouse, if any, is, and he or she (has) (has not) remarried.
- 7. The following is a list of the cemetery interment rights that may be used by the heirs if the owner is deceased:

.....
.....

8. The following persons have an ownership interest in and the right to use the cemetery interment rights in the order of their death:

- Address
- Address
- Address
- Address
- Address
- Address
- Address

9. This affidavit is made for the purpose of obtaining the consent of the undersigned to transfer the right of interment at the above mentioned cemetery property to the listed heirs. Affiants agree that they will save, hold harmless, and indemnify Cemetery, its heirs, successors, employees, and assigns, from all claims, loss, or damage whatsoever that may result from relying on this affidavit to record said transfer in its records and allow interments on the basis of the information contained in this affidavit.

WHEREFORE affiant requests Cemetery to recognize the above named heirs-at-law as those rightfully entitled to the ownership of and use of said interment (spaces) (space).

THE FOREGOING STATEMENT IS MADE UNDER THE PENALTIES OF PERJURY. (A FRAUDULENT STATEMENT MADE UNDER THE PENALTIES OF PERJURY IS PERJURY AS DEFINED IN THE CRIMINAL CODE OF 1961.)

Dated this day of,

..... (Seal) (To be signed by the owner or the individual who completes items
2 through 6 above.)

Subscribed and sworn to before me, a Notary Public in and for the County and State of aforesaid
this day of,

..... Notary Public.

(Source: P.A. 92-419, eff. 1-1-02; 93-772, 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 3158. 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 3158 by replacing everything after the enacting clause
with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Section 4.16 and by adding Section 4.26
as follows:

(5 ILCS 80/4.16)

Sec. 4.16. Acts repealed January 1, 2006. The following Acts are repealed January 1, 2006:

The Respiratory Care Practice Act.

The Hearing Instrument Consumer Protection Act.

The Illinois Dental Practice Act.

~~The Professional Geologist Licensing Act.~~

The Illinois Athletic Trainers Practice Act.

The Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985.

The Collection Agency Act.

The Illinois Roofing Industry Licensing Act.

The Illinois Physical Therapy Act.

(Source: P.A. 89-33, eff. 1-1-96; 89-72, eff. 12-31-95; 89-80, eff. 6-30-95; 89-116, eff. 7-7-95; 89-366, eff.
7-1-96; 89-387, eff. 8-20-95; 89-626, eff. 8-9-96.)

(5 ILCS 80/4.26 new)

Sec. 4.26. Act repealed on January 1, 2016. The following Act is repealed on January 1, 2016:

The Professional Geologist Licensing Act.

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 1177. 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 1177 on page 1, immediately below line 25, by inserting
the following:

"Section 10. The Collection Agency Act is amended by changing Sections 2.02, 2.04, 3, 4.5, 5, 6a, and 9
as follows:

(225 ILCS 425/2.02) (from Ch. 111, par. 2004)

(Section scheduled to be repealed on January 1, 2006)

Sec. 2.02. "Collection agency" or "agency" means any person, association, partnership, ~~or~~ corporation, or legal entity who, for compensation, either contingent or otherwise, or for other valuable consideration, offers services to collect an alleged delinquent debt.

(Source: P.A. 89-387, eff. 1-1-96.)

(225 ILCS 425/2.04) (from Ch. 111, par. 2005.1)

(Section scheduled to be repealed on January 1, 2006)

Sec. 2.04. Child support indebtedness.

(a) Persons, associations, partnerships, ~~or~~ corporations, or other legal entities engaged in the business of collecting child support indebtedness owing under a court order as provided under the Illinois Public Aid Code, the Illinois Marriage and Dissolution of Marriage Act, the Non-Support of Spouse and Children Act, the Non-Support Punishment Act, the Illinois Parentage Act of 1984, or similar laws of other states are not restricted (i) in the frequency of contact with an obligor who is in arrears, whether by phone, mail, or other means, (ii) from contacting the employer of an obligor who is in arrears, (iii) from publishing or threatening to publish a list of obligors in arrears, (iv) from disclosing or threatening to disclose an arrearage that the obligor disputes, but for which a verified notice of delinquency has been served under the Income Withholding for Support Act (or any of its predecessors, Section 10-16.2 of the Illinois Public Aid Code, Section 706.1 of the Illinois Marriage and Dissolution of Marriage Act, Section 4.1 of the Non-Support of Spouse and Children Act, Section 26.1 of the Revised Uniform Reciprocal Enforcement of Support Act, or Section 20 of the Illinois Parentage Act of 1984), or (v) from engaging in conduct that would not cause a reasonable person mental or physical illness. For purposes of this subsection, "obligor" means an individual who owes a duty to make periodic payments, under a court order, for the support of a child. "Arrearage" means the total amount of an obligor's unpaid child support obligations.

(a-5) A collection agency may not impose a fee or charge, including costs, for any child support payments collected through the efforts of a federal, State, or local government agency, including but not limited to child support collected from federal or State tax refunds, unemployment benefits, or Social Security benefits.

No collection agency that collects child support payments shall (i) impose a charge or fee, including costs, for collection of a current child support payment, (ii) fail to apply collections to current support as specified in the order for support before applying collection to arrears or other amounts, or (iii) designate a current child support payment as arrears or other amount owed. In all circumstances, the collection agency shall turn over to the obligee all support collected in a month up to the amount of current support required to be paid for that month.

As to any fees or charges, including costs, retained by the collection agency, that agency shall provide documentation to the obligee demonstrating that the child support payments resulted from the actions of the agency.

After collection of the total amount or arrearage, including statutory interest, due as of the date of execution of the collection contract, no further fees may be charged.

(a-10) The Department of Professional Regulation shall determine a fee rate of not less than 25% but not greater than 35%, based upon presentation by the licensees as to costs to provide the service and a fair rate of return. This rate shall be established by administrative rule.

Without prejudice to the determination by the Department of the appropriate rate through administrative rule, a collection agency shall impose a fee of not more than 29% of the amount of child support actually collected by the collection agency subject to the provisions of subsection (a-5). This interim rate is based upon the March 2002 General Account Office report "Child Support Enforcement", GAO-02-349. This rate shall apply until a fee rate is established by administrative rule.

(b) The Department shall adopt rules necessary to administer and enforce the provisions of this Section.

(Source: P.A. 93-896, eff. 8-10-04.)

(225 ILCS 425/3) (from Ch. 111, par. 2006)

(Section scheduled to be repealed on January 1, 2006)

Sec. 3. A person, association, partnership, ~~or~~ corporation, or other legal entity acts as a collection agency when he or it:

(a) Engages in the business of collection for others of any account, bill or other indebtedness;

(b) Receives, by assignment or otherwise, accounts, bills, or other indebtedness from any person owning or controlling 20% or more of the business receiving the assignment, with the purpose of collecting monies due on such account, bill or other indebtedness;

(c) Sells or attempts to sell, or gives away or attempts to give away to any other person, other than one registered under this Act, any system of collection, letters, demand forms, or other printed matter where the name of any person, other than that of the creditor, appears in such a manner as to indicate, directly or indirectly, that a request or demand is being made by any person other than the creditor for the payment of the sum or sums due or asserted to be due;

(d) Buys accounts, bills or other indebtedness with recourse and engages in collecting the same; or

(e) Uses a fictitious name in collecting its own accounts, bills, or debts with the intention of conveying to the debtor that a third party has been employed to make such collection.

(Source: P.A. 83-1539.)

(225 ILCS 425/4.5)

(Section scheduled to be repealed on January 1, 2006)

Sec. 4.5. Unlicensed practice; violation; civil penalty.

(a) Any person who practices, offers to practice, attempts to practice, or holds oneself out to practice as a collection agency without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$5,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(b) The Department has the authority and power to investigate any and all unlicensed activity. In addition to taking any other action provided under this Act, whenever the Department has reason to believe a person, association, partnership, corporation, or other legal entity has violated any provision of subsection (a) of this Section, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person, association, partnership, corporation, or other legal entity. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

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

(Source: P.A. 89-474, eff. 6-18-96.)

(225 ILCS 425/5) (from Ch. 111, par. 2008)

(Section scheduled to be repealed on January 1, 2006)

Sec. 5. Application for registration shall be made to the Director on forms provided by the Department, shall be accompanied by the required fee and shall state:

(1) The applicant's name and address;

(2) the names and addresses of the officers of the collection agency and, if the collection agency is a corporation, the names and addresses of all persons owning 10% or more of the stock of such corporation, if the collection agency is a partnership, the names and addresses of all partners of the partnership holding a 10% or more interest in the partnership, and, if the collection agency is a limited liability company, the names and addresses of all members holding 10% or more interest in the limited liability company; and

(3) Such other information as the Department may deem necessary.

(Source: P.A. 81-1381.)

(225 ILCS 425/6a) (from Ch. 111, par. 2009a)

(Section scheduled to be repealed on January 1, 2006)

Sec. 6a. Any registered collection agency whose certificate of registration has expired may have the certificate of registration restored by making application to the Department and filing proof acceptable to the Department of fitness to have the certificate of registration restored, and by paying the required restoration fee.

However, any registered collection agency whose certificate of registration has expired while the individual registered or while a shareholder, partner, or member owning 50% or more of the shares of stock in a registered corporation has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored or reinstated without paying any lapsed renewal fees, restoration fee or reinstatement fee if within 2 years after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so

engaged and that his service, training or education has been so terminated.

(Source: P.A. 84-1299.)

(225 ILCS 425/9) (from Ch. 111, par. 2012)

(Section scheduled to be repealed on January 1, 2006)

Sec. 9. (a) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary action as the Department may deem proper, including fines not to exceed \$5,000 for a first violation and not to exceed \$10,000 for a second or subsequent violation ~~\$1,000 per licensee per complaint~~, for any one or any combination of the following causes:

- (1) Violations of this Act or of the rules promulgated hereunder.
- (2) Conviction of the collection agency or the principals of the agency of any crime under the laws of any U.S. jurisdiction which is a felony, a misdemeanor an essential element of which is dishonesty, or of any crime which directly relates to the practice of the profession.
- (3) Making any misrepresentation for the purpose of obtaining a license or certificate.
- (4) Habitual or excessive use or addiction to alcohol, narcotics, stimulants or any other chemical agent or drug which results in the inability to practice with reasonable judgment, skill, or safety by any of the principals of a collection agency.
- (5) Discipline by another U.S. jurisdiction or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.
- (6) A finding by the Department that the licensee, after having his license placed on probationary status, has violated the terms of probation.
- (7) Practicing or attempting to practice under a name other than the name as shown on his or her license or any other legally authorized name.
- (8) A finding by the Federal Trade Commission that a licensee violated the Federal Fair Debt and Collection Act or its rules.
- (9) Failure to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue until such time as the requirements of any such tax Act are satisfied.
- (10) Using or threatening to use force or violence to cause physical harm to a debtor, his family or his property.
- (11) Threatening to instigate an arrest or criminal prosecution where no basis for a criminal complaint lawfully exists.
- (12) Threatening the seizure, attachment or sale of a debtor's property where such action can only be taken pursuant to court order without disclosing that prior court proceedings are required.
- (13) Disclosing or threatening to disclose information adversely affecting a debtor's reputation for credit worthiness with knowledge the information is false.
- (14) Initiating or threatening to initiate communication with a debtor's employer unless there has been a default of the payment of the obligation for at least 30 days and at least 5 days prior written notice, to the last known address of the debtor, of the intention to communicate with the employer has been given to the employee, except as expressly permitted by law or court order.
- (15) Communicating with the debtor or any member of the debtor's family at such a time of day or night and with such frequency as to constitute harassment of the debtor or any member of the debtor's family. For purposes of this Section the following conduct shall constitute harassment:
 - (A) Communicating with the debtor or any member of his or her family in connection with the collection of any debt without the prior consent of the debtor given directly to the debt collector, or the express permission of a court of competent jurisdiction, at any unusual time or place or a time or place known or which should be known to be inconvenient to the debtor. In the absence of knowledge of circumstances to the contrary, a debt collector shall assume that the convenient time for communicating with a consumer is after 8 o'clock a.m. and before 9 o'clock p.m. local time at the debtor's location.
 - (B) The threat of publication or publication of a list of consumers who allegedly refuse to pay debts, except to a consumer reporting agency.
 - (C) The threat of advertisement or advertisement for sale of any debt to coerce payment of the debt.
 - (D) Causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with intent to annoy, abuse, or harass any person at the called number.

- (16) Using profane, obscene or abusive language in communicating with a debtor, his or her family or others.
- (17) Disclosing or threatening to disclose information relating to a debtor's indebtedness to any other person except where such other person has a legitimate business need for the information or except where such disclosure is regulated by law.
- (18) Disclosing or threatening to disclose information concerning the existence of a debt which the debt collector knows to be reasonably disputed by the debtor without disclosing the fact that the debtor disputes the debt.
- (19) Engaging in any conduct which the Director finds was intended to cause and did cause mental or physical illness to the debtor or his or her family.
- (20) Attempting or threatening to enforce a right or remedy with knowledge or reason to know that the right or remedy does not exist.
- (21) Failing to disclose to the debtor or his or her family the corporate, partnership or proprietary name, or other trade or business name, under which the debt collector is engaging in debt collections and which he or she is legally authorized to use.
- (22) Using any form of communication which simulates legal or judicial process or which gives the appearance of being authorized, issued or approved by a governmental agency or official or by an attorney at law when it is not.
- (23) Using any badge, uniform, or other indicia of any governmental agency or official except as authorized by law.
- (24) Conducting business under any name or in any manner which suggests or implies that a debt collector is bonded if such collector is or is a branch of or is affiliated with any governmental agency or court if such collector is not.
- (25) Failing to disclose, at the time of making any demand for payment, the name of the person to whom the claim is owed and at the request of the debtor, the address where payment is to be made and the address of the person to whom the claim is owed.
- (26) Misrepresenting the amount of the claim or debt alleged to be owed.
- (27) Representing that an existing debt may be increased by the addition of attorney's fees, investigation fees or any other fees or charges when such fees or charges may not legally be added to the existing debt.
- (28) Representing that the debt collector is an attorney at law or an agent for an attorney if he is not.
- (29) Collecting or attempting to collect any interest or other charge or fee in excess of the actual debt or claim unless such interest or other charge or fee is expressly authorized by the agreement creating the debt or claim unless expressly authorized by law or unless in a commercial transaction such interest or other charge or fee is expressly authorized in a subsequent agreement. If a contingency or hourly fee arrangement (i) is established under an agreement between a collection agency and a creditor to collect a debt and (ii) is paid by a debtor pursuant to a contract between the debtor and the creditor, then that fee arrangement does not violate this Section unless the fee is unreasonable. The Department shall determine what constitutes a reasonable collection fee.
- (30) Communicating or threatening to communicate with a debtor when the debt collector is informed in writing by an attorney that the attorney represents the debtor concerning the claim, unless authorized by the attorney. If the attorney fails to respond within a reasonable period of time, the collector may communicate with the debtor. The collector may communicate with the debtor when the attorney gives his consent.
- (31) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.
- (b) The Department shall deny any license or renewal authorized by this Act to any person who has defaulted on an educational loan guaranteed by the Illinois State Scholarship Commission; however, the Department may issue a license or renewal if the person in default has established a satisfactory repayment record as determined by the Illinois State Scholarship Commission.
- No debt collector while collecting or attempting to collect a debt shall engage in any of the Acts specified in this Section, each of which shall be unlawful practice.
(Source: P.A. 91-768, eff. 1-1-01.)"

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.

RECALL

At the request of the principal sponsor, Representative Reitz, HOUSE BILL 1074 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILL ON SECOND READING

HOUSE BILL 1656. 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 Scully offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1656 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Sections 405-5 and 405-270 as follows:

(20 ILCS 405/405-5) (was 20 ILCS 405/35.2)

Sec. 405-5. Definitions.

(a) In this Law:

"Department" means the Department of Central Management Services.

"Director" means the Director of Central Management Services.

(b) In paragraphs (1) and (2) of Section 405-10 and in Section 405-15, "State agency", whether used in the singular or plural, means all departments, officers, commissions, boards, institutions, and bodies politic and corporate of the State, ~~including the offices of clerk of the supreme court and clerks of the appellate courts.~~ The term however does not mean the judicial branch, including, without limitation, the several courts of the State, the offices of the clerk of the supreme court and the clerks of the appellate court, and the Administrative Office of the Illinois Courts, nor does it mean the legislature or its committees or commissions.

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

(20 ILCS 405/405-270) (was 20 ILCS 405/67.18)

Sec. 405-270. Telecommunications services. To provide for and co-ordinate telecommunications services for State agencies and, when requested and when in the best interests of the State, for units of federal or local governments and public and not-for-profit institutions of primary, secondary, and higher education. The Department may make use of its satellite uplink available to interested parties not associated with State government provided that State government usage shall have first priority. For this purpose the Department shall have the power and duty to do all of the following:

(1) Provide for and control the procurement, retention, installation, and maintenance of telecommunications equipment or services used by State agencies in the interest of efficiency and economy.

(2) Establish standards by January 1, 1989 for communications services for State agencies which shall include a minimum of one telecommunication device for the deaf installed and operational within each State agency, to provide public access to agency information for those persons who are hearing or speech impaired. The Department shall consult the Department of Human Services to develop standards and implementation for this equipment.

(3) Establish charges (i) for communication services for State agencies and, when requested, for units of federal or local government and public and not-for-profit institutions of primary, secondary, or higher education and (ii) for use of the Department's satellite uplink by parties not associated with State government. Entities charged for these services shall reimburse the Department by vouchers drawn against their respective appropriations for telecommunications services.

(4) Instruct all State agencies to report their usage of telecommunication services regularly to the Department in the manner the Director may prescribe.

(5) Analyze the present and future aims and needs of all State agencies in the area of telecommunications services and plan to serve those aims and needs in the most effective and efficient

manner.

(6) Establish the administrative organization within the Department that is required to accomplish the purpose of this Section.

The Department is authorized to conduct a study for the purpose of determining technical, engineering, and management specifications for the networking, compatible connection, or shared use of existing and future public and private owned television broadcast and reception facilities, including but not limited to terrestrial microwave, fiber optic, and satellite, for broadcast and reception of educational, governmental, and business programs, and to implement those specifications.

However, the Department may not control or interfere with the input of content into the telecommunications systems by the several State agencies or units of federal or local government, or public or not-for-profit institutions of primary, secondary, and higher education, or users of the Department's satellite uplink.

As used in this Section, the term "State agencies" means all departments, officers, commissions, boards, institutions, and bodies politic and corporate of the State except (i) the judicial branch, including, without limitation, the several courts of the State, the offices of the clerk of the supreme court and the clerks of the appellate court, and the Administrative Office of the Illinois Courts and (ii) the General Assembly, legislative service agencies, and all officers of the General Assembly.

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

Section 99. Effective date. This Act takes effect July 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 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 Miller, HOUSE BILL 1100 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 25)

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

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

On motion of Representative Schock, HOUSE BILL 3449 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 26)

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 Schock, HOUSE BILL 3500 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 27)

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

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

On motion of Representative Winters, HOUSE BILL 3685 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the negative by the following vote: 56, Yeas; 60, Nays; 0, Answering Present.

(ROLL CALL 28)

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

On motion of Representative Phelps, HOUSE BILL 984 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 29)

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

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

On motion of Representative Leitch, HOUSE BILL 721 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 30)

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

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

On motion of Representative Flider, HOUSE BILL 1571 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 31)

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 3800. 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 3800 on page 2, below line 13, by adding the following:
"Parcel 1:

ALL OF THAT PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SW 1/4 OF THE SE 1/4, AFORESAID, SAID POINT BEING THE POINT OF BEGINNING, THENCE SOUTH 89 DEGREES 33 MINUTES 16 SECONDS EAST ON THE NORTH LINE OF THE SW 1/4 OF THE SE 1/4, AFORESAID, A DISTANCE OF 1154.91 FEET TO A POINT; THENCE SOUTH 15 DEGREES 35 MINUTES 57 SECONDS WEST A DISTANCE OF 968.80 FEET TO A POINT; THENCE SOUTH 72 DEGREES 53 MINUTES 18 SECONDS WEST A DISTANCE OF 512.58 FEET TO A POINT; THENCE SOUTH 87 DEGREES 25 MINUTES 55 SECONDS WEST A DISTANCE OF 245.17 FEET TO A POINT; THENCE SOUTH 56 DEGREES 05 MINUTES 17 SECONDS WEST A DISTANCE OF 144.77 FEET TO A POINT; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 36.52 FEET TO A POINT ON THE WEST LINE OF THE SW 1/4 OF THE SE 1/4, AFORESAID, A

DISTANCE OF 1184.67 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Parcel 2:

THE WEST ONE ACRE OF THE NW 1/4 OF THE NE 1/4 OF SECTION 20, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Parcel 3:

ALL OF "TRINITY LAKES PHASE 1," A SUBDIVISION OF THE SW 1/4 OF THE NE 1/4 OF SECTION 20, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT 05 01339042 ON 13 JANUARY 2005, EXCEPT LOT C AND LOT E THEREFROM, ALL IN COOK COUNTY, ILLINOIS."

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 2418. 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 402. Having been recalled on March 15, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Eddy offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 402, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 27-23 as follows:
(105 ILCS 5/27-23) (from Ch. 122, par. 27-23)

Sec. 27-23. Motor Vehicle Code. The curriculum in all public schools shall include a course dealing with the content of Chapters 11, 12, 13, 15, and 16 of the Illinois Vehicle Code, the rules and regulations adopted pursuant to those Chapters insofar as they pertain to the operation of motor vehicles, and the portions of the Litter Control Act relating to the operation of motor vehicles. Instruction shall be given in safety education in each grade, 1 through 8, equivalent to 1 class period each week, and in at least 1 of the years in grades 10 through 12. The course of instruction required of each eligible student at the high school level shall consist of a minimum of 30 clock hours of classroom instruction taught by a certified high school teacher who has acquired special qualifications as required for participation under the terms of Section 27-24.2 of this Act. Each school district maintaining grades 9 through 12: (i) shall provide the classroom course for each public and non-public high school student resident of the school district who either has received a passing grade in at least 8 courses during the previous 2 semesters or has received a waiver of that requirement from the local superintendent of schools (with respect to a public high school student) or chief school administrator (with respect to a non-public high school student), as provided in Section 27-24.2, and for each out-of-school resident of the district between the age of 15 and 21 years who requests the classroom course, and (ii) may provide such classroom course for any resident of the district over age 55 who requests the classroom course, but only if space therein remains available after all eligible public and non-public high school student residents and out-of-school residents between the age of 15 and 21 who request such course have registered therefor, and only if such resident of the district over age 55 has not previously been licensed as a driver under the laws of this or any other state or country. Each school district (i) shall provide an approved course in practice driving consisting of a minimum of 6 clock hours of individual behind-the-wheel instruction or its equivalent in a car, as determined by the State Board of Education, for each eligible resident of the district between the age of 15 and 21 years who has started an approved high school classroom driver education course on request, and (ii) may provide such approved course in practice driving for any resident of the district over age 55 on request and without regard to whether or not such resident has started any high school classroom driver education course, but only if space therein remains available after all eligible residents of the district between the ages of 15 and 21 years who have started an approved classroom driver education course and who request such course in practice driving have registered therefor, and only if such resident of the district over age 55 has not previously been licensed as a driver under the laws of this or any other state or country. Subject to rules and regulations of the State Board of Education, the district may charge a reasonable fee, not to exceed ~~\$250~~ \$50, to students who participate in the course, unless a student is unable to pay for such a course, in which

event the fee for such a student shall be waived. The total amount from driver education fees and reimbursement from the State for driver education must not exceed the total cost of the driver education program in any year and must be deposited into the school district's driver education fund as a separate line item budget entry. All moneys deposited into the school district's driver education fund must be used solely for the purpose of funding a high school driver education program approved by the State Board of Education that uses instructors certified by the State Board of Education. If ~~;~~ provided, that if a district provides the classroom or practice driving course or both of such courses to any residents of the district over age 55, the district may charge such residents a fee in any amount up to but not exceeding the actual cost of the course or courses in which such residents participate. The course of instruction given in grades 10 through 12 shall include an emphasis on the development of knowledge, attitudes, habits and skills necessary for the safe operation of motor vehicles including motorcycles insofar as they can be taught in the classroom, and in addition the course shall include instruction on special hazards existing at, and required extra safety and driving precautions that must be observed at, emergency situations, highway construction and maintenance zones, and railroad crossings and the approaches thereto.

(Source: P.A. 92-497, eff. 11-29-01.)

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 again advanced to the order of Third Reading.

HOUSE BILL 690. 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 690 on page 12, by deleting lines 34 through 36; and on page 13, by deleting lines 1 through 21; and on page 16, by deleting lines 9 through 17.

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 3478. 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 2449. Having been recalled on March 16, 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 644. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary II - Criminal Law, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 644 by replacing everything after the enacting clause with the following:

"Section 5. The Personnel Code is amended by adding Section 8b.7-5 as follows:
(20 ILCS 415/8b.7-5 new)

Sec. 8b.7-5. Unjustly imprisoned preference.

(a) A person shall be qualified for a preference in entrance examinations if: (i) he or she has been discharged from a prison of this State; (ii) he or she has been wrongfully accused of a crime for which he or she was imprisoned; and (iii) either a court of competent jurisdiction finds that the evidence that resulted in his or her conviction was erroneous or that new evidence indicates that the person did not commit the crime for which he or she was imprisoned or the accused received a pardon from the Governor stating that such

pardon is issued on the ground of innocence of the crime for which he or she was imprisoned.

(b) The preference granted under this Section shall be in the form of points added to the final grade of the person if the person otherwise qualifies and is entitled to appear on the list of those eligible for appointments.

(c) A person qualified for a preference under this Section shall receive a preference of 5 points.

(d) The Department of Central Management Services shall adopt rules and implement procedures to verify that any person seeking a preference under this Section provides documentation or executes any consents or other documents required by the Department of Central Management Services or any other State Department or agency to enable that Department or agency to verify that the person is entitled to the preference.

Section 10. The Court of Claims Act is amended by changing Sections 8, 11, 22, and 24 and by adding Section 24.5 as follows:

(705 ILCS 505/8) (from Ch. 37, par. 439.8)

Sec. 8. Court of Claims jurisdiction. The court shall have exclusive jurisdiction to hear and determine the following matters:

(a) All claims against the State founded upon any law of the State of Illinois or upon any regulation adopted thereunder by an executive or administrative officer or agency; provided, however, the court shall not have jurisdiction (i) to hear or determine claims arising under the Workers' Compensation Act or the Workers' Occupational Diseases Act, or claims for expenses in civil litigation, or (ii) to review administrative decisions for which a statute provides that review shall be in the circuit or appellate court.

(b) All claims against the State founded upon any contract entered into with the State of Illinois.

(c) All claims against the State for time unjustly served in prisons of this State ~~when where~~ the person persons imprisoned (i) was wrongfully accused of the crime for which he or she was imprisoned and a court of competent jurisdiction finds that the evidence that resulted in his or her conviction was erroneous or that new evidence indicates that the person did not commit the crime for which he or she was imprisoned, or (ii) the accused received shall receive a pardon from the governor stating that such pardon is issued on the ground of innocence of the crime for which they were imprisoned; provided, the amount of the award is at the discretion of the court; and provided, the court shall make no award in excess of the following amounts: for imprisonment of 5 years or less, not more than ~~\$85,350~~ \$15,000; for imprisonment of 14 years or less but over 5 years, not more than ~~\$170,000~~ \$30,000; for imprisonment of over 14 years, not more than ~~\$199,150~~ \$35,000; and provided further, the court shall fix attorney's fees not to exceed 25% of the award granted. ~~On or after the effective date of this amendatory Act of the 94th General Assembly, On December 31, 1996, the court shall make a one time adjustment in the maximum awards authorized by this subsection (c), to reflect the increase in the cost of living from the year in which these maximum awards were last adjusted until 1996, but with no annual increment exceeding 5%. Thereafter, the court shall annually adjust the maximum awards authorized by this subsection (c) to reflect the increase, if any, in the Consumer Price Index For All Urban Consumers for the previous calendar year, as determined by the United States Department of Labor, except that no annual increment may exceed 5%. For both the one time adjustment and the subsequent annual adjustments, if the Consumer Price Index decreases during a calendar year, there shall be no adjustment for that calendar year. The changes made by this amendatory Act of the 94th General Assembly apply to all claims pending on or filed on or after the effective date. The changes made by Public Act 89-689 apply to all claims filed on or after January 1, 1995 that are pending on December 31, 1996 and all claims filed on or after December 31, 1996.~~

(d) All claims against the State for damages in cases sounding in tort, if a like cause of action would lie against a private person or corporation in a civil suit, and all like claims sounding in tort against the Medical Center Commission, the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or the Board of Trustees of the Illinois Mathematics and Science Academy; provided, that an award for damages in a case sounding in tort, other than certain cases involving the operation of a State vehicle described in this paragraph, shall not exceed the sum of \$100,000 to or for the benefit of any claimant. The \$100,000 limit prescribed by this Section does not apply to an award of damages in any case sounding in tort arising out of the operation by a State employee of a vehicle owned, leased or controlled by the State. The defense that the State or the Medical Center Commission or the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of

Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or the Board of Trustees of the Illinois Mathematics and Science Academy is not liable for the negligence of its officers, agents, and employees in the course of their employment is not applicable to the hearing and determination of such claims.

(e) All claims for recoupment made by the State of Illinois against any claimant.

(f) All claims pursuant to the Line of Duty Compensation Act.

(g) All claims filed pursuant to the Crime Victims Compensation Act.

(h) All claims pursuant to the Illinois National Guardsman's Compensation Act.

(i) All claims authorized by subsection (a) of Section 10-55 of the Illinois Administrative Procedure Act for the expenses incurred by a party in a contested case on the administrative level.

(Source: P.A. 93-1047, eff. 10-18-04.)

(705 ILCS 505/11) (from Ch. 37, par. 439.11)

Sec. 11. Filing claims.

(a) Except as otherwise provided in subsection (b) of this Section and subsection (3) of Section 24, the claimant shall in all cases set forth fully in his petition the claim, the action thereon, if any, on behalf of the State, what persons are owners thereof or interested therein, when and upon what consideration such persons became so interested; that no assignment or transfer of the claim or any part thereof or interest therein has been made, except as stated in the petition; that the claimant is justly entitled to the amount therein claimed from the State of Illinois, after allowing all just credits; and that claimant believes the facts stated in the petition to be true. The petition shall be verified, as to statements of facts, by the affidavit of the claimant, his agent, or attorney.

(b) Whenever a person who has served a term of imprisonment and has been discharged from prison because a court of competent jurisdiction has found that the evidence that resulted in the person's conviction was erroneous or that new evidence indicates that the person did not commit the crime for which he or she was convicted, the clerk of the court of competent jurisdiction shall transmit this information to the clerk of the Court of Claims. Whenever a person who has served a term of imprisonment and has received a pardon by the Governor stating that such pardon was issued on the ground of innocence of the crime for which he or she was imprisoned, the Governor shall transmit this information to the clerk of the Court of Claims. The clerk of the Court of Claims shall immediately docket the case for consideration by the Court of Claims. The Court of Claims shall hear the case and render a decision within 90 days after its docketing. The transmission by the clerk of the court of competent jurisdiction or by the Governor of the information described in this subsection (b) to the clerk of the Court of Claims is conclusive evidence of the validity of the claim.

(Source: Laws 1945, p. 660.)

(705 ILCS 505/22) (from Ch. 37, par. 439.22)

Sec. 22. Every claim cognizable by the Court and not otherwise sooner barred by law shall be forever barred from prosecution therein unless it is filed with the Clerk of the Court within the time set forth as follows:

(a) All claims arising out of a contract must be filed within 5 years after it first accrues, saving to minors, and persons under legal disability at the time the claim accrues, in which cases the claim must be filed within 5 years from the time the disability ceases.

(b) All claims cognizable against the State by vendors of goods or services under "The Illinois Public Aid Code", approved April 11, 1967, as amended, must file within one year after the accrual of the cause of action, as provided in Section 11-13 of that Code.

(c) All claims arising under paragraph (c) of Section 8 of this Act must be automatically heard by the court filed within 120 days ~~2 years~~ after the person unjustly imprisoned asserting such claim is discharged from prison without the person unjustly imprisoned being required to file a petition under Section 11 of this Act ~~, or is granted a pardon by the Governor, whichever occurs later, except as otherwise provided by the Crime Victims Compensation Act.~~

(d) All claims arising under paragraph (f) of Section 8 of this Act must be filed within one year of the date of the death of the law enforcement officer or fireman as provided in Section 3 of the "Law Enforcement Officers and Firemen Compensation Act", approved September 30, 1969, as amended.

(e) All claims arising under paragraph (h) of Section 8 of this Act must be filed within one year of the date of the death of the guardsman or militiaman as provided in Section 3 of the "Illinois National Guardsman's and Naval Militiaman's Compensation Act", approved August 12, 1971, as amended.

(f) All claims arising under paragraph (g) of Section 8 of this Act must be filed within one year of the crime on which a claim is based as provided in Section 6.1 of the "Crime Victims Compensation Act", approved August 23, 1973, as amended.

(g) All claims arising from the Comptroller's refusal to issue a replacement warrant pursuant to Section 10.10 of the State Comptroller Act must be filed within 5 years after the issue date of such warrant.

(h) All other claims must be filed within 2 years after it first accrues, saving to minors, and persons under legal disability at the time the claim accrues, in which case the claim must be filed within 2 years from the time the disability ceases.

(i) The changes made by this amendatory Act of 1989 shall apply to all warrants issued within the 5 year period preceding the effective date of this amendatory Act of 1989.

(j) All time limitations established under this Act and the rules promulgated under this Act shall be binding and jurisdictional, except upon extension authorized by law or rule and granted pursuant to a motion timely filed.

(Source: P.A. 86-458.)

(705 ILCS 505/24) (from Ch. 37, par. 439.24)

Sec. 24. Payment of awards.

(1) From funds appropriated by the General Assembly for the purposes of this Section the Court may direct immediate payment of:

- (a) All claims arising solely as a result of the lapsing of an appropriation out of which the obligation could have been paid.
- (b) All claims pursuant to the "Law Enforcement Officers and Firemen Compensation Act", approved September 30, 1969, as amended.
- (c) All claims pursuant to the "Illinois National Guardsman's and Naval Militiaman's Compensation Act", approved August 12, 1971, as amended.
- (d) All claims pursuant to the "Crime Victims Compensation Act", approved August 23, 1973, as amended.
- (e) All other claims wherein the amount of the award of the Court is less than \$5,000.

(2) The court may, from funds specifically appropriated from the General Revenue Fund for this purpose, direct the payment of awards less than \$50,000 solely as a result of the lapsing of an appropriation originally made from any fund held by the State Treasurer. For any such award paid from the General Revenue Fund, the court shall thereafter seek an appropriation from the fund from which the liability originally accrued in reimbursement of the General Revenue Fund.

(3) From funds appropriated by the General Assembly for the purposes of paying claims under paragraph (c) of Section 8, the court must direct payment of each claim and the payment must be received by the claimant within 60 days after the date that the funds are appropriated for that purpose.

(Source: P.A. 92-357, eff. 8-15-01.)

(705 ILCS 505/24.5 new)

Sec. 24.5. Reimbursement by county. Except in cases initiated by the Attorney General, in the case of an unjust imprisonment where a judgment has been rendered against the State under this Act in favor of a person who was unjustly imprisoned, the county where the case for the imprisonment originated shall reimburse the State for the full amount of the judgment.

This amendatory Act of the 94th General Assembly shall apply to causes of action filed on or after its effective date.

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 2390. Having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 2390 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 11-1502 as follows:

(625 ILCS 5/11-1502) (from Ch. 95 1/2, par. 11-1502)

Sec. 11-1502. Traffic laws apply to persons riding bicycles.

(a) Every person riding a bicycle upon a highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Code, except as to special regulations in this Article XV and except as to those provisions of this Code which by their nature can have no application.

(b)(1) A person riding a bicycle is an intended and permitted user of any street or highway in Illinois except for a street or highway on which bicycle use has been specifically prohibited by a local public entity and the prohibition is indicated by appropriate signage.

(2) No public entity shall be liable under this subsection (b) for failure to remedy any surface condition of a highway that caused injury to a person riding a bicycle if that surface condition is not hazardous to a passenger car. The following surface conditions shall not create liability for a public entity unless the condition would be hazardous to a passenger car: (A) irregular surfaces; (B) pavement stress cracks; (C) speed bumps and curbs; (D) expansion joints; (E) accumulations of gravel, dirt, ice, snow, and water on road and shoulder surfaces; (F) existing sewer grates, manholes, and drain covers unless missing; (G) inadequate artificial lighting of the roadway.

(3) Except as expressly provided by law, this subsection (b) shall not impose an obligation to upgrade, widen, or reengineer existing highways for use by bicyclists, or to install or upgrade lighting or signage or pavement markings, and does not impose an obligation to maintain streets and highways to a higher standard for bicyclists.

(Source: P.A. 82-132.)".

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 3621. Having been recalled on April 11, 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 121. 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 II - Criminal Law, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 121 on page 1, by replacing lines 4 and 5 with the following:

"Section 5. The Unified Code of Corrections is amended by changing Sections 3-1-2, 3-3-7, 5-6-3, and 5-6-3.1 and by adding Section 5-1-3.5 as follows:

(730 ILCS 5/3-1-2) (from Ch. 38, par. 1003-1-2)

Sec. 3-1-2. Definitions. (a) "Chief Administrative Officer" means the person designated by the Director to exercise the powers and duties of the Department of Corrections in regard to committed persons within a correctional institution or facility, and includes the superintendent of any juvenile institution or facility.

(a-5) "Sex offense" for the purposes of paragraph (16) of subsection (a) of Section 3-3-7, paragraph (10) of subsection (a) of Section 5-6-3, and paragraph (18) of subsection (c) of Section 5-6-3.1 only means:

(i) A violation of any of the following Sections of the Criminal Code of 1961: 10-7 (aiding and abetting child abduction under Section 10-5(b)(10)), 10-5(b)(10) (child luring), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 12-14.1 (predatory criminal sexual assault of a child), or 12-33 (ritualized abuse of a child). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-16 (aggravated criminal sexual abuse), and subsection (a) of Section 12-15 (criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961 when the defendant is not a parent of the victim:

10-1 (kidnapping),

10-2 (aggravated kidnapping).

10-3 (unlawful restraint).10-3.1 (aggravated unlawful restraint).An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in this subsection (a-5).

An offense violating federal law or the law of another state that is substantially equivalent to any offense listed in this subsection (a-5) shall constitute a sex offense for the purpose of this subsection (a-5). A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for a sex offense for the purposes of this subsection (a-5).

(b) "Commitment" means a judicially determined placement in the custody of the Department of Corrections on the basis of delinquency or conviction.

(c) "Committed Person" is a person committed to the Department, however a committed person shall not be considered to be an employee of the Department of Corrections for any purpose, including eligibility for a pension, benefits, or any other compensation or rights or privileges which may be provided to employees of the Department.

(d) "Correctional Institution or Facility" means any building or part of a building where committed persons are kept in a secured manner.

(e) "Department" means the Department of Corrections of this State.

(f) "Director" means the Director of the Department of Corrections.

(g) "Discharge" means the final termination of a commitment to the Department of Corrections.

(h) "Discipline" means the rules and regulations for the maintenance of order and the protection of persons and property within the institutions and facilities of the Department and their enforcement.

(i) "Escape" means the intentional and unauthorized absence of a committed person from the custody of the Department.

(j) "Furlough" means an authorized leave of absence from the Department of Corrections for a designated purpose and period of time.

(k) "Parole" means the conditional and revocable release of a committed person under the supervision of a parole officer.

(l) "Prisoner Review Board" means the Board established in Section 3-3-1(a), independent of the Department, to review rules and regulations with respect to good time credits, to hear charges brought by the Department against certain prisoners alleged to have violated Department rules with respect to good time credits, to set release dates for certain prisoners sentenced under the law in effect prior to the effective date of this Amendatory Act of 1977, to hear requests and make recommendations to the Governor with respect to pardon, reprieve or commutation, to set conditions for parole and mandatory supervised release and determine whether violations of those conditions justify revocation of parole or release, and to assume all other functions previously exercised by the Illinois Parole and Pardon Board.

(m) Whenever medical treatment, service, counseling, or care is referred to in this Unified Code of Corrections, such term may be construed by the Department or Court, within its discretion, to include treatment, service or counseling by a Christian Science practitioner or nursing care appropriate therewith whenever request therefor is made by a person subject to the provisions of this Act.

(n) "Victim" shall have the meaning ascribed to it in subsection (a) of Section 3 of the Bill of Rights for Victims and Witnesses of Violent Crime Act.

(Source: P.A. 83-1433; 83-1499.); and

on page 3, line 6, by replacing "Section 10 of the Sex Offender Management Board Act," with "subsection (a-5) of Section 3-1-2 of this Code, unless the offender is a parent or guardian of the person under 18 years of age present in the home and no non-familial minors are present,"; and

on page 6, by inserting below line 10 the following:

"(730 ILCS 5/5-1-3.5 new)

Sec. 5-1-3.5. Sex offense. "Sex offense" for the purposes of paragraph (16) of subsection (a) of Section 3-3-7, paragraph (10) of subsection (a) of Section 5-6-3, and paragraph (18) of subsection (c) of Section 5-6-3.1 only has the meaning ascribed to it in subsection (a-5) of Section 3-1-2 of this Code."; and

on page 8, line 29, by replacing "Section 10 of the Sex Offender Management Board Act," with "subsection (a-5) of Section 3-1-2 of this Code, unless the offender is a parent or guardian of the person under 18 years of age present in the home and no non-familial minors are present,"; and

on page 19, lines 7 and 8, by replacing "Section 10 of the Sex Offender Management Board Act," with "subsection (a-5) of Section 3-1-2 of this Code, unless the offender is a parent or guardian of the person

under 18 years of age present in the home and no non-familial minors are present."

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 1527. 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 Black, HOUSE BILL 3624 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 116, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 32)

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 THIRD READING CONSIDERATION POSTPONED

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).

HOUSE BILL 2347. Having been read by title a third time on April 6, 2005, and further consideration postponed, the same was again taken up.

Representative Nekritz moved the passage of HOUSE BILL 2347.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 65, Yeas; 50, Nays; 1, Answering Present.
(ROLL CALL 33)

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.

RECALL

At the request of the principal sponsor, Representative Cultra, HOUSE BILL 2521 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 296, 297, 298, 301 and HOUSE JOINT RESOLUTION 39 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

At the hour of 4:37 o'clock p.m., Representative Currie moved that the House do now adjourn until Tuesday, April 12, 2005, at 11:00 o'clock a.m., 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 12, 2005

0 YEAS

0 NAYS

117 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 | P 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 | P Sacia |
| P Black | P Franks | P McAuliffe | P Saviano |
| P Boland | P Fritchey | P McCarthy | 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 3472
 LOTTERY-SCRATCH OFF FOR VETS
 THIRD READING
 PASSED

April 12, 2005

63 YEAS

53 NAYS

1 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Delgado | Y Lang | N Poe |
| Y Bailey | Y Dugan | N Leitch | N Pritchard |
| N Bassi | Y Dunkin | Y Lindner | N Reis |
| N Beaubien | N Dunn | N Lyons, Eileen | Y Reitz |
| Y Beiser | N Eddy | Y Lyons, Joseph | Y Rita |
| N Bellock | Y Feigenholtz | N Mathias | N Rose |
| Y Berrios | Y Flider | Y Mautino | Y Ryg |
| N Biggins | Y Flowers | Y May | N Sacia |
| Y Black | N Franks | Y McAuliffe | Y Saviano |
| Y Boland | N Fritchey | N 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 | N Meyer | N Sommer |
| N Brauer | Y Granberg | N Miller | Y Soto |
| N Brosnahan | Y Hamos | N Millner | N Stephens |
| Y Burke | N Hannig | N Mitchell, Bill | Y Sullivan |
| Y Chapa LaVia | Y Hassert | N Mitchell, Jerry | N Tenhouse |
| Y Chavez | Y Hoffman | N Moffitt | N Tryon |
| N Churchill | Y Holbrook | Y Molaro | Y Turner |
| Y Collins | Y Howard | Y Mulligan | Y Verschoore |
| Y Colvin | N Hultgren | N Munson | N Wait |
| N Coulson | N Jakobsson | N Myers | Y Washington |
| Y Cross | Y Jefferson | Y Nekritz | N Watson |
| N Cultra | N Jenisch | N Osmond | N Winters |
| N Currie | Y Jones | Y Osterman | P Yarbrough |
| Y D'Amico | N Joyce | N Parke | Y Younge |
| N Daniels | N Kelly | Y Patterson | Y Mr. Speaker |
| Y Davis, Monique | N 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 551
PROP TAX-DUE DATE-ARMD SERVICE
THIRD READING
PASSED

April 12, 2005

116 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 | A 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 911
 INTERGOVT COOP-INSURANCE
 THIRD READING
 PASSED

April 12, 2005

115 YEAS

2 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 | N 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 |
| N 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 1540
 SCH CD-PHYS ED CURRICULUM
 THIRD READING
 PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 442
 VEH CD-ELUDING PEACE OFFICER
 THIRD READING
 PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 1311
 TOWNSHIP POULTRY NOT AT LARGE
 THIRD READING
 PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 4051
 HUMAN RIGHTS-COURT ACTIONS
 THIRD READING
 PASSED

April 12, 2005

114 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 | N 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 |
| N Cultra | Y Jenisch | Y Osmond | Y Winters |
| Y Currie | N 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 2594
 HOME REPAIR ACT-CONTRACT TERM
 THIRD READING
 PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 3415
 PROBATE ACT-GUARDIAN
 THIRD READING
 PASSED

April 12, 2005

116 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 | A Krause | Y Pihos | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 231
PEN CD-CHI TCHRS-BOARD-PRINC
THIRD READING
PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 1351
 VEH CD-HIT & RUN-DUI TESTING
 THIRD READING
 PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 3183
 LOCAL GOVERNMENT-TECH
 THIRD READING
 PASSED

April 12, 2005

115 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 | Y 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 |
| Y Black | A Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 | P 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 2417
 ELEC-ABOLISH CANVASS BOARDS
 THIRD READING
 PASSED

April 12, 2005

64 YEAS

53 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Delgado | Y Lang | N Poe |
| Y Bailey | N Dugan | N Leitch | N Pritchard |
| N Bassi | Y Dunkin | N Lindner | N Reis |
| N Beaubien | Y Dunn | N Lyons, Eileen | Y Reitz |
| Y Beiser | N Eddy | Y Lyons, Joseph | Y Rita |
| N Bellock | Y Feigenholtz | N Mathias | N Rose |
| Y Berrios | N Flider | Y Mautino | Y Ryg |
| N Biggins | Y Flowers | Y May | N Sacia |
| N Black | Y Franks | N McAuliffe | N Saviano |
| Y Boland | Y Fritchey | Y McCarthy | N Schmitz |
| N Bost | Y Froehlich | Y McGuire | N Schock |
| Y Bradley, John | Y Giles | E McKeon | Y Scully |
| Y Bradley, Richard | Y Gordon | Y Mendoza | Y Smith |
| N Brady | Y Graham | N Meyer | N Sommer |
| N Brauer | Y Granberg | Y Miller | Y Soto |
| Y Brosnahan | Y Hamos | N 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 | N Moffitt | N Tryon |
| N Churchill | Y Holbrook | Y Molaro | Y Turner |
| Y Collins | Y Howard | N Mulligan | N Verschoore |
| Y Colvin | N Hultgren | N Munson | Y Wait |
| N Coulson | Y Jakobsson | N Myers | Y Washington |
| N Cross | Y Jefferson | Y Nekritz | N Watson |
| N Cultra | N Jenisch | N Osmond | N 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 | N Kosel | Y Phelps | |
| Y Davis, William | N Krause | N Pihos | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3801
MED SCHOOL-BACKGROUND CHECK
THIRD READING
PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 881
 SCH CD-GIFTED EDUCATION
 THIRD READING
 PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 2348
VEH CD-CDL DISQUALIFY-NOTICE
THIRD READING
PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 2190
 REGULATION-TECH
 THIRD READING
 PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 3711
CONSERVATION CORPS ACT
THIRD READING
PASSED

April 12, 2005

116 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 3853
 MEDIGAP PREMIUM REIMBURSEMENT
 THIRD READING
 PASSED

April 12, 2005

115 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 | A 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 3526
DEPT AGR-ANHYDROUS AMMONIA
THIRD READING
PASSED

April 12, 2005

114 YEAS

2 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 |
| N 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 | 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 360
MARRIAGE ACT-CHILD COUNSELING
THIRD READING
PASSED

April 12, 2005

116 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 2506
 VEH CD-INCREASE REGISTRATN FEE
 THIRD READING
 PASSED

April 12, 2005

68 YEAS

44 NAYS

4 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 265
 AUTO INS-USE OF CREDIT INFO
 THIRD READING
 PASSED

April 12, 2005

116 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 1100
 PAYDAY LOAN REFORM ACT
 THIRD READING
 PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 3449
 DOM BATTERY-CHILD PRESENCE
 THIRD READING
 PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 3500
SCH CD-ACADEMIC WATCH STATUS
THIRD READING
PASSED

April 12, 2005

117 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 3685
 SCH CD-SCH BUS IDLING POLICY
 THIRD READING
 LOST

April 12, 2005

56 YEAS

60 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Delgado | Y Lang | N Poe |
| Y Bailey | Y Dugan | N Leitch | N Pritchard |
| N Bassi | Y Dunkin | N Lindner | N Reis |
| N Beaubien | N Dunn | N Lyons, Eileen | N Reitz |
| Y Beiser | N Eddy | Y Lyons, Joseph | Y Rita |
| Y Bellock | Y Feigenholtz | N Mathias | N Rose |
| Y Berrios | Y Flider | N Mautino | Y Ryg |
| Y Biggins | Y Flowers | Y May | N Sacia |
| N Black | Y Franks | N McAuliffe | N Saviano |
| N Boland | Y Fritchey | N McCarthy | N Schmitz |
| N Bost | Y Froehlich | N McGuire | N Schock |
| N Bradley, John | Y Giles | E McKeon | N Scully |
| Y Bradley, Richard | Y Gordon | Y Mendoza | N Smith |
| N Brady | Y Graham | Y Meyer | N Sommer |
| N Brauer | N Granberg | Y Miller | Y Soto |
| N Brosnahan | Y Hamos | N Millner | N Stephens |
| Y Burke | N Hannig | N Mitchell, Bill | N Sullivan |
| Y Chapa LaVia | N Hassert | N Mitchell, Jerry | N Tenhouse |
| Y Chavez | E Hoffman | N Moffitt | N Tryon |
| N Churchill | N Holbrook | Y Molaro | N Turner |
| Y Collins | Y Howard | Y Mulligan | N Verschoore |
| N Colvin | N 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 | N Osmond | Y Winters |
| Y Currie | Y Jones | Y Osterman | N Yarbrough |
| N D'Amico | N Joyce | N Parke | N Younge |
| Y Daniels | Y Kelly | N 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 984
BORN ALIVE INFANT DEFINED
THIRD READING
PASSED

April 12, 2005

116 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 | E 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 721
 LAND CONVEY- NATURAL RESOURCES
 THIRD READING
 PASSED

April 12, 2005

116 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 | E 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 1571
LOCAL GOVERNMENT-TECH
THIRD READING
PASSED

April 12, 2005

116 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 | E 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 3624
 ALT TEACHER CERT-PROGRAM LIMIT
 THIRD READING
 PASSED

April 12, 2005

116 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 | Y 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 |
| Y Black | Y Franks | Y McAuliffe | Y Saviano |
| Y Boland | Y 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 | E 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 2347
VEH CD-EXCESSIVE IDLING
THIRD READING
PASSED

April 12, 2005

65 YEAS

50 NAYS

1 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Delgado | Y Lang | N Poe |
| P Bailey | N Dugan | N Leitch | N Pritchard |
| N Bassi | N Dunkin | Y Lindner | N Reis |
| N Beaubien | N Dunn | N Lyons, Eileen | N Reitz |
| N Beiser | N Eddy | Y Lyons, Joseph | Y Rita |
| N Bellock | Y Feigenholtz | Y Mathias | Y Rose |
| Y Berrios | N Flider | N Mautino | Y Ryg |
| Y Biggins | Y Flowers | Y May | N Sacia |
| N Black | Y Franks | N McAuliffe | N Saviano |
| N Boland | Y Fritchey | Y McCarthy | N Schmitz |
| N Bost | Y Froehlich | Y McGuire | Y Schock |
| N Bradley, John | Y Giles | E McKeon | Y Scully |
| Y Bradley, Richard | N Gordon | Y Mendoza | N Smith |
| N Brady | Y Graham | Y Meyer | N Sommer |
| N Brauer | N Granberg | Y Miller | Y Soto |
| Y Brosnahan | Y Hamos | N Millner | N Stephens |
| Y Burke | N Hannig | N Mitchell, Bill | N Sullivan |
| Y Chapa LaVia | N Hassert | N Mitchell, Jerry | N Tenhouse |
| Y Chavez | E Hoffman | N Moffitt | Y Tryon |
| N Churchill | N Holbrook | Y Molaro | N 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 |
| N 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 |
| N 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

38TH LEGISLATIVE DAY**Perfunctory Session****TUESDAY, APRIL 12, 2005**

At the hour of 4:46 o'clock p.m., the House convened perfunctory session.

RESOLUTIONS

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

HOUSE RESOLUTION 299

Offered by Representative Jefferson:

WHEREAS, Sickle cell anemia is a hereditary disorder that mostly affects people of African ancestry, but also occurs in other ethnic groups, including people who are of Mediterranean and Middle Eastern descent; and

WHEREAS, More than 70,000 Americans have sickle cell anemia, and about 2 million Americans - and one in 12 African-Americans - have sickle cell trait; and

WHEREAS, Sickle cell anemia is not contagious, so it can't be caught from someone else or passed to another person like a cold or other infection; people with sickle cell anemia have inherited two sickle cell genes, one from each parent; a child who has inherited the sickle cell gene from only one parent will not develop the disease, but will have sickle cell trait; people who have sickle cell trait don't have sickle cell anemia or symptoms of the disease, but they can pass the sickle cell gene to their own children; and

WHEREAS, Because people with sickle cell trait don't have the disease, they may never discover that they carry the gene; teens who are unsure of their sickle cell status should ask their doctors about testing; The National Institutes of Health recommends that all newborns be screened for sickle cell disease, and testing at birth is now required in almost every state; this helps infants with sickle cell anemia get the care and treatment they need right away; and

WHEREAS, Normal red blood cells are smooth and round like doughnuts and they move easily through blood vessels to carry oxygen to all parts of the body; in sickle cell anemia, the red blood cells change shape; they become hard, sticky, and shaped like sickles or crescents and, instead of moving through the bloodstream easily, these sickle cells can clog blood vessels and deprive the body's tissues and organs of the oxygen they need to stay healthy; and

WHEREAS, People with sickle cell anemia have a hard time doing day-to-day activities; their illness is not predictable and causes disruptions at work and school; and

WHEREAS, Symptoms include anemia, pain when sickle-shaped red blood cells block the flow of blood to an organ, fatigue, yellowing of the skin and eyes (jaundice), hand-foot syndrome, eye problems, infections, acute chest syndrome (similar to pneumonia), sores (ulcers) on the legs, strokes, and gallstones in the gallbladder; and

WHEREAS, One of every 12 African-Americans have the sickle cell trait versus one of every 413 Caucasians; one in every 500 African-Americans have the sickle cell disease, the highest incidence of any group; although there is still no cure for sickle cell anemia, improved medical procedures, new research, and increased knowledge have made life less stressful, less painful, and more hopeful for persons afflicted with the disease; people can now live 40 to 50 years or even longer; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we acknowledge the serious health problem of sickle cell anemia, particularly the problem it poses in the African-American community, and urge all public and private entities to take every available avenue to inform the public of sickle cell anemia and its effects on the citizens of Illinois.

HOUSE RESOLUTION 300

Offered by Representative Kelly:

WHEREAS, The Joliet Area/South Suburban Alumnae Chapter of the Delta Sigma Theta Sorority, Inc., has received a Disney Hand Minnie Grant; and

WHEREAS, The Sorority was one of 75 winners chosen from over 400 applicants from across the nation; the grant is administered by Youth Service America and funded by Disney, and is used to underwrite youth service projects for National Youth Service Day; and

WHEREAS, The young ladies who participate in Delta Academy (middle school) and My D.E.S.T.I.N.Y. (high school) will visit Jones Memorial Community Center in Chicago Heights on Saturday, April 16, 2005; and

WHEREAS, They will participate in literacy and arts activities with 150 students from grades Pre-K thru Sixth; the girls, along with Delta Sigma Theta Sorority, Inc., members and other volunteers will read stories to students and will also help them create their own stories; a parent workshop for approximately 50 parents will also occur that day; this project addresses the importance of literacy and the arts for disadvantaged families in the Chicago Heights community; and

WHEREAS, The goals of National Youth Service Day are to mobilize youths as leaders to identify and address the needs of their communities through service and service-learning, to support youth on a lifelong path of service and civic engagement, and to educate the public, the media, and policymakers about the year-round contributions of young people as community leaders; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize National Youth Service Day by encouraging youth to participate in civic and community service projects and commend the volunteer efforts of the young ladies in Delta Academy, My D.E.S.T.I.N.Y., and the Delta Sigma Theta Sorority, Inc.; we support these efforts as an investment in the future of our State and the nation; and be it further

RESOLVED, That suitable copies of this resolution be presented to the young ladies in Delta Academy, My D.E.S.T.I.N.Y., and the Joliet Area/South Suburban Alumnae Chapter of the Delta Sigma Theta Sorority, Inc. as an expression of our admiration.

HOUSE JOINT RESOLUTION 40

Offered by Representative Franks:

WHEREAS, In January 2005, the State of Illinois, through its representatives in the Office of the Governor, signed a \$2.6 million contract with Ecosse Hospital Products Limited of England for the purchase of 300,000 doses of influenza vaccine; and

WHEREAS, The start date on the contract was retroactive to October 20, 2004; and

WHEREAS, The State of Illinois has not received the contracted-for vaccine; and

WHEREAS, In October 2004, the I-SaveRx program was created to allow Illinois citizens to obtain prescription drugs through a network of pharmacies in Canada, the United Kingdom, and Ireland; and

WHEREAS, In Executive Order 2003-15, the Governor established a Special Advocate for Prescription Drugs; and

WHEREAS, The Office of the Governor and the Special Advocate for Prescription Drugs have been involved in the flu vaccine procurement process and in the I-SaveRx and other prescription drug programs; and

WHEREAS, There are questions concerning the State's obligation to pay on a contract for which the purchased goods were not received and for which the State did not receive any benefit; and

WHEREAS, Enrollment in the I-SaveRx program has been low; 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 the Auditor General shall conduct a management audit of the process followed in negotiating and entering into the contract with Ecosse Hospital Products Limited and in establishing and operating the I-SaveRx program; and be it further

RESOLVED, That the audit include, but not be limited to, the following determinations:

- (1) The roles played by the Office of the Governor and the Special Advocate for Prescription Drugs in negotiating and entering into the flu vaccine contract;
- (2) The procedures applicable to, and agencies responsible for, the establishment and

operation of the I-SaveRx program; and
(3) Whether the entities involved in these programs followed all applicable laws, regulations, policies, and procedures; and be it further
RESOLVED, That the Office of the Governor, the Office of the Special Advocate for Prescription Drugs, and any other entity that may have relevant information pertaining to this audit cooperate fully and promptly with the Auditor General's Office in the conduct of this audit; and be it further
RESOLVED, That the Auditor General commence this audit as soon as possible and report his findings and recommendations upon completion in accordance with Section 3-14 of the Illinois State Auditing Act.

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 13 (Turner), 17 (Bradley, J), 25 (Froehlich), 40 (Chapa LaVia), 46 (Mathias), 49 (Colvin), 54 (Sullivan), 63 (Lang), 64 (Mathias), 86 (Schock), 87 (Watson), 90 (Holbrook), 93 (Mitchell, B), 96 (Holbrook), 97 (Mathias), 110 (Mathias), 122 (McCarthy), 127 (Kosel), 171 (Washington), 183 (Saviano), 185 (Lyons, J), 192 (Nekritz), 208 (Froehlich), 254 (Granberg), 300 (Hoffman), 326 (Froehlich), 328 (Pritchard), 336 (Sullivan), 341 (Nekritz), 350 (Leitch), 357 (Holbrook), 419 (McAuliffe), 446 (Bradley, R), 582 (Gordon), 660 (Ryg), 1355 (Saviano), 1438 (Froehlich), 1469 (Feigenholtz), 1491 (Meyer), 1699 (McKeon), 1833 (Molaro), 1865 (Beiser), 1930 (Fritchey), 1949 (Watson), 1953 (Collins), 2032 (Reis) and 2066 (Brauer).

At the hour of 4:52 o'clock p.m., the House Perfunctory Session adjourned.