

**STATE OF ILLINOIS**



# **HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-FOURTH GENERAL ASSEMBLY**

**57TH LEGISLATIVE DAY**

**REGULAR & PERFUNCTORY SESSION**

**WEDNESDAY, MAY 25, 2005**

**3:13 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES**  
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The House met pursuant to adjournment.  
Representative J. Lyons in the chair.  
Prayer by Bishop William Persell, with Episcopal Diocese of Chicago in Chicago, IL.  
Representative Osmond 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:  
116 present. (ROLL CALL 1)

By unanimous consent, Representatives McKeon and Washington were excused from attendance.

### LETTER OF TRANSMITTAL

May 25, 2005

Mark Mahoney  
Chief Clerk of the House  
402 State House  
Springfield, IL 62706

Dear Clerk Mahoney:

Please be advised that I am extending the Final Action Deadline to May 31, 2005 for the following House and Senate Bills:

**House Bills: 476, 3092.**

**Senate Bills: 157, 208, 1623, 1832, 2038.**

If you have any questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain

Sincerely yours,  
s/Michael J. Madigan  
Speaker of the House

### TEMPORARY COMMITTEE ASSIGNMENTS

Representative Chavez replaced Representative John Bradley in the Committee on Judiciary II - Criminal Law on May 25, 2005.

Representative Eddy replaced Representative Cultra in the Committee on Judiciary II - Criminal Law on May 25, 2005.

Representative Osmond replaced Representative Munson in the Committee on Registration and Regulation on May 25, 2005.

Representative Hassert replaced Representative Sullivan in the Committee on Registration and Regulation on May 25, 2005.

Representative Eddy replaced Representative Watson in the Committee on Local Government on May 25, 2005.

Representative Berrios replaced Representative McKeon in the Committee on Labor on May 25, 2005.

Representative Phelps replaced Representative Hoffman in the Committee on Labor on May 25, 2005.

Representative McCarthy replaced Representative Richard Bradley in the Committee on Executive on May 25, 2005.

Representative Meyer replaced Representative Saviano in the Committee on Executive on May 25, 2005.

Representative Molaro replaced Representative Burke in the Committee on Personnel and Pensions on May 25, 2005.

Representative Chapa LaVia replaced Representative Richard Bradley in the Committee on Environment & Energy on May 25, 2005.

Representative Brady replaced Representative Cultra in the Committee on Environment & Energy on May 25, 2005.

Representative Ryg replaced Representative Holbrook in the Committee on Environment & Energy on May 25, 2005.

Representative Jakobsson replaced Representative Phelps in the Committee on Environment & Energy on May 25, 2005.

Representative Boland replaced Representative Reitz in the Committee on Environment & Energy on May 25, 2005.

Representative Parke replaced Representative Black in the Committee on Rules on May 25, 2005.

Representative Joseph Lyons replaced Representative Turner in the Committee on Rules on May 25, 2005.

#### **REPORTS FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 25, 2005, reported the same back with the following recommendations:

#### **LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:**

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 3 to HOUSE BILL 476.  
Amendment No. 1 to SENATE BILL 350.  
Amendment No. 2 to SENATE BILL 764.  
Amendment No. 1 to SENATE BILL 1962.

That the bill be reported "approved for consideration" and be placed on the order of Second Reading--Short Debate: HOUSE BILL 3092.

That the Motion be reported "recommends be adopted" and placed on the House Calendar:  
Motion to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 112.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 190.  
Motion to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 596.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 487.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 763.  
Motion to concur with Senate Amendment No. 4 to HOUSE BILL 1074.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 1565.  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 2351.  
Motion to concur with Senate Amendment No. 3 to HOUSE BILL 3480.

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Adoption Reform: Motion to concur with SENATE AMENDMENTS Numbered 2 and 3 to HOUSE BILL 3628.

Approp-Elementary & Secondary Education: HOUSE AMENDMENT No. 1 to HOUSE BILL 2010.

Consumer Protection: Motion to concur with SENATE AMENDMENT No. 2 to HOUSE BILL 1058; HOUSE AMENDMENT No. 2 to HOUSE BILL 4050.

Elementary & Secondary Education: HOUSE AMENDMENT No. 2 to HOUSE BILL 2011; HOUSE AMENDMENT No. 1 to HOUSE BILL 3092; HOUSE AMENDMENT No. 2 to SENATE BILL 1853; SENATE BILL 208.

Executive: Motion to concur with SENATE AMENDMENT No. 2 to HOUSE BILL 315; SENATE BILL 2038.

Human Services: Motion to concur with SENATE AMENDMENT No. 2 to HOUSE BILL 612; SENATE BILL 157.

Insurance: Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 316.

Judiciary I - Civil Law: Motion to concur with SENATE AMENDMENT No. 2 to HOUSE BILL 1870.

Judiciary II - Criminal Law: HOUSE AMENDMENT No. 3 to HOUSE BILL 1752; HOUSE AMENDMENT No. 2 to HOUSE BILL 2065; SENATE BILL 1832.

Registration and Regulation: Motion to concur with SENATE AMENDMENT No. 5 to HOUSE BILL 875.

State Government Administration: Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 128; Motion to concur with SENATE AMENDMENT No. 1 to HOUSE BILL 383; SENATE BILL 1623.

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

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

Y Currie(D), Chairperson  
Y Hannig(D)  
A Turner(D)

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

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 25, 2005 (A), reported the same back with the following recommendations:

**LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:**

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

Amendment No. 2 to HOUSE BILL 3760.

Amendment No. 2 to HOUSE BILL 3761.

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

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

Y Currie(D), Chairperson  
A Hannig(D)  
Y Turner(D)

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

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 25, 2005 (B), reported the same back with the following recommendations:

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Consumer Protection: HOUSE AMENDMENT No. 3 to HOUSE BILL 4050.

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

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

Y Currie(D), Chairperson  
A Hannig(D)  
Y Turner(D)

Y Parke,Terry(R) (replacing Black)  
A Hassert(R)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on May 25, 2005 (C), reported the same back with the following recommendations:

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Environment & Energy: HOUSE AMENDMENT No. 3 to HOUSE BILL 2221.

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

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

Y Currie(D), Chairperson  
A Hannig(D)  
Y Lyons,Joseph(D) (replacing Turner)

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

**REPORTS FROM STANDING COMMITTEES**

Representative Giles, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the Motion be reported “recommends be adopted” and placed on the House Calendar:  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 3678.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 1493.

The committee roll call vote on Senate Bill 1493 and Motion to Concur with Senate Amendment No. 1 to House Bill 3678 is as follows:

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

Y Giles,Calvin(D), Chairperson  
Y Bassi,Suzanne(R)  
Y Chapa LaVia,Linda(D)  
Y Dugan,Lisa(D)  
Y Flider,Robert(D)  
A Miller,David(D)  
Y Moffitt,Donald(R)  
Y Munson,Ruth(R)  
Y Pihos,Sandra(R)  
Y Reis,David(R)  
Y Watson,Jim(R)

Y Davis,Monique(D), Vice-Chairperson  
Y Beiser,Daniel(D)  
A Colvin,Marlow(D)  
Y Eddy,Roger(R)  
Y Joyce,Kevin(D)  
Y Mitchell,Jerry(R), Republican Spokesperson  
A Mulligan,Rosemary(R)  
Y Osterman,Harry(D)  
Y Pritchard,Robert(R)  
A Smith,Michael(D)

Representative Molaro, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the Motion be reported “recommends be adopted” and placed on the House Calendar:  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 457.

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 864.



Motion to concur with Senate Amendment No. 1 to HOUSE BILL 3532.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 457 is as follows:

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

Y Molaro,Robert(D), Chairperson	Y Bailey,Patricia(D)
N Chavez,Michelle(D) (replacing Bradley, J)	A Collins,Annazette(D)
Y Eddy,Roger(R) (replacing Cultra)	A Delgado,William(D), Vice-Chairperson
N Gordon,Careen(D)	Y Howard,Constance(D)
A 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)	Y Wait,Ronald(R)

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 864 is as follows:

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

Y Molaro,Robert(D), Chairperson	Y Bailey,Patricia(D)
N Chavez,Michelle(D) (replacing Bradley, J)	A Collins,Annazette(D)
Y Cultra,Shane(R)	Y Delgado,William(D), Vice-Chairperson
N Gordon,Careen(D)	Y Howard,Constance(D)
A 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)	Y Wait,Ronald(R)

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 3532 is as follows:

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

Y Molaro,Robert(D), Chairperson	Y Bailey,Patricia(D)
Y Chavez,Michelle(D) (replacing Bradley, J)	A Collins,Annazette(D)
Y Cultra,Shane(R)	Y Delgado,William(D), Vice-Chairperson
Y Gordon,Careen(D)	Y Howard,Constance(D)
A 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)	Y Wait,Ronald(R)

Representative Saviano, Chairperson, from the Committee on Registration and Regulation to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:

Motion to concur with Senate Amendment No. 2 to HOUSE BILL 866.

The committee roll call vote on Motion to Concur with Senate Amendment No. 2 to House Bill 866 is as follows:

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

Y Saviano,Angelo(R), Chairperson	Y Acevedo,Edward(D)
Y Bellock,Patricia(R)	A Bradley,Richard(D)
Y Brauer,Rich(R)	Y Burke,Daniel(D)
Y Coulson,Elizabeth(R), Republican Spokesperson	A Davis,Monique(D)
Y Delgado,William(D)	A Fritchey,John(D), Vice-Chairperson
Y Froehlich,Paul(R)	Y Granberg,Kurt(D)
A Holbrook,Thomas(D)	A Joyce,Kevin(D)

Y Kosel,Renee(R)	Y Mautino, Frank(D)
Y McAuliffe, Michael(R)	A Mendoza, Susana(D)
A Miller, David(D)	A Millner, John(R)
Y Mulligan, Rosemary(R)	Y Osmond, JoAnn(R) (replacing Munson)
N Phelps, Brandon(D)	N Reis, David(R)
A Reitz, Dan(D)	Y Hassert, Brent(R) (replacing Sullivan)

Representative Osterman, Chairperson, from the Committee on Local Government to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:  
Motion to concur with Senate Amendment No. 3 to HOUSE BILL 212.

The committee roll call vote on Motion to Concur with Senate Amendment No. 3 to House Bill 212 is as follows:

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

Y Osterman, Harry(D), Chairperson	Y Beiser, Daniel(D)
Y Flider, Robert(D), Vice-Chairperson	Y Kelly, Robin(D)
Y Mathias, Sidney(R), Republican Spokesperson	Y Moffitt, Donald(R)
Y Ryg, Kathleen(D)	Y Sommer, Keith(R)
Y Tryon, Michael(R)	Y Eddy, Roger(R) (replacing Watson)
A Younge, Wyvetter(D)	

Representative McCarthy, Chairperson, from the Committee on Higher Education to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 1487.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 1487 is as follows:

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

Y McCarthy, Kevin(D), Chairperson	A Beiser, Daniel(D)
A Black, William(R)	Y Bost, Mike(R), Republican Spokesperson
Y Brady, Dan(R)	Y Brosnahan, James(D)
Y Chavez, Michelle(D)	Y Eddy, Roger(R)
A Howard, Constance(D)	Y Jakobsson, Naomi(D), Vice-Chairperson
Y Miller, David(D)	Y Poe, Raymond(R)
Y Pritchard, Robert(R)	

Representative Soto, Chairperson, from the Committee on Labor to which the following were referred, action taken on May 24, 2005, and reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:  
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 1480.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 1480 is as follows:

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

Y Berrios, Maria(D) (replacing McKeon)	A Beaubien, Mark(R)
Y Boland, Mike(D)	Y Colvin, Marlow(D)
N 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 Phelps, Brandon(D) (replacing Hoffman)	Y Howard, Constance(D)

N Hultgren,Randall(R)	Y Jefferson,Charles(D)
Y Parke,Terry(R)	Y Schmitz,Timothy(R)
Y Soto,Cynthia(D), Vice-Chairperson	A Tenhouse,Art(R)
Y Washington,Eddie(D)	Y Winters,Dave(R), Republican Spokesperson

Representative Monique Davis, Chairperson, from the Committee on Appropriations-General Services to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Standard Debate: SENATE BILL 1548.

The committee roll call vote on Senate Bill 1548 is as follows:

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

Y Davis,Monique(D), Chairperson	Y Graham,Deborah(D), Vice-Chairperson
Y Bailey,Patricia(D)	N Biggins,Bob(R), Republican Spokesperson
N Brauer,Rich(R)	Y Soto,Cynthia(D)
N Watson,Jim(R)	

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

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 122.

The committee roll call vote on Senate Bill 122 is as follows:

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

Y Burke,Daniel(D), Chairperson	Y Acevedo,Edward(D)
Y Berrios,Maria(D)	A Biggins,Bob(R)
Y McCarthy,Kevin(D) (replacing Bradley, R)	A Hassert,Brent(R)
A Jones,Lovana(D)	Y Kosel,Renee(R), Republican Spokesperson
Y Lyons,Eileen(R)	Y Lyons,Joseph(D), Vice-Chairperson
A McKeon,Larry(D)	A Molaro,Robert(D)
Y Meyer,James(R) (replacing Saviano)	

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

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 1124.

That the Motion be reported "recommends be adopted" and placed on the House Calendar:

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 1387.

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 2449.

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

Amendment No. 2 to HOUSE BILL 3814.

The committee roll call vote on Senate Bill 1124 is as follows:

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

A Hoffman,Jay(D), Chairperson	Y Beiser,Daniel(D)
Y Black,William(R)	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 Graham,Deborah(D)
Y Joyce,Kevin(D)	Y Lyons,Joseph(D)
Y Mathias,Sidney(R)	Y McAuliffe,Michael(R)
Y McCarthy,Kevin(D)	Y Mendoza,Susana(D)

Y Miller,David(D), Vice-Chairperson  
 Y Molaro,Robert(D)  
 Y Poe,Raymond(R)  
 Y Stephens,Ron(R)  
 Y Tryon,Michael(R)  
 A Washington,Eddie(D)

Y Millner,John(R)  
 Y Nekritz,Elaine(D)  
 Y Soto,Cynthia(D)  
 A Tenhouse,Art(R)  
 Y Wait,Ronald(R), Republican Spokesperson

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 1387 is as follows:

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

A Hoffman,Jay(D), Chairperson  
 N Black,William(R)  
 Y Brauer,Rich(R)  
 Y D'Amico,John(D)  
 Y Froehlich,Paul(R)  
 Y Joyce,Kevin(D)  
 Y Mathias,Sidney(R)  
 Y McCarthy,Kevin(D)  
 Y Miller,David(D), Vice-Chairperson  
 A Molaro,Robert(D)  
 Y Poe,Raymond(R)  
 Y Stephens,Ron(R)  
 Y Tryon,Michael(R)  
 A Washington,Eddie(D)

Y Beiser,Daniel(D)  
 Y Bost,Mike(R)  
 Y Brosnahan,James(D)  
 Y Fritchey,John(D)  
 Y Graham,Deborah(D)  
 Y Lyons,Joseph(D)  
 Y McAuliffe,Michael(R)  
 Y Mendoza,Susana(D)  
 Y Millner,John(R)  
 Y Nekritz,Elaine(D)  
 Y Soto,Cynthia(D)  
 N Tenhouse,Art(R)  
 N Wait,Ronald(R), Republican Spokesperson

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 2449 is as follows:

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

A Hoffman,Jay(D), Chairperson  
 Y Black,William(R)  
 Y Brauer,Rich(R)  
 Y D'Amico,John(D)  
 Y Froehlich,Paul(R)  
 Y Joyce,Kevin(D)  
 Y Mathias,Sidney(R)  
 Y McCarthy,Kevin(D)  
 Y Miller,David(D), Vice-Chairperson  
 Y Molaro,Robert(D)  
 Y Poe,Raymond(R)  
 Y Stephens,Ron(R)  
 Y Tryon,Michael(R)  
 A Washington,Eddie(D)

Y Beiser,Daniel(D)  
 Y Bost,Mike(R)  
 Y Brosnahan,James(D)  
 Y Fritchey,John(D)  
 Y Graham,Deborah(D)  
 Y Lyons,Joseph(D)  
 Y McAuliffe,Michael(R)  
 Y Mendoza,Susana(D)  
 Y Millner,John(R)  
 Y Nekritz,Elaine(D)  
 Y Soto,Cynthia(D)  
 Y Tenhouse,Art(R)  
 Y Wait,Ronald(R), Republican Spokesperson

The committee roll call vote on Amendment No. 2 to House Bill 3814 is as follows:  
 24, Yeas; 0, Nays; 0, Answering Present.

A Hoffman,Jay(D), Chairperson  
 Y Black,William(R)  
 Y Brauer,Rich(R)  
 Y D'Amico,John(D)  
 Y Froehlich,Paul(R)  
 Y Joyce,Kevin(D)  
 Y Mathias,Sidney(R)  
 Y McCarthy,Kevin(D)  
 Y Miller,David(D), Vice-Chairperson

Y Beiser,Daniel(D)  
 Y Bost,Mike(R)  
 Y Brosnahan,James(D)  
 Y Fritchey,John(D)  
 Y Graham,Deborah(D)  
 Y Lyons,Joseph(D)  
 Y McAuliffe,Michael(R)  
 Y Mendoza,Susana(D)  
 Y Millner,John(R)

Y Molaro,Robert(D)	Y Nekritz,Elaine(D)
Y Poe,Raymond(R)	Y Soto,Cynthia(D)
Y Stephens,Ron(R)	A Tenhouse,Art(R)
Y Tryon,Michael(R)	Y Wait,Ronald(R), Republican Spokesperson
A Washington,Eddie(D)	

Representative Richard Bradley, Chairperson, from the Committee on Personnel and Pensions to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 27.

The committee roll call vote on Senate Bill 27 is as follows:

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

Y Bradley,Richard(D), Chairperson	P Brauer,Rich(R)
Y Molaro,Robert(D) (replacing Burke)	Y Colvin,Marlow(D), Vice-Chairperson
P Poe,Raymond(R), Republican Spokesperson	

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

That the Motion be reported “recommends be adopted” and placed on the House Calendar: Motion to concur with Senate Amendment No. 1 to HOUSE BILL 669.

That the Floor Amendment be reported “recommends be adopted”: Amendment No. 1 to HOUSE BILL 2221.

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 431.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 669 is as follows:

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

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

The committee roll call vote on Amendment No. 1 to House Bill 2221 is as follows:

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

Y Holbrook,Thomas(D), Chairperson	Y Nekritz,Elaine(D), Vice-Chairperson
Y Chapa LaVia,Linda(D) (replacing Bradley, R)	N Brady,Dan(R) (replacing Cultra)
Y Hamos,Julie(D)	Y Joyce,Kevin(D)
N Kosel,Renee(R)	N Leitch,David(R)
Y Mautino,Frank(D)	Y May,Karen(D)
N Meyer,James(R)	N Parke,Terry(R)
Y Phelps,Brandon(D)	Y Reitz,Dan(D)
Y Rita,Robert(D)	A Rose,Chapin(R)
N Schock,Aaron(R)	Y Smith,Michael(D)

N Tenhouse,Art(R), Republican Spokesperson  
Y Verschoore,Patrick(D)

N Tryon,Michael(R)  
N Winters,Dave(R)

The committee roll call vote on Senate Bill 431 is as follows:  
17, Yeas; 3, Nays; 1, Answering Present.

Y Ryg,Kathleen (D) (replacing Holbrook)  
Y ChapaLaVia,Linda(D) (replacing Bradley, R)  
Y Hamos,Julie(D)  
Y Kosel,Renee(R)  
Y Mautino,Frank(D)  
Y Meyer,James(R)  
Y Jakobsson,Naomi(D) (replacing Phelps)  
Y Rita,Robert(D)  
N Schock,Aaron(R)  
N Tenhouse,Art(R), Republican Spokesperson  
Y Verschoore,Patrick(D)

Y Nekritz,Elaine(D), Vice-Chairperson  
Y Brady,Dan(R) (replacing Cultra)  
Y Joyce,Kevin(D)  
A Leitch,David(R)  
Y May,Karen(D)  
P Parke,Terry(R)  
Y Boland,MikeD) (replacing Reitz)  
Y Rose,Chapin(R)  
Y Smith,Michael(D)  
N Tryon,Michael(R)  
Y Winters,Dave(R)

### MOTIONS SUBMITTED

Representative Feigenholtz submitted the following written motion, which was referred to the Committee on Rules:

#### MOTION

I move to concur with Senate Amendments numbered 2 and 3 to HOUSE BILL 3628.

Representative Feigenholtz submitted the following written motion, which was referred to the Committee on Rules:

#### MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 114.

Representative Feigenholtz submitted the following written motion, which was referred to the Committee on Rules:

#### MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 487.

Representative Feigenholtz submitted the following written motion, which was referred to the Committee on Rules:

#### MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 763.

Representative Feigenholtz submitted the following written motion, which was referred to the Committee on Rules:

#### MOTION

I move to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 112.

Representative Hannig submitted the following written motion, which was placed on the Calendar on the order of Concurrence:

#### MOTION

I move to non-concur with Senate Amendment No. 1 to HOUSE BILL 1457.

Representative Bradley, John submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 480.

Representative Acevedo submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendment No. 1 to HOUSE BILL 2004.

Representative Kelly submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendment No. 1 to HOUSE BILL 3800.

Representative Joyce submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendments numbered 3, 4, 5 and 6 to HOUSE BILL 2531.

Representative Soto submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendment No. 2 to HOUSE BILL 783.

Representative Joyce submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendments numbered 1 and 6 to HOUSE BILL 350.

Representative Brosnahan submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendments numbered 2 and 3 to HOUSE BILL 4030.

Representative Hassert submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendment No. 2 to HOUSE BILL 930.

Representative Leitch submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendment No. 1 to HOUSE BILL 180.

Representative Hoffman submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendment No. 1 to HOUSE BILL 1562.

Representative Hoffman submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendment No. 1 to HOUSE BILL 395.

Representative Joyce submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendment No. 2 to HOUSE BILL 2531.

Representative Ryg submitted the following written motion, which was referred to the Committee on Rules:

**MOTION**

I move to concur with Senate Amendment No. 2 to HOUSE BILL 566.

**PENSION NOTE SUPPLIED**

A Pension Note has been supplied for HOUSE BILL 1813, as amended.

**HOUSING AFFORDABILITY IMPACT NOTES SUPPLIED**

Housing Affordability Impact Notes have been supplied for HOUSE BILLS 3760, as amended, and 3761, as amended.

**REQUEST FOR HOUSING AFFORDABILITY IMPACT NOTE**

Representative Brady requested that a Housing Affordability Impact Note be supplied for SENATE BILL 482, as amended.

**REQUEST FOR FISCAL NOTE**

Representative Fritchey requested that a Fiscal Note be supplied for SENATE BILL 431.

**MESSAGES FROM THE SENATE**

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 79

A bill for AN ACT concerning revenue.  
House Amendment No. 2 to SENATE BILL NO. 79.  
I am further directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of the following amendment:  
House Amendment No. 1 to SENATE BILL NO. 79.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate



The foregoing message from the Senate reporting their refusal to concur in House Amendment No. 1 to SENATE BILL 79 was placed on the Calendar on the order of Non-concurrence.

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:  
SENATE BILL NO. 46  
A bill for AN ACT concerning safety.  
House Amendment No. 1 to SENATE BILL NO. 46.  
House Amendment No. 2 to SENATE BILL NO. 46.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:  
SENATE BILL NO. 53  
A bill for AN ACT concerning firearm ammunition.  
House Amendment No. 1 to SENATE BILL NO. 53.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:  
SENATE BILL NO. 54  
A bill for AN ACT concerning transportation.  
House Amendment No. 1 to SENATE BILL NO. 54.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:  
SENATE BILL NO. 57  
A bill for AN ACT concerning firearms.  
House Amendment No. 1 to SENATE BILL NO. 57.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:  
SENATE BILL NO. 127  
A bill for AN ACT concerning transportation.

House Amendment No. 1 to SENATE BILL NO. 127.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 139

A bill for AN ACT concerning professional regulation.  
House Amendment No. 1 to SENATE BILL NO. 139.  
House Amendment No. 2 to SENATE BILL NO. 139.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 66

A bill for AN ACT concerning transportation.  
House Amendment No. 1 to SENATE BILL NO. 66.  
House Amendment No. 2 to SENATE BILL NO. 66.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 143

A bill for AN ACT concerning government.  
House Amendment No. 1 to SENATE BILL NO. 143.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 159

A bill for AN ACT concerning business.  
House Amendment No. 1 to SENATE BILL NO. 159.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 223

A bill for AN ACT concerning education.

House Amendment No. 1 to SENATE BILL NO. 223.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 232

A bill for AN ACT in relation to public health.  
House Amendment No. 1 to SENATE BILL NO. 232.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 309

A bill for AN ACT concerning taxes.  
House Amendment No. 1 to SENATE BILL NO. 309.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 463

A bill for AN ACT regarding education.  
House Amendment No. 1 to SENATE BILL NO. 463.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 768

A bill for AN ACT concerning education.  
House Amendment No. 1 to SENATE BILL NO. 768.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 780

A bill for AN ACT concerning State government.  
House Amendment No. 1 to SENATE BILL NO. 780.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 966

A bill for AN ACT concerning housing.  
House Amendment No. 1 to SENATE BILL NO. 966.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1230

A bill for AN ACT concerning criminal law.  
House Amendment No. 1 to SENATE BILL NO. 1230.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 635

A bill for AN ACT concerning State government.  
House Amendment No. 1 to SENATE BILL NO. 635.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 383

A bill for AN ACT concerning education.  
House Amendment No. 1 to SENATE BILL NO. 383.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 210

A bill for AN ACT concerning transportation.  
House Amendment No. 1 to SENATE BILL NO. 210.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 241

A bill for AN ACT concerning safety.  
House Amendment No. 1 to SENATE BILL NO. 241.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 411

A bill for AN ACT concerning employment.  
House Amendment No. 1 to SENATE BILL NO. 411.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 468

A bill for AN ACT concerning business.  
House Amendment No. 1 to SENATE BILL NO. 468.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 511

A bill for AN ACT concerning adoption.  
House Amendment No. 1 to SENATE BILL NO. 511.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1931

A bill for AN ACT concerning education.  
House Amendment No. 1 to SENATE BILL NO. 1931.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 2091

A bill for AN ACT concerning State government.  
House Amendment No. 1 to SENATE BILL NO. 2091.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 478

A bill for AN ACT concerning liquor.  
House Amendment No. 1 to SENATE BILL NO. 478.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1119

A bill for AN ACT concerning transportation.  
House Amendment No. 1 to SENATE BILL NO. 1119.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1698

A bill for AN ACT concerning health.  
House Amendment No. 1 to SENATE BILL NO. 1698.  
Action taken by the Senate, May 25, 2005.

Linda Hawker, Secretary of the Senate

A message from the Senate by  
Ms. Hawker, Secretary:  
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 3874

A bill for AN ACT concerning criminal law.  
Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 3874  
Senate Amendment No. 2 to HOUSE BILL NO. 3874  
Passed the Senate, as amended, May 25, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 3874 on page 1, by replacing lines 6 through 23 with the following:

"(720 ILCS 5/33-3) (from Ch. 38, par. 33-3)

Sec. 33-3. Official Misconduct.) A public officer or employee or special government agent commits misconduct when, in his official capacity or capacity as a special government agent, he commits any of the following acts:

- (a) Intentionally or recklessly fails to perform any mandatory duty as required by law; or
- (b) Knowingly performs an act which he knows he is forbidden by law to perform; or
- (c) With intent to obtain a personal advantage for himself or another, he performs an act in excess of his lawful authority; or
- (d) Solicits or knowingly accepts for the performance of any act a fee or reward which he knows is not authorized by law.

A public officer or employee or special government agent convicted of violating any provision of this Section forfeits his office or employment or position as a special government agent. In addition, he commits a Class 2 ~~3~~ felony.

For purposes of this Section, "special government agent" has the meaning ascribed to it in subsection (1) of Section 4A-101 of the Illinois Governmental Ethics Act.

(Source: P.A. 82-790)."

AMENDMENT NO. 2. Amend House Bill 3874, AS AMENDED, in Section 5, Sec. 33-3, in the paragraph beginning "A public officer or employee", by replacing "Class 2 ~~3~~" with "Class 3"; and in Section 5, Sec. 33-7, subsection (a), by replacing item (1) with the following:

"(1) intentionally or knowingly makes, uses, or causes to be made or used a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property;"; and in Section 5, Sec. 33-7, subsection (a), item (3), by replacing "lawful authority" with "contractual responsibility"; and in Section 5, Sec. 33-7, subsection (b), by replacing "Class 2 felony" with "Class 3 felony".

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 3874 was placed on the Calendar on the order of Concurrence.

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 930

A bill for AN ACT concerning regulation.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 2 to HOUSE BILL NO. 930

Passed the Senate, as amended, May 25, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 2. Amend House Bill 930 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Plumbing License Law is amended by changing Sections 18 and 37 as follows:  
(225 ILCS 320/18) (from Ch. 111, par. 1117)

Sec. 18. Local regulation; Department standards.

(1) It is hereby declared to be the policy of this State that each city, town, village, township or county with a water supply system or sewage disposal system or both should so soon after the enactment of this Act as practicable, with the advice of the State Department of Public Health, provide by ordinance, bylaws

or rules and regulations for the materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building in any such city, town, village, township, or county and to provide for and appoint a competent Plumbing Inspector or more as required. The Department may by rule establish voluntary standards for the content and conduct of local plumbing regulation and inspection programs and may evaluate and certify local programs that are in compliance with the voluntary standards. The Department may by rule establish voluntary education, training, and experience standards for Plumbing Inspectors and may certify Plumbing Inspectors who are in compliance with the voluntary standards. Nothing contained in this Act shall prohibit any city, town, village, township or county from providing for a Plumbing Inspector or from requiring permits for the installation and repair of plumbing and collecting a fee therefor, but a city, town, village, township, or county that requires a permit for installation and repair of plumbing may not issue that permit without verification that the applicant has a valid plumbing license or that the applicant is the owner occupant of a single family residence that is the subject of the permit. For the purpose of this Section, the term "occupant" has the same meaning as in subsection (2) of Section 3 of this Act. No person shall be appointed as a Plumbing Inspector who is not a licensed plumber under this Act, including persons employed as Plumbing Inspectors in home rule units.

(2) The Department of Public Health shall conduct inquiry in any city, town, village, township, or county or at any other place in the State when reasonably necessary in the judgment of the Director of the Department of Public Health to safeguard the health of any person or persons in this State, on account of piping or appurtenant appliances within any building, or outside, when such piping and appliances are for the use of plumbing as defined in this Act and for the use of carrying sewage or waste within or from any building.

The Department of Public Health may conduct such inquiries in any city, town, village, township or county in this State by directing the Plumbing Inspector thereof to aid in or conduct such inquiry or investigation in behalf of the Department of Public Health or the Department of Public Health may designate some other person or persons to conduct such investigation.

(Source: P.A. 90-714, eff. 8-7-98.)

(225 ILCS 320/37) (from Ch. 111, par. 1135)

Sec. 37. Each governmental unit which is authorized to adopt and has adopted any ordinance or resolution regulating plumbing may provide for its administration and enforcement by requiring permits for any plumbing system installation, the inspection of plumbing system installations by inspectors who are licensed as plumbers in accordance with the Illinois Plumbing License Law, and the issue of certificates of approval or compliance which shall be evidence that a plumbing system has been installed in compliance with the Code of standards so adopted.

A letter of intent shall be included with all plumbing permit applications. The letter shall be written on the licensed plumber of record's business stationery and shall include the license holder's signature and, if the license holder is incorporated, the license holder's corporate seal. If the license holder is not incorporated, the letter must be notarized.

A governmental unit authorized to adopt regulations may, by ordinance or resolution, prescribe reasonable fees for the issue of permits for installation work, the issue of certificates of compliance or approval, and for the inspection of plumbing installations.

(Source: P.A. 79-1000.)

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

The foregoing message from the Senate reporting Senate Amendment No. 2 to HOUSE BILL 930 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 2500

A bill for AN ACT concerning local government.

Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 2500



Senate Amendment No. 3 to HOUSE BILL NO. 2500  
Passed the Senate, as amended, May 25, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 2500 on page 1, line 4, after "by", by inserting "changing Section 7-1-13 and by"; and on page 1, between lines 5 and 6, by inserting the following:

"(65 ILCS 5/7-1-13) (from Ch. 24, par. 7-1-13)

Sec. 7-1-13. Surrounded or nearly surrounded territory. Whenever any unincorporated territory containing 60 acres or less, is wholly bounded by (a) one or more municipalities, (b) one or more municipalities and a creek in a county with a population of 400,000 or more, or one or more municipalities and a river or lake in any county, (c) one or more municipalities and the Illinois State boundary, (d) one or more municipalities and property owned by the State of Illinois, except highway right-of-way owned in fee by the State, (e) one or more municipalities and a forest preserve district, or (f) if the territory is a triangular parcel of less than 10 acres, one or more municipalities and an interstate highway owned in fee by the State and bounded by a frontage road, that territory may be annexed by any municipality by which it is bounded in whole or in part, by the passage of an ordinance to that effect after notice is given as provided in this Section. In counties adjacent to another state, adjacent to a lake in excess of 20,000 square miles, and having a population of not less than 500,000 nor more than 1,000,000 persons, any unincorporated territory containing 75 acres or less that is wholly bounded by one municipality no larger in population than 500 persons may be annexed, on or before December 31, 2005, by the municipality by which it is wholly bounded, upon the passage of an ordinance to that effect after notice is given as provided in this Section.

The corporate authorities shall cause notice, stating that annexation of the territory described in the notice is contemplated under this Section, to be published once, in a newspaper of general circulation within the territory to be annexed, not less than 10 days before the passage of the annexation ordinance. When the territory to be annexed lies wholly or partially within a township other than that township where the municipality is situated, the annexing municipality shall give at least 10 days prior written notice of the time and place of the passage of the annexation ordinance to the township supervisor of the township where the territory to be annexed lies. The ordinance shall describe the territory annexed and a copy thereof together with an accurate map of the annexed territory shall be recorded in the office of the recorder of the county wherein the annexed territory is situated and a document of annexation shall be filed with the county clerk and County Election Authority. Nothing in this Section shall be construed as permitting a municipality to annex territory of a forest preserve district in a county with a population of 3,000,000 or more without obtaining the consent of the district pursuant to Section 8.3 of the Cook County Forest Preserve District Act.

(Source: P.A. 86-769; 87-895.)"; and

on page 1, below line 30, by adding the following:

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

AMENDMENT NO. 3. Amend House Bill 2500, AS AMENDED, in Section 5, in the introductory clause, by changing "Section 7-1-13" to "Sections 7-1-13, 11-74.4-3 and 11-74.4-7"; and in Section 5, immediately after Sec. 11-15.2-1, by inserting the following:

"(65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

- (1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the

development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

(B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

(C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural

purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village or incorporated town.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and

servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first \$100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of \$100,000 but not exceeding \$500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of \$500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed

or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first \$100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of \$100,000 but not exceeding \$500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of \$500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

(A) an itemized list of estimated redevelopment project costs;

(B) evidence indicating that the redevelopment project area on the whole has not been

subject to growth and development through investment by private enterprise;

(C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;

(D) the sources of funds to pay costs;

(E) the nature and term of the obligations to be issued;

(F) the most recent equalized assessed valuation of the redevelopment project area;

(G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;

(H) a commitment to fair employment practices and an affirmative action plan;

(I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and

(J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

(A) if the ordinance was adopted before January 15, 1981, or

(B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or

(C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or

(D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or

(E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or

(F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or

(G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or

(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or



- (I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or  
 (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or  
 (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or  
 (L) if the ordinance was adopted in September 1988 by Sauk Village, or  
 (M) if the ordinance was adopted in October 1993 by Sauk Village, or  
 (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or  
 (O) if the ordinance was adopted in March 1991 by the City of Centreville, or  
 (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis,  
 or  
 (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or  
 (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or  
 (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or  
 (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or  
 (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or  
 (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or  
 (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December  
 30, 1986 by the City of Belleville, or  
 (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville,  
 or  
 (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or  
 (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or  
 (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or  
 (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of  
 Markham, or  
 (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or  
~~(DD) (CC)~~ if the ordinance was adopted on December 15, 1981 by the City of Champaign, or  
~~(EE) (CC)~~ if the ordinance was adopted on December 15, 1986 by the City of Urbana, or  
~~(FF) (CC)~~ if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or  
~~(GG) (CC)~~ if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or  
~~(HH) (CC)~~ if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or  
~~(II) (CC)~~ if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or  
~~(JJ) (CC)~~ if the ordinance was adopted on December 30, 1986 by the City of Effingham, or  
~~(KK) (CC)~~ if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or  
~~(LL) (CC)~~ if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or  
~~(MM) (CC)~~ if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or  
~~(NN) (DD)~~ if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or -  
(OO) if the ordinance was adopted on December 29, 1986 by the Village of Gardner.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least \$8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the

ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least \$1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and

that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita

Tuition Charge of less than \$5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita

Tuition Charge of less than \$5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita

Tuition Charge of less than \$5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than \$5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently

available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

- (i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;
- (ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and
- (iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

- (i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;
- (ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and
- (iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961) ~~this amendatory Act of the 93rd General Assembly~~, a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed \$120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted

housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be

an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the

Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; 92-624, eff. 7-11-02; 92-651, eff. 7-11-02; 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995,



eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; revised 1-25-05.)  
(65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the

municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991

or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) (~~CC~~) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) (~~CC~~) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or (FF) (~~CC~~) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) (~~CC~~) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) (~~CC~~) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) (~~CC~~) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) (~~CC~~) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) (~~CC~~) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) (~~CC~~) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) (~~CC~~) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) (~~DD~~) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 29, 1986 by the Village of Gardner and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations or any other taxing district for the purpose of any limitation imposed by law.

(Source: P.A. 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; 92-624, eff. 7-11-02; 92-651, eff. 7-11-02; 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; revised 1-25-05.)"

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 3 to HOUSE BILL 2500 was placed on the Calendar on the order of Concurrence.

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 2531

A bill for AN ACT concerning regulation.

Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 2 to HOUSE BILL NO. 2531

Senate Amendment No. 3 to HOUSE BILL NO. 2531

Senate Amendment No. 4 to HOUSE BILL NO. 2531

Senate Amendment No. 5 to HOUSE BILL NO. 2531

Senate Amendment No. 6 to HOUSE BILL NO. 2531

Passed the Senate, as amended, May 25, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 2. Amend House Bill 2531, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 1, line 10, by deleting "that are located in counties"; and on page 3, line 1, after the period, by inserting "The Department of State Police shall forward the fingerprints to the Federal Bureau of Investigation for a national criminal history records check.".

AMENDMENT NO. 3. Amend House Bill 2531 on page 1, line 5, after "40", by inserting "and by adding Section 70"; and on page 10, immediately below line 29, by inserting the following:

"(225 ILCS 46/70 new)

Sec. 70. Centers for Medicare and Medicaid Services (CMMS) grant.

(a) "Selected health care employer" means any of the following selected to participate in the CMMS grant:

(1) a community living facility as defined in the Community Living Facility Act;

(2) a long-term care facility as defined in the Nursing Home Care Act;

(3) a home health agency as defined in the Home Health Agency Licensing Act;

(4) a full hospice as defined in the Hospice Licensing Act;

(5) an establishment licensed under the Assisted Living and Shared Housing Act;

(6) a supportive living facility as defined in the Illinois Public Aid Code;

(7) a day training program certified by the Department of Human Services;

(8) a community integrated living arrangement operated by a community mental health and developmental service agency as defined in the Community Integrated Living Arrangements Licensing and Certification Act.

(b) Selected health care employers shall be phased in to participate in the CMMS grant between January 1, 2006 and January 1, 2007, as prescribed by the Department of Public Health by rule.

(c) With regards to individuals who have direct access to residents, patients, or clients of the selected health care employer, selected health care employers must comply with Section 25 of this Act.

"Individuals who have direct access" includes, but is not limited to, (i) direct care workers as described in subsection (a) of Section 25; (ii) individuals licensed by the Department of Financial and Professional Regulation, such as nurses, physicians, social workers, physical therapists, occupational therapists, and pharmacists; (iii) individuals who provide services on site, through contract; and (iv) non-direct care workers, such as those who work in environmental services, food service, and administration.

"Individuals who have direct access" does not include volunteers.

The Department of Public Health may further define "individuals who have direct access" by rule.

(d) Each applicant seeking employment in a position described in subsection (c) of this Section with a selected health care employer shall, as a condition of employment, have his or her fingerprints submitted to the Department of State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information by the Department of State Police and the Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Department of State Police shall forward the fingerprints to the Federal Bureau of Investigation for a national criminal history records check. The Department of State Police shall charge a fee for conducting the criminal history records check, which shall not exceed the actual cost of the records check. The Department of State Police shall furnish, pursuant to positive identification, records of Illinois convictions to the Department of Public Health.

(e) A selected health care employer who makes a conditional offer of employment to an applicant shall:

(1) ensure that the applicant has complied with the fingerprinting requirements of this Section;

(2) complete documentation relating to any criminal history record, as revealed by the applicant, as prescribed by rule by the Department of Public Health;

(3) complete documentation of the applicant's personal identifiers as prescribed by rule by the Department of Public Health; and

(4) provide supervision, as prescribed by rule by the licensing agency, if the applicant is hired and allowed to work prior to the results of the criminal history records check being obtained.

(f) A selected health care employer having actual knowledge from a source that an individual with direct access to a resident, patient, or client has been convicted of committing or attempting to commit one of the offenses enumerated in Section 25 of this Act shall contact the licensing agency or follow other instructions as prescribed by administrative rule.

(g) This Section shall be inapplicable upon the conclusion of the CMMS grant."

AMENDMENT NO. 4. Amend House Bill 2531, AS AMENDED, in Section 5, Sec. 30, subsec. (d-5), by deleting "UCIA"; and in Section 5, Sec. 30, subsec. (d-5), after "employees", by inserting "hired on or after January 1, 2006"; and in Section 5, Sec. 70, by replacing subsec. (a) with the following:

"(a) In this Section:

"Centers for Medicare and Medicaid Services (CMMS) grant" means the grant awarded to and distributed by the Department of Public Health to enhance the conduct of criminal history records checks of certain health care employees. The CMMS grant is authorized by Section 307 of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003, which establishes the framework for a program to evaluate national and state background checks on perspective employees with direct access to patients of long-term care facilities or providers.

"Selected health care employer" means any of the following selected to participate in the CMMS grant:

(1) a community living facility as defined in the Community Living Facility Act;

(2) a long-term care facility as defined in the Nursing Home Care Act;

(3) a home health agency as defined in the Home Health Agency Licensing Act;

(4) a full hospice as defined in the Hospice Licensing Act;

(5) an establishment licensed under the Assisted Living and Shared Housing Act;

(6) a supportive living facility as defined in the Illinois Public Aid Code;

(7) a day training program certified by the Department of Human Services; or

(8) a community integrated living arrangement operated by a community mental health and developmental service agency as defined in the Community Integrated Living Arrangements Licensing and Certification Act."; and

in Section 5, Sec. 70, subsec. (c), after "With regards to individuals", by inserting "hired on or after January 1, 2006"; and

in Section 5, Sec. 70, subsec. (d), the sentence beginning "The Department of State Police shall charge", after "actual cost of the records check", by inserting "and shall be deposited into the State Police Services Fund"; and

in Section 5, Sec. 70, by replacing subsec. (g) with the following:

"(g) A fingerprint-based criminal history records check submitted in accordance with subsection (d) of this Section must meet the requirements for a UCIA criminal history records check, as set forth in this Act.

(h) This Section shall be inapplicable upon the conclusion of the CMMS grant."

AMENDMENT NO. 5. Amend House Bill 2531, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 4, on page 2, by replacing lines 26 and 27 with the following: "must be submitted as a fee applicant inquiry in the form and manner prescribed by the Department of State Police."

AMENDMENT NO. 6. Amend House Bill 2531, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3, on page 2, line 17, by deleting "physicians"; and on page 2, line 23, before "volunteers", by inserting "physicians or".

The foregoing message from the Senate reporting Senate Amendments numbered 2, 3, 4, 5 and 6 to HOUSE BILL 2531 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 3800

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

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 3800

Passed the Senate, as amended, May 25, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 3800 on page 1, by replacing lines 15 through 31, with the following:

"ALL OF THE SW 1/4 OF THE SE 1/4 OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 13 EAST

OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS."; and  
on page 2, line 8, by deleting the following:  
"EXCEPT LOT C AND LOT E THEREFROM."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 3800 was placed on the Calendar on the order of Concurrence.

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 4030

A bill for AN ACT concerning sex offenders.

Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 2 to HOUSE BILL NO. 4030

Senate Amendment No. 3 to HOUSE BILL NO. 4030

Passed the Senate, as amended, May 25, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 2. Amend House Bill 4030 on page 3, line 9, by inserting after the period the following:

"Registration of juveniles upon attaining 17 years of age shall not extend the original registration of 10 years from the date of conviction."; and

on page 12, lines 16 and 21, by inserting after "agency" wherever it appears the following:

"not to exceed 4 times a year".

AMENDMENT NO. 3. Amend House Bill 4030 on page 15, by replacing line 3 with the following:  
"school, park, or playground. The offender may also not reside within 500 feet of a facility providing services".

The foregoing message from the Senate reporting Senate Amendments numbered 2 and 3 to HOUSE BILL 4030 was placed on the Calendar on the order of Concurrence.

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 788

A bill for AN ACT concerning State government.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 788

Passed the Senate, as amended, May 25, 2005.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 788 as follows:  
on page 1, by replacing line 28 with the following:

"Subject to the availability of funds for these purposes, the Department of Public Health shall:".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 788 was placed on the Calendar on the order of Concurrence.

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

SENATE BILL NO. 945  
A bill for AN ACT concerning liquor.  
SENATE BILL NO. 1267  
A bill for AN ACT concerning employment.  
SENATE BILL NO. 1856  
A bill for AN ACT concerning education.  
SENATE BILL NO. 1866  
A bill for AN ACT concerning local government.  
Passed by the Senate, May 24, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 945, 1267, 1856 and 1866 were ordered reproduced and placed on the order of Senate Bills - First Reading.

#### **AGREED RESOLUTIONS**

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

#### HOUSE RESOLUTION 487

Offered by Representative Brosnahan:  
Commends Charles Richards of Palos Heights, publisher of The Regional News and The Reporter, on his journalism career and wishes him well in his retirement.

#### HOUSE RESOLUTION 488

Offered by Representative Reitz:  
Mourns the death in Iraq of Pfc. Wyatt Dale Eisenhower of Pinckneyville.

#### HOUSE RESOLUTION 489

Offered by Representative Bellock:  
Recognizes Our Children's Homestead foster parents and the organization's 10 year anniversary.

#### HOUSE RESOLUTION 490

Offered by Representative Chapa LaVia:  
Congratulates Eric Lifka, a third grader at St. Rita of Cascia Elementary School, on being named the Grade 3 National Handwriting Champion in the National Handwriting Contest, sponsored by Zaner-Bloser Educational Publishers.

#### HOUSE RESOLUTION 494

Offered by Representative Monique Davis:  
Mourns the death of Willie Jewel Jackson-Hill of Chicago.

SENATE JOINT RESOLUTION 11

Offered by Representative Sommer:

Mourns the death of William C. Harris of Pontiac, former president of the Illinois Senate.

**HOUSE BILL ON SECOND READING**

HOUSE BILL 476. Having been read by title a second time on May 18, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Currie offered the following amendment and moved its adoption.

AMENDMENT NO. 3. Amend House Bill 476, AS AMENDED, with reference to page and line numbers of House Amendment No. 2, as follows:

on page 5, line 12, after the period, by inserting the following: "In the case of naming or sponsorship rights for a single event or a continuous series of related events, the administrator may grant multiple licenses not based on the standard of "highest and best" proposals if the end result is the most beneficial to the State."; and

on page 6, line 6, by replacing "highest and best proposal" with "to grant a license"; and

on page 7, line 7, before the period, by inserting the following: "except as provided in this subsection. The Executive Ethics Commission may adopt rules authorizing the administrator to grant licenses without pre-approval under subsection (f), but the rules must specify, by category, those emergency and other extenuating situations in which pre-approval is waived, must provide for prompt review by the Commission after the granting of the license, and may contain other provisions the Commission deems necessary to prevent abuse of this procedure"; and

on page 7, line 15, by replacing "\$10,000" with "\$25,000".

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

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed; and the bill, as amended, was 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 Madigan, HOUSE BILL 476 was taken up and read by title a third time.

Representative Pritchard requests a verified roll call.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 60, Yeas; 52, 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.

**RECALL**

At the request of the principal sponsor, Representative Madigan, SENATE BILL 1693 was recalled from the order of Third Reading to the order of Second Reading and held on that order.



### HOUSE BILLS ON SECOND READING

HOUSE BILL 1098. Having been read by title a second time on May 19, 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 2221. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading.

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

Floor Amendment No. 2 lost in the Committee on Environment & Energy.

There being no further amendments, the bill was advanced to the order of Third Reading.

HOUSE BILL 3814. Having been recalled on April 5, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Sacia offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 3814 on page 2, line 17, by replacing "Combinations" with "Except as provided in subsections (c-1) and (c-2), combinations ~~Combinations~~"; and on page 4, immediately below line 19, by inserting the following:

"(E) The combination of vehicles must be operated by a person who holds a commercial driver's license (CDL).

(c-1) A combination of 3 vehicles is allowed access to any State designated highway if:

(1) the length of neither towed vehicle exceeds 28.5 feet; and

(2) the overall wheel base of the combination of vehicles does not exceed 62 feet.

(c-2) A combination of 3 vehicles is allowed access from any State designated highway onto any county, township, or municipal highway for a distance of 5 highway miles for the purpose of delivery or collection of one or both of the towed vehicles if:

(1) the length of neither towed vehicle exceeds 28.5 feet;

(2) the combination of vehicles does not exceed 40,000 pounds in gross weight and 8 feet 6 inches in width;

(3) there is no sign prohibiting that access; and

(4) the route is not being used as a thoroughfare between State designated highways."

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.

### SENATE BILLS ON SECOND READING

SENATE BILL 350. Having been recalled on May 19, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Currie offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 350 on page 2, by replacing lines 17 through 26 with the following:

"Commission. The Governor shall appoint up to 14 representatives of not-for-profit human services organizations in the State to the advisory panel. The Governor shall designate one of the".

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), the bill, as amended, was again advanced to the order of Third Reading.

SENATE BILL 530. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Child Support Enforcement, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 530 by replacing the title with the following:

"AN ACT concerning child support."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 10-4 as follows:

(305 ILCS 5/10-4) (from Ch. 23, par. 10-4)

Sec. 10-4. Notification of Support Obligation. The administrative enforcement unit within the authorized area of its operation shall notify each responsible relative of an applicant or recipient, or responsible relatives of other persons given access to the child support enforcement services of this Article, of his legal obligation to support and shall request such information concerning his financial status as may be necessary to determine whether he is financially able to provide such support, in whole or in part. In cases involving a child born out of wedlock, the notification shall include a statement that the responsible relative has been named as the biological father of the child identified in the notification.

In the case of applicants, the notification shall be sent as soon as practical after the filing of the application. In the case of recipients, the notice shall be sent at such time as may be established by rule of the Illinois Department.

The notice shall be accompanied by the forms or questionnaires provided in Section 10-5. It shall inform the relative that he may be liable for reimbursement of any support furnished from public aid funds prior to determination of the relative's financial circumstances, as well as for future support. In the alternative, when support is sought on behalf of applicants for or recipients of financial aid under Article IV of this Code and other persons who are given access to the child support enforcement services of this Article as provided in Section 10-1, the notice shall inform the relative that the relative may be required to pay support for a period before the date an administrative support order is entered, as well as future support.

Neither the mailing nor receipt of such notice shall be deemed a jurisdictional requirement for the subsequent exercise of the investigative procedures undertaken by an administrative enforcement unit or the entry of any order or determination of paternity or support or reimbursement by the administrative enforcement unit; except that notice shall be served by certified mail addressed to the responsible relative at his or her last known address, return receipt requested, or by a person who is licensed or registered as a private detective under the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004 or by a registered employee of a private detective agency certified under that Act, or in counties with a population of less than 2,000,000 by any method provided by law for service of summons, in cases where a determination of paternity or support by default is sought on behalf of applicants for or recipients of financial aid under Article IV of this Act and other persons who are given access to the child support enforcement services of this Article as provided in Section 10-1.

(Source: P.A. 92-590, eff. 7-1-02.)

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

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 1962. Having been reproduced, was taken up and read by title a second time.

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

There being no further amendments, the bill was held on the order of Second Reading.

SENATE BILL 1968. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend Senate Bill 1968 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by adding Section 7-103.113 as follows:  
(735 ILCS 5/7-103.113 new)

Sec. 7-103.113. Quick-take; Williamson County. The corporate authorities of Williamson County are hereby authorized to acquire, singularly or jointly with other parties, by gift, purchase, condemnation, or otherwise, any land or interest in land, necessary for the construction and development of a coal mine or transportation facilities to serve a coal mine, to improve or arrange for the improvement of the land and, if deemed to be in the public interest, to convey such land, or interest in land, so acquired and improved to a railroad or company developing the coal mine for fair market value. In addition, quick-take proceedings under Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 94th General Assembly by Williamson County for the acquisition of the following described property for the purpose of constructing a railroad spur line:

PARCEL 1

As described by deed record book 162, page 337:

A triangular tract of land located in the Northwest Quarter of the Southeast Quarter of Section 7, Township 8 South, Range 3 East of the 3rd Principal Meridian bounded and described as follows:

Beginning at the Southwest corner of said Northwest Quarter of the Southeast Quarter and running thence north, along the west line of said land, two hundred forty (240) feet more or less, to a point sixty-five (65) feet northwesterly from the located center line of the track to the Lake Creek Mine, measured at right angle thereto. Thence south fifty-seven (57) degrees east magnetic bearing, parallel to said center line four hundred (400) feet more or less, to a point in the south line of said land, thence west along said south line three hundred twenty (320) feet more or less, to a point of beginning, containing eighty-eight (0.88) of an acre more or less, excepting the coal underlying same which has heretofore been disposed of.

Parcel 1: Containing an estimated 0.88 Acres.

PARCEL 2

As described by deed record book 162, page 336:

A strip of land one hundred thirty (130) feet wide, extending over and across the north half of the Southwest Quarter of the Southeast Quarter of Section Seven (7), Township Eight (8) South, Range Three (3) East of the Third (3rd) Principal Meridian, said strip of land being sixty-five (65) feet in width on each side of the located center line of the track to Lake Creek Mine. Said located center line intersects the north line of said land, at a point two hundred ten (210) feet east of the northwest corner of said land and run thence south fifty-seven (57) degrees east, magnetic bearing, eleven hundred fifty-three (1153) feet more or less, to a point in the south line of said land one hundred eighty-nine (189) feet west of the southeast corner of said land. Said strip of land contains three and forty-five hundredths (3.45) acres more or less.

Parcel 2: Containing an estimated 3.45 Acres.

PARCEL 3

As described by deed record book 162, page 339:

A triangular tract of land located in the South Half of the Southwest Quarter of the Southeast Quarter of Section Seven (7), Township Eight (8) South, Range Three (3) East of the Third (3rd) Principal Meridian, bounded and described as follows:

Beginning at the northeast corner of said land, and running thence west two hundred seventy (270) feet more or less, to a point fifty (50) feet southwesterly from the located center line to the track to Lake Creek Mine, thence south fifty-seven (57) degrees east, magnetic bearing, parallel to said center line, three hundred thirty (330) feet more or less, to the point of beginning, containing sixty-three hundredths (0.63) of an acre more or less; excepting the coal underlying same which has heretofore been disposed of.

Parcel 3: Containing an estimated 0.63 Acres.

PARCEL 4

A parcel of land to the extent owned one hundred and thirty-five (135) feet wide located in and running across the South Half (S 1/2) of the Southeast Quarter (SE 1/4) of Section Seven (7), Township Eight (8) South, Range Three (3) East of the Third (3rd) Principal Meridian, bounded and described as follows:

Beginning at the northwest corner of said South Half (S 1/2) of the Southeast Quarter (SE 1/4) of Section Seven (7), Township Eight (8) South, Range Three (3) East and running thence south along the west line of said land fifty-three (53) feet more or less to the point of beginning, thence south along the west line of the said land one hundred and fifty nine (159) feet thence south fifty-seven degrees (57) east,

magnetic bearing eight hundred (800) feet more or less to a point on the south line of Section Seven (7), Township Eight (8) South, Range Three (3) East; said point being six hundred seventy (670) feet east of the southeast corner of said Section Seven (7), thence east along the south line of said Section Seven (7) two hundred twenty-three (223) feet to a point being four hundred and forty-seven (447) feet east of the southeast corner of said Section Seven (7) thence north fifty-seven (57) degrees west one thousand and sixty-four (1064) feet more or less to the point of beginning; containing 1.48 acres more or less.

Parcel 4: Containing an estimated 1.48 Acres.

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

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 2082. Having been reproduced, 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 Senate Bill 2082, on page 1, immediately below line 3 by inserting the following:

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

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

Sec. 7. Exemptions.

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

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

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

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

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

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

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

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

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

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

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

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

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

(iv) unavoidably disclose the identity of a confidential source or confidential

- information furnished only by the confidential source;
- (v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct;
- (vi) constitute an invasion of personal privacy under subsection (b) of this Section;
- (vii) endanger the life or physical safety of law enforcement personnel or any other person; or
- (viii) obstruct an ongoing criminal investigation.
- (d) Criminal history record information maintained by State or local criminal justice agencies, except the following which shall be open for public inspection and copying:
- (i) chronologically maintained arrest information, such as traditional arrest logs or blotters;
- (ii) the name of a person in the custody of a law enforcement agency and the charges for which that person is being held;
- (iii) court records that are public;
- (iv) records that are otherwise available under State or local law; or
- (v) records in which the requesting party is the individual identified, except as provided under part (vii) of paragraph (c) of subsection (1) of this Section.
- "Criminal history record information" means data identifiable to an individual and consisting of descriptions or notations of arrests, detentions, indictments, informations, pre-trial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal ordinances) and the nature of any disposition arising therefrom, including sentencing, court or correctional supervision, rehabilitation and release. The term does not apply to statistical records and reports in which individuals are not identified and from which their identities are not ascertainable, or to information that is for criminal investigative or intelligence purposes.
- (e) Records that relate to or affect the security of correctional institutions and detention facilities.
- (f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.
- (g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of the trade secrets or information may cause competitive harm, including all information determined to be confidential under Section 4002 of the Technology Advancement and Development Act. Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.
- (h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made.
- (i) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.
- (j) Test questions, scoring keys and other examination data used to administer an academic examination or determine the qualifications of an applicant for a license or employment.
- (k) Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, but only to the extent that disclosure would compromise security, including but not limited to water treatment facilities, airport facilities, sport

stadiums, convention centers, and all government owned, operated, or occupied buildings.

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

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

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

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

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

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

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

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

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

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

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

(w) Information related solely to the internal personnel rules and practices of a public body.

(x) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is otherwise required by State law.

(y) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(z) Manuals or instruction to staff that relate to establishment or collection of liability for any State tax or that relate to investigations by a public body to determine violation of any criminal law.

(aa) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(bb) Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.

(cc) Information and records held by the Department of Public Health and its authorized

representatives relating to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.

(dd) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(ee) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(ff) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

(gg) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(hh) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act.

(ii) Beginning July 1, 1999, information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act.

(jj) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(kk) Information and data concerning the distribution of surcharge moneys collected and remitted by wireless carriers under the Wireless Emergency Telephone Safety Act.

(ll) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.

(mm) Maps and other records regarding the location or security of a utility's generation, transmission, distribution, storage, gathering, treatment, or switching facilities.

(nn) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(oo) Records and information provided to a residential health care facility resident sexual assault and death review team or the Residential Health Care Facility Resident Sexual Assault and Death Review Teams Executive Council under the Residential Health Care Facility Resident Sexual Assault and Death Review Team Act.

(pp) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act. This subsection (pp) shall apply until the conclusion of the trial and appeal of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

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

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

on page 1, line 4, by replacing "Section 5" with "Section 10"; and

on page 1, line 19 after "counsel," by inserting "including those appointed in Cook County"; and

on page 1, lines 22 through 24, by deleting the following:

"including the use of whenever possible of investigators and other litigation support provided by the Office of the Appellate Defender,"; and

on page 1, line 30, after "privileges," by inserting the following:

"Case budgets shall be reviewed and approved by the judge assigned to try the case. As provided under subsection (c) of this Section, petitions for compensation shall be reviewed by both the trial judge and the presiding judge or the presiding judge's designee."; and

on page 2, line 28, after "the", by replacing "trial judge" with "presiding judge or the presiding judge's designee"; and

on page 2, line 30, after "authorization.", by inserting the following:

"If an ex parte hearing is requested by defense counsel or deemed necessary by the trial judge prior to modifying a budget, the ex parte hearing shall be before the presiding judge or the presiding judge's designee."

on page 2, line 31, after "tunc.", by inserting the following:

"If the presiding judge or the presiding judge's designee finds that the services were not reasonable, payment may be denied."; and

on page 2, line 34, by replacing "Case" with "The case"; and

on page 3, line 1, after "defense.", by inserting the following:

"If an ex parte hearing is requested by defense counsel or deemed necessary by the trial judge prior to modifying a budget, the ex parte hearing shall be before the presiding judge or the presiding judge's designee."; and

on page 4, line 5, after "trial", by deleting "and appeal of the case"; and

on page 4, line 7, after "sentencing.", by inserting the following:

"If an ex parte hearing is requested by defense counsel or deemed necessary by the trial judge, the hearing shall be before the presiding judge or the presiding judge's designee."; and

on page 4, line 19, after "designee.", by inserting the following:

"If an ex parte hearing is requested by defense counsel or deemed necessary by the trial judge, the ex parte hearing shall be before the presiding judge or the presiding judge's designee.".

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

#### HOUSE BILL ON SECOND READING

HOUSE BILL 3760. Having been recalled on May 24, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Hannig offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 3760, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Park and Recreational Facility Construction Act.

Section 5. Definitions. As used in this Act:

"Department" means the Department of Natural Resources.

"Grant index" means a figure for each park or recreation unit equal to one minus the ratio of the park or recreation unit's equalized assessed valuation per capita to the equalized assessed valuation per capita of the park or recreation unit located at the 90th percentile for all park or recreation units in the State. The grant index shall be no less than 0.35 and no greater than 0.75 for each park or recreation unit; provided that the grant index for park or recreation units whose equalized assessed valuation per capita is at the 99th percentile and above for all park or recreation units in the State shall be 0.00.

"Park or recreation unit" means the governmental unit of any public park, park district, park and recreation district, recreational facility, or recreation system established under the Park District Code, the Chicago Park District Act, the Metro-East Park and Recreation District Act, or the Illinois Municipal Code.

"Park or recreation unit construction project" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, architectural planning, installation, maintenance, and upkeep of (i) capital facilities consisting of buildings, structures, durable equipment, and land for park or recreation purposes and (ii) open spaces and natural areas, as those terms are defined in Section 10 of the Illinois Open Land Trust Act.

Section 10. Grant awards. The Capital Development Board is authorized to make grants to park or recreation units for park or recreation unit construction projects with funds appropriated by the General Assembly from the Park and Recreational Facility Construction Fund pursuant to the provisions of this Act.

Section 15. Grants. The Department is authorized to determine grant eligibility for park or recreation unit construction projects and shall determine the priority order for park or recreation unit construction project grants to be made by the Capital Development Board. When grant eligibility has been determined



for a park or recreation unit construction project, the Capital Development Board shall notify the park or recreation unit of the dollar amount of the park or recreation unit construction project's cost that the park or recreation unit will be required to finance with non-grant funds in order to qualify to receive a park or recreation unit construction project grant under this Act from the Capital Development Board. The Department shall thereafter determine whether a grant shall be made.

Section 20. Grant application; facilities plan. Park or recreation units shall apply to the Department for park or recreation unit construction project grants. Park or recreation units filing grant applications shall submit to the Department a facilities plan that shall include, but not be limited to, an assessment of present and future park or recreation facility needs as required by present and anticipated park or recreational programming, the availability of local financial resources including current revenues, fund balances, and unused bonding capacity, a fiscal plan for meeting present and anticipated debt service obligations, and a maintenance plan and schedule that contain necessary assurances that new, renovated, and existing facilities are being or will be properly maintained. The Department shall review and approve park or recreation unit facilities plans prior to determining eligibility and authorizing grants. Each park or recreation unit that is determined to be eligible shall annually update its facilities plan and submit the revised plan to the Department for approval.

Section 25. Eligibility and project standards.

(a) The Department shall establish eligibility standards for park or recreation unit construction project grants and approve a park or recreation unit's eligibility for a park or recreation unit construction project grant pursuant to the established standards. These standards shall include minimum service population requirements for park or recreation unit construction project grants.

(b) The Capital Development Board shall establish project standards for all park or recreation unit construction project grants provided pursuant to this Act. These standards shall include the determination of recognized project costs that shall be eligible for State financial assistance and enrichment costs that shall not be eligible for State financial assistance.

Section 30. Priority of construction projects. The Department shall develop standards for the determination of priority needs concerning park or recreation unit construction projects based upon approved facilities plans. These standards shall call for prioritization based on the degree of need and project type in the following order:

- (1) Replacement or reconstruction of park or recreation unit facilities destroyed or damaged by flood, tornado, fire, earthquake, or other disasters, either man-made or produced by nature;
- (2) Projects designed to address population growth or to replace aging park or recreation unit facilities;
- (3) Replacement or reconstruction of park or recreation unit facilities determined to be severe and continuing health or life safety hazards;
- (4) Alterations necessary to provide accessibility for qualified individuals with disabilities; and
- (5) Other unique solutions to facility needs.

Section 35. Grant amounts; permitted use; prohibited use.

(a) The product of the park or recreation unit's grant index and the recognized project cost, as determined by the Capital Development Board, for an approved park or recreation unit construction project shall equal the amount of the grant the Capital Development Board shall provide to the eligible park or recreation unit. The grant index shall not be used in cases where the General Assembly and the Governor approve appropriations designated for specifically identified park or recreation unit construction projects.

(b) In each fiscal year in which park or recreation unit construction project grants are awarded, of the total amount awarded statewide, 20% shall be awarded to the Chicago Park District, provided that the Chicago Park District complies with the provisions of this Act, and 80% shall be awarded to park or recreation units outside of the City of Chicago.

(c) No portion of a park or recreation unit construction project grant awarded by the Capital Development Board shall be used by a park or recreation unit for any on-going operational costs.

Section 37. Carry over projects. If a park or recreation unit has been determined eligible for a park or recreation unit construction project, has arranged and approved all local financing, and is eligible to receive a park or recreation unit construction project grant award in any fiscal year, but does not receive such award in that year due to lack of adequate appropriations, those park or recreation unit construction projects shall continue to be considered for grant awards for the following fiscal year.

Section 40. Supervision of park or recreation unit construction projects. The Capital Development Board shall exercise general supervision over park or recreation unit construction projects financed pursuant to

this Act. Park or recreation units, however, must be allowed to choose the architect and engineer for their park or recreation unit construction projects, and no project may be disapproved by the Department or the Capital Development Board solely due to a park or recreation unit's selection of an architect or engineer.

Section 50. Referendum requirements. After the Department has approved all or part of a park or recreation unit's application and made a determination of eligibility for a park or recreation unit construction project grant, the park or recreation unit shall submit the project or the financing of the project to a referendum when the referendum is required by law.

Section 55. Rules.

(a) The Capital Development Board shall promulgate such rules as it deems necessary for carrying out its responsibilities under the provisions of this Act.

(b) The Department shall promulgate such rules as it deems necessary for carrying out its responsibilities under the provisions of this Act.

Section 60. Capital needs assessment. The Department and the Capital Development Board shall file with the General Assembly a comprehensive assessment report of the capital needs of all park or recreation units in this State before January 1, 2006 and every 2 years thereafter. This assessment shall include, without limitation, an analysis of the 5 categories of capital needs prioritized in Section 5-30 of this Act.

Section 900. The State Finance Act is amended by adding Section 5.640 as follows:

(30 ILCS 105/5.640 new)

Sec. 5.640. The Park and Recreational Facility Construction Fund. "

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 Madigan, HOUSE BILL 3760 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 111, Yeas; 5, 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 3761. 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 Hannig offered and withdrew Amendment No. 1.

Representative Hannig offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 3761 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Public Library Construction Act.

Section 5. Definitions. As used in this Act:

"Grant index" means a figure for each public library equal to one minus the ratio of the public library's equalized assessed valuation per capita to the equalized assessed valuation per capita of the public library located at the 90th percentile for all public libraries in the State. The grant index shall be no less than 0.35

and no greater than 0.75 for each public library; provided that the grant index for public libraries whose equalized assessed valuation per capita is at the 99th percentile and above for all public libraries in the State shall be 0.00.

"Public library" means the governmental unit of any free and public library (i) established under the Illinois Local Library Act, the Public Library District Act of 1991, the Illinois Library System Act, or the Village Library Act or (ii) maintained and operated by a unit of local government. "Public library" does not include any private library.

"Public library construction project" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, architectural planning, installation, maintenance, and upkeep of capital facilities consisting of buildings, structures, durable equipment, and land for public library purposes.

Section 10. Grant awards. The Capital Development Board is authorized to make grants to public libraries for public library construction projects with funds appropriated by the General Assembly from the Public Library Construction Fund pursuant to the provisions of this Act.

Section 15. Grants. The Secretary of State is authorized to determine grant eligibility for public library construction projects and shall determine the priority order for public library construction project grants to be made by the Capital Development Board. When a grant eligibility has been determined for a public library construction project, the Capital Development Board shall notify the public library of the dollar amount of the public library construction project's cost that the public library will be required to finance with non-grant funds in order to qualify to receive a public library construction project grant under this Act from the Capital Development Board. The Secretary of State shall thereafter determine whether a grant shall be made.

Section 20. Grant application; public library facilities plan. Public libraries shall apply to the Secretary of State for public library construction project grants. Public libraries filing grant applications shall submit to the Secretary of State a public library facilities plan that shall include, but not be limited to, an assessment of present and future public library facility needs as required by present and anticipated public library programming, the availability of local financial resources including current revenues, fund balances, and unused bonding capacity, a fiscal plan for meeting present and anticipated debt service obligations, and a maintenance plan and schedule that contain necessary assurances that new, renovated, and existing facilities are being or will be properly maintained. The Secretary of State shall review and approve public library facilities plans prior to determining eligibility and authorizing grants. Each public library that is determined to be eligible shall annually update its public library facilities plan and submit the revised plan to the Secretary of State for approval.

Section 25. Eligibility and project standards.

(a) The Secretary of State shall establish eligibility standards for public library construction project grants and approve a public library's eligibility for a public library construction project grant pursuant to the established standards. These standards shall include minimum service population requirements for construction project grants.

(b) The Capital Development Board shall establish project standards for all public library construction project grants provided pursuant to this Act. These standards shall include the determination of recognized project costs that shall be eligible for State financial assistance and enrichment costs that shall not be eligible for State financial assistance.

Section 30. Priority of public library construction projects. The Secretary of State shall develop standards for the determination of priority needs concerning public library construction projects based upon approved public library facilities plans. These standards shall call for prioritization based on the degree of need and project type in the following order:

- (1) Replacement or reconstruction of public library facilities destroyed or damaged by flood, tornado, fire, earthquake, or other disasters, either man-made or produced by nature;
- (2) Projects designed to address population growth or to replace aging public library facilities;
- (3) Replacement or reconstruction of public library facilities determined to be severe and continuing health or life safety hazards;
- (4) Alterations necessary to provide accessibility for qualified individuals with disabilities; and
- (5) Other unique solutions to facility needs.

Section 35. Public library construction project grant amounts; permitted use; prohibited use.

(a) The product of the public library's grant index and the recognized project cost, as determined by the Capital Development Board, for an approved public library construction project shall equal the amount of

the grant the Capital Development Board shall provide to the eligible public library. The grant index shall not be used in cases where the General Assembly and the Governor approve appropriations designated for specifically identified public library construction projects.

(b) In each fiscal year in which public library construction project grants are awarded, of the total amount awarded statewide, 20% shall be awarded to the Chicago Public Library System, provided that the Chicago Public Library System complies with the provisions of this Act, and 80% shall be awarded to public libraries outside of the City of Chicago.

(c) No portion of a public library construction project grant awarded by the Capital Development Board shall be used by a public library for any on-going operational costs.

Section 37. Carry over projects. If a public library has been determined eligible for a public library construction project, has arranged and approved all local financing, and is eligible to receive a public library construction project grant award in any fiscal year, but does not receive such award in that year due to lack of adequate appropriations, those public library construction projects shall continue to be considered for grant awards for the following fiscal year.

Section 40. Supervision of public library construction projects. The Capital Development Board shall exercise general supervision over public library construction projects financed pursuant to this Act. Public libraries, however, must be allowed to choose the architect and engineer for their public library construction projects, and no project may be disapproved by the Secretary of State or the Capital Development Board solely due to a public library's selection of an architect or engineer.

Section 50. Referendum requirements. After the Secretary of State has approved all or part of a public library's application and made a determination of eligibility for a public library construction project grant, the governing body of the public library shall submit the project or the financing of the project to a referendum when the referendum is required by law.

Section 55. Rules.

(a) The Capital Development Board shall promulgate such rules as it deems necessary for carrying out its responsibilities under the provisions of this Act.

(b) The Secretary of State shall promulgate such rules as it deems necessary for carrying out its responsibilities under the provisions of this Act.

Section 60. Public library capital needs assessment. The Secretary of State and the Capital Development Board shall file with the General Assembly a comprehensive assessment report of the capital needs of all public libraries in this State before January 1, 2006 and every 2 years thereafter. This assessment shall include, without limitation, an analysis of the 5 categories of capital needs prioritized in Section 5-30 of this Act.

Section 900. The State Finance Act is amended by adding Section 5.640 as follows:

(30 ILCS 105/5.640 new)

Sec. 5.640. The Public Library Construction Fund.

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 Madigan, HOUSE BILL 3761 was taken up and read by title a third time.

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

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

(ROLL CALL 4)

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

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

### HOUSE BILL ON SECOND READING

Having been read by title a second time on April 8, 2005 and held, the following bill was taken up and advanced to the order of Third Reading: HOUSE BILL 3798.

### SENATE BILL ON SECOND READING

Having been read by title a second time on May 24, 2005 and held, the following bill was taken up and advanced to the order of Third Reading: SENATE BILL 2053.

### RECALLS

At the request of the principal sponsor, Representative Giles, SENATE BILL 2053 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 Madigan, HOUSE BILL 2221 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 2221. Having been recalled on May 25, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Madigan offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2221 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by adding Section 13B-27 as follows:

(625 ILCS 5/13B-27 new)

Sec. 13B-27. Muffler or exhaust system modification; excessive noise. A vehicle automatically fails the emission inspection required under this Chapter if the vehicle is equipped with a muffler or exhaust system that has been modified to amplify or increase the noise of the vehicle above the noise emitted by the muffler or exhaust system originally installed in the vehicle."

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

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

### DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 1 was distributed to the Members at 5:16 o'clock p.m.

### HOUSE BILLS ON SECOND READING

Having been read by title a second time on April 8, 2005 and held, the following bill was taken up and held on the order of Second Reading: HOUSE BILL 3092.

### SENATE BILLS ON SECOND READING

SENATE BILL 122. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend Senate Bill 122, on page 1, by replacing lines 5 through 8 with the following:

"of Human Services is authorized to convey a permanent easement on the following described land to the Village of Tinley Park for construction of a public roadway and utilities including, but not limited to, water, sanitary sewer, and storm sewer."; and

on page 3, line 14, by replacing "United" with "Village of Tinley Park"; and

on page 3, by replacing line 15 with "for non-profit"; and

on page 4, line 29, by replacing "of real property" with "of the permanent easement".

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 1493. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend Senate Bill 1493 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 2-3.25g and 5-2.1 and by adding Section 5-1b as follows:

(105 ILCS 5/2-3.25g) (from Ch. 122, par. 2-3.25g)

Sec. 2-3.25g. Waiver or modification of mandates within the School Code and administrative rules and regulations.

(a) In this Section:

"Board" means a school board or the governing board or administrative district, as the case may be, for a joint agreement.

"Eligible applicant" means a school district, joint agreement made up of school districts, or regional superintendent of schools on behalf of schools and programs operated by the regional office of education.

"State Board" means the State Board of Education.

(b) Notwithstanding any other provisions of this School Code or any other law of this State to the contrary, eligible applicants may petition the State Board of Education for the waiver or modification of the mandates of this School Code or of the administrative rules and regulations promulgated by the State Board of Education. Waivers or modifications of administrative rules and regulations and modifications of mandates of this School Code may be requested when an eligible applicant demonstrates that it can address the intent of the rule or mandate in a more effective, efficient, or economical manner or when necessary to stimulate innovation or improve student performance. Waivers of mandates of the School Code may be requested when the waivers are necessary to stimulate innovation or improve student performance. Waivers may not be requested from laws, rules, and regulations pertaining to special education, teacher certification, ~~or~~ teacher tenure and seniority, or Section 5-2.1 of this Code or from compliance with the No Child Left Behind Act of 2001 (Public Law 107-110).

(c) Eligible applicants, as a matter of inherent managerial policy, and any Independent Authority established under Section 2-3.25f may submit an application for a waiver or modification authorized under this Section. Each application must include a written request by the eligible applicant or Independent Authority and must demonstrate that the intent of the mandate can be addressed in a more effective, efficient, or economical manner or be based upon a specific plan for improved student performance and school improvement. Any eligible applicant requesting a waiver or modification for the reason that intent of the mandate can be addressed in a more economical manner shall include in the application a fiscal analysis showing current expenditures on the mandate and projected savings resulting from the waiver or modification. Applications and plans developed by eligible applicants must be approved by the board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following a public hearing on the application and plan and the opportunity for the board or regional superintendent to hear testimony from educators directly involved in its implementation, parents, and students. If the applicant is a school district or joint agreement, the public hearing shall be held

on a day other than the day on which a regular meeting of the board is held. If the applicant is a school district, the public hearing must be preceded by at least one published notice occurring at least 7 days prior to the hearing in a newspaper of general circulation within the school district that sets forth the time, date, place, and general subject matter of the hearing. If the applicant is a joint agreement or regional superintendent, the public hearing must be preceded by at least one published notice (setting forth the time, date, place, and general subject matter of the hearing) occurring at least 7 days prior to the hearing in a newspaper of general circulation in each school district that is a member of the joint agreement or that is served by the educational service region, provided that a notice appearing in a newspaper generally circulated in more than one school district shall be deemed to fulfill this requirement with respect to all of the affected districts. The eligible applicant must notify in writing the affected exclusive collective bargaining agent and those State legislators representing the eligible applicant's territory of its intent to seek approval of a waiver or modification and of the hearing to be held to take testimony from educators. The affected exclusive collective bargaining agents shall be notified of such public hearing at least 7 days prior to the date of the hearing and shall be allowed to attend such public hearing. The eligible applicant shall attest to compliance with all of the notification and procedural requirements set forth in this Section.

(d) A request for a waiver or modification of administrative rules and regulations or for a modification of mandates contained in this School Code shall be submitted to the State Board of Education within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. Following receipt of the request, the State Board shall have 45 days to review the application and request. If the State Board fails to disapprove the application within that 45 day period, the waiver or modification shall be deemed granted. The State Board may disapprove any request if it is not based upon sound educational practices, endangers the health or safety of students or staff, compromises equal opportunities for learning, or fails to demonstrate that the intent of the rule or mandate can be addressed in a more effective, efficient, or economical manner or have improved student performance as a primary goal. Any request disapproved by the State Board may be appealed to the General Assembly by the eligible applicant as outlined in this Section.

A request for a waiver from mandates contained in this School Code shall be submitted to the State Board within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. The description shall include, but need not be limited to, the means of notice, the number of people in attendance, the number of people who spoke as proponents or opponents of the waiver, a brief description of their comments, and whether there were any written statements submitted. The State Board shall review the applications and requests for completeness and shall compile the requests in reports to be filed with the General Assembly. The State Board shall file reports outlining the waivers requested by eligible applicants and appeals by eligible applicants of requests disapproved by the State Board with the Senate and the House of Representatives before each May 1 and October 1. The General Assembly may disapprove the report of the State Board in whole or in part within 30 calendar days after each house of the General Assembly next convenes after the report is filed by adoption of a resolution by a record vote of the majority of members elected in each house. If the General Assembly fails to disapprove any waiver request or appealed request within such 30 day period, the waiver or modification shall be deemed granted. Any resolution adopted by the General Assembly disapproving a report of the State Board in whole or in part shall be binding on the State Board.

(e) An approved waiver or modification may remain in effect for a period not to exceed 5 school years and may be renewed upon application by the eligible applicant. However, such waiver or modification may be changed within that 5-year period by a board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following the procedure as set forth in this Section for the initial waiver or modification request. If neither the State Board of Education nor the General Assembly disapproves, the change is deemed granted.

(f) On or before February 1, 1998, and each year thereafter, the State Board of Education shall submit a cumulative report summarizing all types of waivers of mandates and modifications of mandates granted by the State Board or the General Assembly. The report shall identify the topic of the waiver along with the number and percentage of eligible applicants for which the waiver has been granted. The report shall also include any recommendations from the State Board regarding the repeal or modification of waived mandates.

(Source: P.A. 93-470, eff. 8-8-03; 93-557, eff. 8-20-03; 93-707, eff. 7-9-04.)

(105 ILCS 5/5-1b new)

Sec. 5-1b. Elementary school district withdrawal and transfer.

(a) Notwithstanding any other provision of this Code, the school board of an elementary school district that is located in a Class II county school unit and that, with another elementary school district, has a combined fall 2004 aggregate enrollment of at least 5,000 but less than 7,000 pupils and a combined boundary that is coterminous with the boundary of a high school district that crosses township boundaries and is subject to the jurisdiction and served by a different township treasurer and trustees of schools may withdraw from the jurisdiction and authority of the township treasurer and the trustees of schools that currently serve the elementary school district and transfer and otherwise submit to the jurisdiction and authority of the township treasurer and the trustees of schools of another township that then serves the high school district if all of the following conditions are met:

(1) During the same 30-day period, the school board of the elementary school district that is seeking withdrawal and transfer gives written notice by certified mail, return receipt requested, to all of the following: (i) the township treasurer and trustees of schools of the township from which the district seeks to withdraw; (ii) the township treasurer and trustees of schools of the township to which the district seeks to transfer; (iii) each school district currently subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township from which the elementary school district is seeking to withdraw; and (iv) each school district currently subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which the elementary school district is seeking to transfer. This notice must set forth the date, time, and place of a meeting of the school board of the elementary school district that is seeking withdrawal and transfer, to be held not more than 90 days before and not less than 60 days after the date on which the notice is given, at which meeting the school board shall consider and vote upon a resolution to withdraw from the jurisdiction and authority of the township treasurer and the trustees of schools that currently serve the elementary school district and transfer and otherwise submit to the jurisdiction and authority of the township treasurer and the trustees of schools of another township that then serves the high school district. No notice given under this subdivision (1) to the township treasurer and trustees of schools of a township shall be deemed sufficient or in compliance with the requirements of this subdivision (1) unless each required notice is given within the same 30-day period.

(2) The school board of the elementary school district that is seeking withdrawal and transfer, by the affirmative vote of at least 5 members of the school board at a school board meeting for which notice has been given as required by subdivision (1) of this subsection (a), adopts the resolution.

(3) The question of whether to withdraw from the jurisdiction and authority of the township treasurer and the trustees of schools that currently serve the elementary school district and transfer and otherwise submit to the jurisdiction and authority of the township treasurer and the trustees of schools of another township that then serves the high school district is submitted to the electors of the elementary school district at a regular election and approved by a majority of the electors voting on the question. After the resolution has been adopted, the school board shall certify the question to the proper election authority, which must submit the question at an election in accordance with the Election Code. The election authority must submit the question in substantially the following form:

Shall the school board of School District Number .... be authorized to withdraw from the jurisdiction and authority of the township treasurer and the trustees of schools of .... Township and transfer and otherwise submit to the jurisdiction and authority of the township treasurer and the trustees of schools of .... Township?

The election authority shall record the votes as "Yes" or "No". If a majority of the electors voting on the question vote in the affirmative, then the school board of the elementary school district may withdraw from the jurisdiction and authority of the township treasurer and the trustees of schools that currently serve the elementary school district and transfer and otherwise submit to the jurisdiction and authority of the township treasurer and the trustees of schools of another township that then serves the high school district.

(b) If all of the conditions under subsection (a) of this Section have been met, then the withdrawal and transfer shall be effective by operation of law on July 1 of the calendar year in which the election under subdivision (3) of subsection (a) of this Section was held.

(c) Upon the effective date of the transfer of jurisdiction of the township treasurer and trustees of schools to the receiving township under this Section, all of the following shall occur: (i) the receiving trustees of schools, in its corporate capacity, shall be deemed the successor in interest to the trustees of schools of the transferring township with respect to the interest attributable to the school district's common school lands and township loanable funds of the township; (ii) all right, title, and interest attributable to the school district existing or vested in the transferring trustees of schools in the common school lands and township loanable funds of the township and all records, moneys, securities, other assets, rights of property, and causes of action attributable to the school district pertaining to or constituting a part of those common



school lands or township loanable funds attributable to the school district shall be transferred to and deemed vested by operation of law in the receiving trustees of schools, which shall hold legal title to, manage, and operate all common school lands and township loanable funds of the township, receive the rents, issues, and profits therefrom, and have and exercise with respect thereto the same powers and duties set forth under this Code to be exercised by trustees of schools; and (iii) whenever there is vested in the transferring trustees of schools, at the time that a transfer is effected under this Section, the legal title to any school buildings or school sites used or occupied for school purposes by an elementary school, subject to the jurisdiction and authority of those trustees of schools at the time that such transfer is effective, the legal title to those school buildings and school sites shall be transferred by operation of law to and invested in the receiving trustees of schools, the same to be held, sold, exchanged, leased, or otherwise transferred in accordance with applicable provisions of this Code.

(d) In the event that it is necessary to sell or otherwise dispose of any asset, investment, or security that is in the name of the school district and other districts not transferring from the jurisdiction of a township treasurer and trustees of schools, any fees or costs incurred in such disposition and any loss in value caused by the early sale or disposition shall be entirely borne by the school district transferring from the jurisdiction of a township treasurer and trustees of schools.

(e) As provided under Section 2-3.25g of this Code, a waiver of a mandate established under this Section may not be requested.

(f) This Section is repealed on January 1, 2010.

(105 ILCS 5/5-2.1) (from Ch. 122, par. 5-2.1)

Sec. 5-2.1. Eligible Voters: For the purposes of this Article persons who are qualified to vote in school elections shall be eligible to vote for the trustees of schools who have jurisdiction over the elementary school district or unit school district in which the person resides.

If However, if the application of this Section results in an elector voting for trustees of a school township in which he does not reside because the elementary or unit school district crosses township boundaries and has been assigned to the jurisdiction of the trustees of an adjoining township, that elector shall also be eligible to vote for the trustees of the township within which he resides. Moreover, an elector who resides in a high school district that crosses township boundaries and has been assigned to the jurisdiction of the trustees of an adjoining township shall be eligible to vote for both the trustees of the township in which he or she resides and the trustees of the township having jurisdiction over the high school district in which he or she resides.

(Source: P.A. 85-1435.)

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

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 1548. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on Appropriations-General Services, adopted and reproduced:

AMENDMENT NO 1. Amend Senate Bill 1548 by deleting everything after the enacting clause and inserting in lieu thereof the following:

"Section 5. The amount of \$2, or so much of that amount as may be necessary, is appropriated from the General Revenue Fund to the General Assembly for its ordinary and contingent expenses.

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

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 1124.

**RECALL**

At the request of the principal sponsor, Representative Hassert, SENATE BILL 1124 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

**HOUSE BILL ON SECOND READING**

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 27.

**SENATE BILLS ON THIRD READING**

The following bills and any amendments adopted thereto were reproduced. 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 McAuliffe, SENATE BILL 2085 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: 89, Yeas; 24, Nays; 1, Answering Present.

(ROLL CALL 5)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Saviano, SENATE BILL 2087 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: 70, Yeas; 45, 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.

On motion of Representative Bassi, SENATE BILL 26 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 7)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Fritchey, SENATE BILL 61 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 8)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Hannig, SENATE BILL 133 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 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.

On motion of Representative Moffitt, SENATE BILL 189 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 105, Yeas; 3, Nays; 7, Answering Present.

(ROLL CALL 10)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Delgado, SENATE BILL 244 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: 61, Yeas; 52, Nays; 1, 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.

On motion of Representative Winters, SENATE BILL 250 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 12)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Eileen Lyons, SENATE BILL 272 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 73, Yeas; 42, Nays; 0, Answering Present.

(ROLL CALL 13)

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

Ordered that the Clerk inform the Senate.

On motion of Representative McKeon, SENATE BILL 274 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; 1, Nay; 0, Answering Present.

(ROLL CALL 14)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Hoffman, SENATE BILL 343 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:

44, Yeas; 70, Nays; 0, Answering Present.  
(ROLL CALL 15)

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

On motion of Representative Saviano, SENATE BILL 518 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 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.

On motion of Representative Delgado, SENATE BILL 519 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 17)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Mautino, SENATE BILL 538 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 18)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Currie, SENATE BILL 662 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 1, Answering Present.  
(ROLL CALL 19)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Ryg, SENATE BILL 847 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: 77, Yeas; 37, Nays; 0, Answering Present.  
(ROLL CALL 20)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

### **SUSPEND POSTING REQUIREMENTS**

Pursuant to Rule 25, Representative Currie moved to suspend the posting requirements in Rule 21 in relation to SENATE BILLS 157, 208, 1623, 1832 and 2038.

The motion prevailed.

**RECALL**

At the request of the principal sponsor, Representative Madigan, HOUSE BILL 2221 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

**AGREED RESOLUTIONS**

HOUSE RESOLUTIONS 487, 488, 489, 490, 494 and SENATE JOINT RESOLUTION 11 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 6:39 o'clock p.m., Representative Currie moved that the House do now adjourn until Thursday, May 26, 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

May 25, 2005

0 YEAS

0 NAYS

116 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	E 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 476  
 SPONSORSHIP RTS-STATE PROP  
 THIRD READING  
 PASSED  
 VERIFIED

May 25, 2005

60 YEAS

52 NAYS

1 PRESENT

Y Acevedo	Y Delgado	Y Lang	N Poe
Y Bailey	Y Dugan	N Leitch	N Pritchard
N Bassi	Y Dunkin	N Lindner	A 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	A Rose
Y Berrios	Y 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	N 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	N Miller	Y Soto
Y Brosnahan	Y Hamos	N Millner	A 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	Y Verschoore
Y Colvin	N Hultgren	N Munson	N Wait
P Coulson	N Jakobsson	N Myers	E 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	N 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 3760  
 PARK & RECREATION CONSTRUCTION  
 THIRD READING  
 PASSED

May 25, 2005

111 YEAS

5 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
N Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
N 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
N 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	N Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	E 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	N Krause	Y Pihos	

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 3761  
 PUBLIC LIBRARY CONSTRUCTION  
 THIRD READING  
 PASSED

May 25, 2005

112 YEAS

3 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	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	N 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	N Tenhouse
Y Chavez	Y Hoffman	Y Moffitt	Y Tryon
Y Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
Y Colvin	Y Hultgren	Y Munson	Y Wait
Y Coulson	Y Jakobsson	Y Myers	E 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	N Krause	P Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2085  
 MUNI CD SEWER EXTENSION ANNEX  
 THIRD READING  
 PASSED

May 25, 2005

89 YEAS

24 NAYS

1 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	N Pritchard
N Bassi	Y Dunkin	N Lindner	N Reis
Y Beaubien	Y Dunn	N Lyons, Eileen	Y Reitz
Y Beiser	N Eddy	Y Lyons, Joseph	Y Rita
N Bellock	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	N Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
N Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	E Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
N Brady	Y Graham	Y Meyer	Y Sommer
Y Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	N Stephens
Y Burke	Y Hannig	N 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	N Hultgren	N Munson	Y Wait
N Coulson	Y Jakobsson	N Myers	E Washington
Y Cross	Y Jefferson	Y Nekritz	N Watson
A Cultra	P Jenisch	N Osmond	Y Winters
N Currie	Y Jones	Y Osterman	Y Yarbrough
Y D'Amico	Y Joyce	N Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	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  
 SENATE BILL 2087  
 ADDISON CREEK-BONDING  
 THIRD READING  
 PASSED

May 25, 2005

70 YEAS

45 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	N Dugan	Y Leitch	N Pritchard
N Bassi	N Dunkin	N Lindner	N Reis
Y Beaubien	Y Dunn	Y Lyons, Eileen	Y Reitz
N Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
N Bellock	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	N Flider	Y Mautino	N Ryg
Y Biggins	Y Flowers	N May	N Sacia
N Black	N Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	N Schmitz
Y Bost	Y Froehlich	Y McGuire	E Schock
N Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	N Gordon	Y Mendoza	Y Smith
Y Brady	Y Graham	Y Meyer	N Sommer
N Brauer	Y Granberg	Y Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	N Stephens
Y Burke	Y Hannig	N Mitchell, Bill	Y Sullivan
N Chapa LaVia	Y Hassert	N Mitchell, Jerry	N Tenhouse
N Chavez	Y Hoffman	Y Moffitt	N Tryon
N Churchill	N Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	N Verschoore
Y Colvin	Y Hultgren	N Munson	Y Wait
N Coulson	N Jakobsson	N Myers	E Washington
Y Cross	N Jefferson	N Nekritz	N Watson
Y Cultra	Y Jenisch	N Osmond	N Winters
Y Currie	Y Jones	Y Osterman	Y Yarbrough
N D'Amico	N Joyce	N Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y 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  
 SENATE BILL 26  
 IDPH-HOSPICE PROGRAM STANDARDS  
 THIRD READING  
 PASSED

May 25, 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	E 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	E 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  
 SENATE BILL 61  
 INC TX-BRAIN TUMOR-CHECKOFF  
 THIRD READING  
 PASSED

May 25, 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	E 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	E 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  
 SENATE BILL 133  
 INC TX-COLON CANCER CHECKOFF  
 THIRD READING  
 PASSED

May 25, 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	E 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	E 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  
 SENATE BILL 189  
 LAW ENFORCEMENT-RETIRED OFFICER  
 THIRD READING  
 PASSED

May 25, 2005

105 YEAS

3 NAYS

7 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	P Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	P Ryg
Y Biggins	Y Flowers	P May	Y Sacia
Y Black	Y Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	N McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	E Schock
Y Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	Y Gordon	Y Mendoza	Y Smith
Y Brady	P 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
N 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
P Coulson	N Jakobsson	Y Myers	E Washington
Y Cross	Y Jefferson	Y Nekritz	Y Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
P Currie	Y Jones	P 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  
SENATE BILL 244  
LIQUOR-SALE NEAR SCHOOL  
THIRD READING  
PASSED

May 25, 2005

61 YEAS

52 NAYS

1 PRESENT

Y Acevedo	Y Delgado	Y Lang	N Poe
P Bailey	N Dugan	Y Leitch	N Pritchard
N Bassi	Y Dunkin	Y Lindner	N Reis
Y Beaubien	Y Dunn	N Lyons, Eileen	Y Reitz
N Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
N Bellock	Y Feigenholtz	N Mathias	N Rose
Y Berrios	N Flider	Y Mautino	N Ryg
N Biggins	Y Flowers	Y May	Y Sacia
N Black	N Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	N McCarthy	N Schmitz
Y Bost	Y Froehlich	Y McGuire	E Schock
N Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	N Gordon	Y Mendoza	Y Smith
Y 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	Y Sullivan
N Chapa LaVia	Y Hassert	Y Mitchell, Jerry	N Tenhouse
N Chavez	Y Hoffman	N Moffitt	N Tryon
N Churchill	Y Holbrook	Y Molaro	Y Turner
Y Collins	Y Howard	Y Mulligan	Y Verschoore
A Colvin	N Hultgren	N Munson	N Wait
N Coulson	N Jakobsson	N Myers	E Washington
Y Cross	N Jefferson	Y Nekritz	N Watson
N Cultra	N Jenisch	N Osmond	N Winters
Y Currie	Y Jones	Y Osterman	N Yarbrough
N D'Amico	N Joyce	N Parke	Y Younge
N Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	N Kosel	N Phelps	
Y Davis, William	N Krause	N Pihos	

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 250  
 CDB - LEED GREEN BUILDING  
 THIRD READING  
 PASSED

May 25, 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	E 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	E 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  
 SENATE BILL 272  
 MUNI CD-USE & OCC TAX  
 THIRD READING  
 PASSED

May 25, 2005

73 YEAS

42 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	N Dugan	Y Leitch	N Pritchard
N Bassi	Y Dunkin	Y Lindner	N Reis
Y Beaubien	N Dunn	Y Lyons, Eileen	Y Reitz
N Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	N Flider	Y Mautino	N Ryg
Y Biggins	Y Flowers	N May	Y Sacia
Y Black	N Franks	Y McAuliffe	Y Saviano
N Boland	N Fritchey	N McCarthy	N Schmitz
Y Bost	Y Froehlich	Y McGuire	E Schock
N Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	N 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	Y Millner	N 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	N 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	E Washington
Y Cross	N Jefferson	Y Nekritz	N Watson
Y Cultra	Y Jenisch	Y Osmond	Y Winters
Y Currie	Y Jones	Y Osterman	Y Yarbrough
N D'Amico	N Joyce	Y Parke	Y Younge
Y Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
N Davis, Monique	N Kosel	N Phelps	
Y Davis, William	Y Krause	Y Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 274  
 PUBLIC LABOR-EMPLOYEE NAMES  
 THIRD READING  
 PASSED

May 25, 2005

114 YEAS

1 NAY

0 PRESENT

Y Acevedo	Y Delgado	Y Lang	Y Poe
Y Bailey	Y Dugan	Y Leitch	Y Pritchard
Y Bassi	Y Dunkin	Y Lindner	Y Reis
Y Beaubien	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	E 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	E 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	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  
 SENATE BILL 343  
 LOCGOV-TECH  
 THIRD READING  
 LOST

May 25, 2005

44 YEAS

70 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	N Dunn	N Lyons, Eileen	Y Reitz
N Beiser	Y Eddy	Y Lyons, Joseph	Y Rita
N Bellock	Y Feigenholtz	N Mathias	N Rose
Y Berrios	N Flider	Y Mautino	N Ryg
N Biggins	Y Flowers	N May	N Sacia
N Black	N Franks	N McAuliffe	N Saviano
N Boland	N Fritchey	Y McCarthy	N Schmitz
N Bost	N Froehlich	Y McGuire	E Schock
N Bradley, John	Y Giles	E McKeon	Y Scully
Y Bradley, Richard	N Gordon	Y Mendoza	Y Smith
N Brady	Y Graham	N Meyer	N Sommer
N Brauer	Y Granberg	N Miller	Y Soto
Y Brosnahan	Y Hamos	Y Millner	Y Stephens
Y Burke	N Hannig	N Mitchell, Bill	N Sullivan
N Chapa LaVia	N Hassert	N Mitchell, Jerry	N Tenhouse
N 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	N Wait
N Coulson	N Jakobsson	N Myers	E Washington
N Cross	N Jefferson	N Nekritz	N Watson
N Cultra	N Jenisch	N Osmond	N Winters
Y Currie	Y Jones	Y Osterman	Y Yarbrough
N D'Amico	N Joyce	N Parke	A Younge
N Daniels	Y Kelly	Y Patterson	Y Mr. Speaker
Y Davis, Monique	N Kosel	N Phelps	
Y Davis, William	N Krause	N Pihos	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 518  
CONST MGMT SERVICE-PROCUREMENT  
THIRD READING  
PASSED

May 25, 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	E 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	E 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  
SENATE BILL 519  
PUB AID-EARNFARE-MINIMUM WAGE  
THIRD READING  
PASSED

May 25, 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	E 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	E 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  
 SENATE BILL 538  
 INSURANCE&MEDICAID FRAUD  
 THIRD READING  
 PASSED

May 25, 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	E 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	E 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  
 SENATE BILL 662  
 FINANCE-TECH  
 THIRD READING  
 PASSED

May 25, 2005

114 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	P Franks	Y McAuliffe	Y Saviano
Y Boland	Y Fritchey	Y McCarthy	Y Schmitz
Y Bost	Y Froehlich	Y McGuire	E 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	E 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  
SENATE BILL 847  
LOCAL GOVERNMENT-TECH  
THIRD READING  
PASSED

May 25, 2005

77 YEAS

37 NAYS

0 PRESENT

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

E - Denotes Excused Absence

**57TH LEGISLATIVE DAY**

**Perfunctory Session**

**WEDNESDAY, MAY 25, 2005**

At the hour of 6:41 o'clock p.m., the House convened perfunctory session.

**INTRODUCTION AND FIRST READING OF BILL**

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

HOUSE BILL 4082. Introduced by Representatives Sacia - Mitchell, Bill - Stephens - Reis - Moffitt, AN ACT concerning public aid.

**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 945 (Leitch), 1856 (Lang) and 1866 (Kelly).

**HOUSE RESOLUTIONS**

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

**HOUSE RESOLUTION 491**

Offered by Representative Burke:

WHEREAS, The Slovak Catholic Sokol was founded by American Catholics of Slovak ancestry in the City of Passaic and the State of New Jersey on July 4, 1905; and

WHEREAS, The Slovak Catholic Sokol is observing its one hundredth anniversary during the year July 4, 2005 through July 4, 2006; and

WHEREAS, The Slovak Catholic Sokol, having the distinction of being America's greatest Slovak gymnastic and athletic fraternity, was organized for the purpose of benevolence and physical fitness, which it continues to practice since its inception, living up to the slogan of the organization, "A Sound Mind in a Sound Body"; and

WHEREAS, The Slovak Catholic Sokol, by contributing generously to churches, schools, and educational and cultural institutions, and by fostering education, brotherly love, and loyalty to one's country, as citizens of the United States and Canada, continues to act in keeping with its motto, "For God and Country"; and

WHEREAS, The first assembly of the Slovak Catholic Sokol, Assembly 11, was organized in the City of Chicago and the State of Illinois on July 8, 1906, at St. Michael the Archangel Parish, at 48th Street and Damen Avenue, and numerous other assemblies and wreaths were founded locally in Illinois, Indiana, and Wisconsin during the following years; and

WHEREAS, The assemblies and wreaths founded in Illinois, Indiana, and Wisconsin were brought together under the umbrella of Group Four, which was organized in the City of Chicago and the State of Illinois on April 11, 1911, at St. Michael the Archangel Parish; and

WHEREAS, The membership of the Slovak Catholic Sokol in Group Four now numbers over three thousand; and

WHEREAS, The members of Group Four will officially celebrate the one hundredth anniversary of the Slovak Catholic Sokol on Sunday, September 25, 2005, with a Solemn Holy Mass at St. Simon the Apostle Church, followed by a Gala Celebration at the Hickory Hills Country Club in Hickory Hills; therefore, be it

**RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL**

ASSEMBLY OF THE STATE OF ILLINOIS, that we proclaim the week of September 25 to October 1, 2005 be called "Slovak Catholic Sokol Week" in the State of Illinois and urge our good citizens to join in making this celebration successful; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Slovak Catholic Sokol as an expression of our esteem.

#### HOUSE RESOLUTION 492

Offered by Representative Bassi:

WHEREAS, The members of the House of Representatives of the State of Illinois recognize that the Illinois Hospice and Palliative Care Organization is celebrating over 20 years of service to terminally ill citizens; and

WHEREAS, A recent survey by Research!America indicated that the impact of uncontrolled pain is experienced by three out of every four surveyed, who are suffering from pain themselves or have a close family member or friend who suffers from chronic pain; and

WHEREAS, Almost 15 million Americans suffer chronic and intractable pain that is severe enough to be disabling; and

WHEREAS, Four out of ten chronic pain sufferers have had to make major, disruptive adjustments in their lives, such as disability leave from work, changing jobs, requiring assistance with basic daily activities, or moving into housing that is easier to manage; and

WHEREAS, The suicide rate for chronic pain patients is almost 20 times that of all other patients; and

WHEREAS, An estimated 70 percent of those with cancer experience significant pain during their illness, yet fewer than one half of them receive adequate pain treatment; and

WHEREAS, One out of two Americans will die in severe to moderate pain; and

WHEREAS, The Illinois Hospice and Palliative Care Organization as a statewide 501(c)(3) membership organization has developed a special initiative to address pain issues in Illinois; and

WHEREAS, The Illinois Hospice and Palliative Care Organization serves as a clearinghouse for information on end-of-life issues and offers several educational opportunities for professionals and volunteers in the field; and

WHEREAS, The Illinois Hospice and Palliative Care Organization responds to requests for information from the general public for information and referrals on end-of-life care and family care-giving; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we do hereby proclaim September 2005 as Pain Management Month in Illinois and encourage all citizens to be understanding and compassionate toward those in pain.

#### HOUSE RESOLUTION 493

Offered by Representative Bassi:

WHEREAS, The members of the House of Representatives of the State of Illinois recognize the dedication and efforts of the Illinois Hospice and Palliative Care Organization for more than 20 years of service to terminally ill citizens; and

WHEREAS, Each year, approximately 885,000 terminally ill patients and their families rely on end-of-life care provided by approximately 3,200 hospice locations in communities throughout the United States; and

WHEREAS, The Illinois Hospice and Palliative Care Organization served more than 25,000 terminally ill patients and their loved ones in 2004; and

WHEREAS, Hospice care allows patients and families to receive professional medical services, pain and symptom control, and emotional and spiritual support, without hospitalization; and

WHEREAS, Hospice care creates a compassionate atmosphere, where patients are allowed to die with dignity, wherever they call home, surrounded and supported by loved ones, familiar friends, and committee caregivers; and

WHEREAS, The Illinois Hospice and Palliative Care Organization serves as a clearinghouse for information on end-of-life issues and offers several educational opportunities for professionals and volunteers in the field of hospice; and

WHEREAS, The Illinois Hospice and Palliative Care Organization responds to requests from the general public for information and referrals on end-of-life care and family care giving; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we do hereby proclaim November 2005 as Hospice Month in Illinois and encourage all citizens to be cognizant of the many great services the Illinois Hospice and Palliative Care Organization provides to the people in Illinois.

HOUSE JOINT RESOLUTION 61

Offered by Representative Cross:

WHEREAS, Diabetes is one our nation's greatest health risks, affecting approximately 18.2 million people in the United States, roughly 6.2% of the population; and

WHEREAS, The 2 main forms of diabetes are Type 1 and Type 2 diabetes; Type 1 diabetes results from the body's failure to produce insulin, and Type 2 diabetes results from insulin resistance combined with relative insulin deficiency; and

WHEREAS, Children are affected by Type 1 diabetes, and the number of children affected by diabetes is growing; and

WHEREAS, The 94th General Assembly has passed House Bill 1581, which creates the Diabetes Research Check-off Fund and provides that, from the Fund, the Department of Human Services must make grants to public or private entities for diabetes research; and

WHEREAS, The Juvenile Diabetes Research Foundation funds research on diabetes that affects children; and

WHEREAS, The American Diabetes Association supports basic and clinical research for both Type 1 and Type 2 diabetes aimed at preventing, treating, and curing diabetes; and

WHEREAS, Illinoisans rank second, behind Mississippi, in meeting target levels of scores on A1c hemoglobin tests, making it the second worst state in the nation at controlling diabetes; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge the Department of Human Services to disburse the moneys in the Diabetes Research Check-off Fund as grants for the research of diabetes as follows:

(1) 50% of the moneys in the Fund as grants to the Juvenile Diabetes Research Foundation; and

(2) 50% of the moneys in the Fund as grants to the American Diabetes Association; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Secretary of Human Services.

At the hour of 6:44 o'clock p.m., the House Perfunctory Session adjourned.