

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FOURTH GENERAL ASSEMBLY

95TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

THURSDAY, FEBRUARY 16, 2006

12:07 O'CLOCK P.M.

HOUSE OF REPRESENTATIVES
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95th Legislative Day

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The House met pursuant to adjournment.

Representative Hannig in the chair.

Prayer by Reverend James Webb of St. James Baptist Church in Alton, IL.

Representative Monique Davis 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:
114 present. (ROLL CALL 1)

By unanimous consent, Representatives Daniels and Patterson were excused from attendance.

LETTER OF TRANSMITTAL

February 17, 2006

Mr. Mark Mahoney
Clerk of the House
402 Statehouse
Springfield, IL 62706

Dear Clerk of the House,

On February 16, 2006, I voted in the negative on HB 5249.

I would like the record to reflect, that I intended to vote YES on the above bill listed.

Sincerely,
s/Dave Winters
State Representative Dave Winters
68th District

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Berrios replaced Representative Beiser in the Committee on Aging on February 16, 2006.

Representative Jones replaced Representative Scully in the Committee on Consumer Protection on February 16, 2006.

Representative Molaro replaced Representative Gordon in the Committee on Consumer Protection on February 16, 2006.

Representative Miller replaced Representative Jones in the Committee on Judiciary II - Criminal Law on February 16, 2006.

Representative Turner replaced Representative Gordon in the Committee on Judiciary II - Criminal Law on February 16, 2006.

Representative Granberg replaced Representative Smith in the Committee on Revenue on February 16, 2006.

TEMPORARY COMMITTEE ASSIGNMENTS FOR COMMITTEES NOT REPORTING

Representative Moffitt will replace Representative Bost in the Committee on Telecommunications on February 16, 2006.

MOTION SUBMITTED

Representative Moffitt submitted the following written motion, which was placed on the order of Motions in Writing:

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 5321.

JUDICIAL NOTES SUPPLIED

Judicial Notes have been supplied for HOUSE BILLS 4758, as amended, 4999 and 5000, as amended.

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for HOUSE BILLS 4447, and 4758, as amended.

REQUEST FOR FISCAL NOTE

Representative Feigenholtz requested that a Fiscal Note be supplied for HOUSE BILL 4346.

REQUEST FOR STATE MANDATES FISCAL NOTE

Representative Feigenholtz requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 4346.

Representative Black requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 4907.

REQUEST FOR BALANCED BUDGET NOTE

Representative Feigenholtz requested that a Balanced Budget Note be supplied for HOUSE BILL 4346.

REQUEST FOR CORRECTIONAL NOTE

Representative Feigenholtz requested that a Correctional Note be supplied for HOUSE BILL 4346.

REQUEST FOR HOME RULE NOTE

Representative Feigenholtz requested that a Home Rule Note be supplied for HOUSE BILL 4346.

Representative Black requested that a Home Rule Note be supplied for HOUSE BILL 4907.

REQUEST FOR HOUSING AFFORDABILITY IMPACT NOTE

Representative Feigenholtz requested that a Housing Affordability Impact Note be supplied for HOUSE BILL 4346.

REQUEST FOR JUDICIAL NOTE

Representative Feigenholtz requested that a Judicial Note be supplied for HOUSE BILL 4346.

REQUEST FOR LAND CONVEYANCE APPRAISAL NOTE

Representative Feigenholtz requested that a Land Conveyance Appraisal Note be supplied for HOUSE BILL 4346.

REQUEST FOR PENSION NOTE

Representative Feigenholtz requested that a Pension Note be supplied for HOUSE BILL 4346.

REQUEST FOR STATE DEBT IMPACT NOTE

Representative Feigenholtz requested that a State Debt Impact Note be supplied for HOUSE BILL 4346.

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 the following joint resolution, to-wit:
HOUSE JOINT RESOLUTION NO. 100
Concurred in the Senate, February 16, 2006.

Linda Hawker, Secretary of the Senate

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

- SENATE BILL NO. 2491
A bill for AN ACT concerning regulation.
- SENATE BILL NO. 2556
A bill for AN ACT concerning regulation.
- SENATE BILL NO. 2587
A bill for AN ACT concerning liquor.
- SENATE BILL NO. 2601
A bill for AN ACT concerning civil law.
- SENATE BILL NO. 2630
A bill for AN ACT concerning education.
- SENATE BILL NO. 2739
A bill for AN ACT concerning civil liabilities.
- SENATE BILL NO. 2763
A bill for AN ACT concerning confidentiality.
- SENATE BILL NO. 2772
A bill for AN ACT concerning business.
- SENATE BILL NO. 2774
A bill for AN ACT concerning regulation.
- SENATE BILL NO. 2899
A bill for AN ACT making revisory changes relating to the renaming of the Bureau of the Budget and the Department of Commerce and Community Affairs.
- SENATE BILL NO. 2915
A bill for AN ACT concerning methamphetamine.
- SENATE BILL NO. 2917

A bill for AN ACT concerning insurance.
SENATE BILL NO. 2936

A bill for AN ACT concerning validation.
SENATE BILL NO. 2951

A bill for AN ACT relating to the Illinois Research Park Authority Act.
SENATE BILL NO. 2952

A bill for AN ACT in relation to information technology.
SENATE BILL NO. 2966

A bill for AN ACT concerning criminal law.
SENATE BILL NO. 3010

A bill for AN ACT concerning regulation.
SENATE BILL NO. 3011

A bill for AN ACT concerning public safety.
Passed by the Senate, February 16, 2006.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 2491, 2556, 2587, 2601, 2630, 2739, 2763, 2772, 2774, 2899, 2915, 2917, 2936, 2951, 2952, 2966, 3010 and 3011 were ordered reproduced and placed on the order of Senate Bills - First Reading.

REPORTS FROM STANDING COMMITTEES

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on February 16, 2006, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4195.

The committee roll call vote on House Bill 4195 is as follows:

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

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

Representative Colvin, Chairperson, from the Committee on Consumer Protection to which the following were referred, action taken on February 16, 2006, 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: HOUSE BILLS 4687 and 4726.

The committee roll call vote on House Bill 4687 is as follows:

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

Y Colvin,Marlow(D), Chairperson	A Bost,Mike(R)
N Brady,Dan(R), Republican Spokesperson	Y Chapa LaVia,Linda(D)
A Molaro,Robert(D) (replacing Gordon)	Y Mendoza,Susana(D)
N Parke,Terry(R)	N Ramey,Harry(R)
Y Rita,Robert(D)	Y Jones,Lovana(D) (replacing Scully)
Y Tenhouse,Art(R)	A Tryon,Michael(R)
Y Washington,Eddie(D)	

The committee roll call vote on House Bill 4726 is as follows:
13, Yeas; 0, Nays; 0, Answering Present.

Y Colvin,Marlow(D), Chairperson	Y Bost,Mike(R)
Y Brady,Dan(R), Republican Spokesperson	Y Chapa LaVia,Linda(D)
Y Molaro,Robert(D) (replacing Gordon)	Y Mendoza,Susana(D)
Y Parke,Terry(R)	Y Ramey,Harry(R)
Y Rita,Robert(D)	Y Jones,Lovana(D) (replacing Scully)
Y Tenhouse,Art(R)	Y Tryon,Michael(R)
Y Washington,Eddie(D)	

Representative Reitz, Chairperson, from the Committee on Revenue to which the following were referred, action taken on February 16, 2006, 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: HOUSE BILL 5524.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4104, 4175, 4259, 4362, 4662, 4735, 4793, 4845 and 4895.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 95.

The committee roll call vote on House Bill 4104 is as follows:
10, Yeas; 0, Nays; 0, Answering Present.

Y Reitz,Dan(D), Chairperson	Y Beaubien,Mark(R)
Y Biggins,Bob(R), Republican Spokesperson	Y Currie,Barbara(D), Vice-Chairperson
Y Hannig,Gary(D)	Y Holbrook,Thomas(D)
Y Jenisch,Roger(R)	Y Krause,Carolyn(R)
Y McGuire,Jack(D)	A Smith,Michael(D)
Y Sullivan,Ed(R)	A Younge,Wyvetter(D)

The committee roll call vote on House Bill 4662 is as follows:
8, Yeas; 4, Nays; 0, Answering Present.

Y Reitz,Dan(D), Chairperson	N Beaubien,Mark(R)
N Biggins,Bob(R), Republican Spokesperson	Y Currie,Barbara(D), Vice-Chairperson
Y Hannig,Gary(D)	Y Holbrook,Thomas(D)
N Jenisch,Roger(R)	N Krause,Carolyn(R)
Y McGuire,Jack(D)	Y Granberg,Kurt(D) (replacing Smith)
Y Sullivan,Ed(R)	Y Younge,Wyvetter(D)

The committee roll call vote on House Joint Resolutions 95 and House Bills 4175 and 4362 is as follows:

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

Y Reitz,Dan(D), Chairperson	Y Beaubien,Mark(R)
Y Biggins,Bob(R), Republican Spokesperson	Y Currie,Barbara(D), Vice-Chairperson
Y Hannig,Gary(D)	Y Holbrook,Thomas(D)
Y Jenisch,Roger(R)	Y Krause,Carolyn(R)
Y McGuire,Jack(D)	Y Smith,Michael(D)
Y Sullivan,Ed(R)	Y Younge,Wyvetter(D)

The committee roll call vote on House Bills 4259, 4735, 4793, 4845, 4895 and 5524 is as follows:
12, Yeas; 0, Nays; 0, Answering Present.

Y Reitz,Dan(D), Chairperson	Y Beaubien,Mark(R)
Y Biggins,Bob(R), Republican Spokesperson	Y Currie,Barbara(D), Vice-Chairperson
Y Hannig,Gary(D)	Y Holbrook,Thomas(D)

Y Jenisch,Roger(R)
 Y McGuire,Jack(D)
 Y Sullivan,Ed(R)

Y Krause,Carolyn(R)
 Y Granberg,Kurt(D) (replacing Smith)
 Y Younge,Wyvetter(D)

Representative Richard Bradley, Chairperson, from the Committee on Personnel and Pensions to which the following were referred, action taken on February 16, 2006, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4274.

The committee roll call vote on House Bill 4274 is as follows:

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

Y Bradley,Richard(D), Chairperson
 A Burke,Daniel(D)
 Y Poe,Raymond(R), Republican Spokesperson

Y Brauer,Rich(R)
 A Colvin,Marlow(D), Vice-Chairperson

Representative Molaro, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on February 16, 2006, 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: HOUSE BILLS 4155, 4527, 4679, 4885 and 5542.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Standard Debate: HOUSE BILL 4680.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4081, 4446, 5219, 5241 and 5288.

That the Floor Amendment be reported "recommends be adopted":
 Amendment No. 1 to HOUSE BILL 4711.

That the resolution be reported "recommends be adopted as amended" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 80.

The committee roll call vote on House Bill 4155 is as follows:

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

Y Molaro,Robert(D), Chairperson
 Y Lindner,Patricia(R), Republican Spokesperson
 A Collins,Annazette(D)
 Y Durkin,Jim(R)
 Y Golar,Esther(D)
 Y Howard,Constance(D)
 Y Mautino,Frank(D)
 Y Sacia,Jim(R)

Y Delgado,William(D), Vice-Chairperson
 Y Bradley,John(D)
 Y Cultra,Shane(R)
 Y Froehlich,Paul(R)
 A Gordon,Careen(D)
 Y Jones,Lovana(D)
 A Reis,David(R)
 Y Wait,Ronald(R)

The committee roll call vote on House Bill 4680 is as follows:

9, Yeas; 5, Nays; 2, Answering Present.

N Molaro,Robert(D), Chairperson
 Y Lindner,Patricia(R), Republican Spokesperson
 N Collins,Annazette(D)
 Y Durkin,Jim(R)
 N Golar,Esther(D)
 N Howard,Constance(D)
 P Mautino,Frank(D)
 Y Sacia,Jim(R)

Y Delgado,William(D), Vice-Chairperson
 Y Bradley,John(D)
 P Cultra,Shane(R)
 Y Froehlich,Paul(R)
 Y Gordon,Careen(D)
 N Jones,Lovana(D)
 Y Reis,David(R)
 Y Wait,Ronald(R)

The committee roll call vote on House Bill 4885 is as follows:

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

Y Molaro,Robert(D), Chairperson	Y Delgado,William(D), Vice-Chairperson
Y Lindner,Patricia(R), Republican Spokesperson	A Bradley,John(D)
Y Collins,Annazette(D)	P Cultra,Shane(R)
Y Durkin,Jim(R)	Y Froehlich,Paul(R)
Y Golar,Esther(D)	N Gordon,Careen(D)
Y Howard,Constance(D)	Y Jones,Lovana(D)
Y Mautino,Frank(D)	N Reis,David(R)
Y Sacia,Jim(R)	N Wait,Ronald(R)

The committee roll call vote on House Bill 5219 is as follows:

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

Y Molaro,Robert(D), Chairperson	A Delgado,William(D), Vice-Chairperson
Y Lindner,Patricia(R), Republican Spokesperson	Y Bradley,John(D)
A Collins,Annazette(D)	Y Cultra,Shane(R)
Y Durkin,Jim(R)	Y Froehlich,Paul(R)
Y Golar,Esther(D)	Y Gordon,Careen(D)
P Howard,Constance(D)	P Jones,Lovana(D)
A Mautino,Frank(D)	Y Reis,David(R)
Y Sacia,Jim(R)	Y Wait,Ronald(R)

The committee roll call vote on House Bill 5241 is as follows:

11, Yeas; 4, Nays; 1, Answering Present.

Y Molaro,Robert(D), Chairperson	Y Delgado,William(D), Vice-Chairperson
Y Lindner,Patricia(R), Republican Spokesperson	N Bradley,John(D)
N Collins,Annazette(D)	Y Cultra,Shane(R)
Y Durkin,Jim(R)	Y Froehlich,Paul(R)
Y Golar,Esther(D)	N Gordon,Careen(D)
Y Howard,Constance(D)	Y Jones,Lovana(D)
Y Mautino,Frank(D)	P Reis,David(R)
N Sacia,Jim(R)	Y Wait,Ronald(R)

The committee roll call vote on House Joint Resolution 80 and House Bills 4527 and 5542 is as follows:

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

Y Molaro,Robert(D), Chairperson	Y Delgado,William(D), Vice-Chairperson
Y Lindner,Patricia(R), Republican Spokesperson	Y Bradley,John(D)
Y Collins,Annazette(D)	Y Cultra,Shane(R)
Y Durkin,Jim(R)	Y Froehlich,Paul(R)
Y Golar,Esther(D)	Y Turner,Arthur(D) (replacing Gordon)
Y Howard,Constance(D)	Y Miller,David(D) (replacing Jones)
Y Mautino,Frank(D)	Y Reis,David(R)
Y Sacia,Jim(R)	Y Wait,Ronald(R)

The committee roll call vote on House Bills 4081, 4446 and 5288 is as follows:

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

Y Molaro,Robert(D), Chairperson	Y Delgado,William(D), Vice-Chairperson
Y Lindner,Patricia(R), Republican Spokesperson	Y Bradley,John(D)
Y Collins,Annazette(D)	Y Cultra,Shane(R)
Y Durkin,Jim(R)	Y Froehlich,Paul(R)
Y Golar,Esther(D)	Y Gordon,Careen(D)
Y Howard,Constance(D)	Y Jones,Lovana(D)
Y Mautino,Frank(D)	Y Reis,David(R)

Y Sacia,Jim(R)

Y Wait,Ronald(R)

The committee roll call vote on House Bill 4679 is as follows:
11, Yeas; 0, Nays; 0, Answering Present.

Y Molaro,Robert(D), Chairperson

Y Delgado,William(D), Vice-Chairperson

Y Lindner,Patricia(R), Republican Spokesperson

Y Bradley,John(D)

A Collins,Annazette(D)

Y Cultra,Shane(R)

Y Durkin,Jim(R)

Y Froehlich,Paul(R)

Y Golar,Esther(D)

A Gordon,Careen(D)

Y Howard,Constance(D)

A Jones,Lovana(D)

Y Mautino,Frank(D)

A Reis,David(R)

Y Sacia,Jim(R)

A Wait,Ronald(R)

The committee roll call vote on Amendment No. 1 to House Bill 4711 is as follows:
11, Yeas; 0, Nays; 0, Answering Present.

Y Molaro,Robert(D), Chairperson

Y Delgado,William(D), Vice-Chairperson

Y Lindner,Patricia(R), Republican Spokesperson

Y Bradley,John(D)

A Collins,Annazette(D)

Y Cultra,Shane(R)

Y Durkin,Jim(R)

Y Froehlich,Paul(R)

Y Golar,Esther(D)

A Gordon,Careen(D)

Y Howard,Constance(D)

A Jones,Lovana(D)

Y Mautino,Frank(D)

A Reis,David(R)

Y Sacia,Jim(R)

A Wait,Ronald(R)

Representative Delgado, Chairperson, from the Committee on Human Services to which the following were referred, action taken on February 16, 2006, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4853.

The committee roll call vote on House Bill 4853 is as follows:
12, Yeas; 0, Nays; 0, Answering Present.

Y Delgado,William(D), Chairperson

Y Bellock,Patricia(R), Republican Spokesperson

Y Chavez,Michelle(D)

Y Collins,Annazette(D)

Y Coulson,Elizabeth(R)

Y Cultra,Shane(R)

Y Dunn,Joe(R)

Y Flowers,Mary(D)

Y Howard,Constance(D)

Y Jakobsson,Naomi(D)

Y Jenisch,Roger(R)

Y Rita,Robert(D), Vice-Chairperson

Representative Joyce, Chairperson, from the Committee on Aging to which the following were referred, action taken on February 16, 2006, 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: HOUSE BILL 4404.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4785.

The committee roll call vote on House Bill 4404 is as follows:
18, Yeas; 0, Nays; 0, Answering Present.

Y Joyce,Kevin(D), Chairperson

Y Beiser,Daniel(D), Vice-Chairperson

Y Bellock,Patricia(R), Republican Spokesperson

Y Bradley,John(D)

Y Coulson,Elizabeth(R)

Y D'Amico,John(D)

Y Franks,Jack(D)

Y Froehlich,Paul(R)

A Gordon,Careen(D)

Y Jefferson,Charles(D)

Y Lyons,Joseph(D)	Y McGuire,Jack(D)
Y McKeon,Larry(D)	Y Mitchell,Bill(R)
Y Mitchell,Jerry(R)	Y Osmond,JoAnn(R)
A Reitz,Dan(D)	Y Saviano,Angelo(R)
Y Wait,Ronald(R)	Y Watson,Jim(R)

The committee roll call vote on House Bill 4785 is as follows:
16, Yeas; 0, Nays; 0, Answering Present.

Y Joyce,Kevin(D), Chairperson	Y Beiser,Daniel(D), Vice-Chairperson
Y Bellock,Patricia(R), Republican Spokesperson	Y Bradley,John(D)
Y Coulson,Elizabeth(R)	Y D'Amico,John(D)
Y Franks,Jack(D)	Y Froehlich,Paul(R)
Y Gordon,Careen(D)	A Jefferson,Charles(D)
Y Lyons,Joseph(D)	A McGuire,Jack(D)
Y McKeon,Larry(D)	Y Mitchell,Bill(R)
Y Mitchell,Jerry(R)	Y Osmond,JoAnn(R)
A Reitz,Dan(D)	A Saviano,Angelo(R)
Y Wait,Ronald(R)	Y Watson,Jim(R)

Representative Hamos, Chairperson, from the Committee on Mass Transit to which the following were referred, action taken on February 16, 2006, 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: HOUSE BILL 5220.

The committee roll call vote on House Bill 5220 is as follows:
17, Yeas; 0, Nays; 0, Answering Present.

Y Hamos,Julie(D), Chairperson	Y Bassi,Suzanne(R)
Y Chavez,Michelle(D)	Y Churchill,Robert(R)
Y Dunkin,Kenneth(D)	A Dunn,Joe(R)
Y Hassert,Brent(R)	Y Jenisch,Roger(R)
Y Kelly,Robin(D), Vice-Chairperson	Y Mathias,Sidney(R), Republican Spokesperson
Y May,Karen(D)	A Miller,David(D)
Y Molaro,Robert(D)	A Osterman,Harry(D)
Y Pihos,Sandra(R)	Y Ryg,Kathleen(D)
Y Soto,Cynthia(D)	Y Sullivan,Ed(R)
Y Tryon,Michael(R)	Y Washington,Eddie(D)

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Soto became the new principal sponsor of HOUSE BILL 2150.

HOUSE RESOLUTIONS

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

HOUSE RESOLUTION 931

Offered by Representative Pritchard:

WHEREAS, The members of the House of Representatives are pleased to recognize significant milestones for communities of our State; and

WHEREAS, The Village of Creston is celebrating its 150th birthday on August 11, 2006; and

WHEREAS, In 1836, John Brodie, from Ohio, was the first settler in the area known as Brodie's Grove, located north of the present Village of Creston; and

WHEREAS, Benjamin Worden, Elias Snively, Henry Sharer, and others from as far away as Canada and California began to settle in the area; and

WHEREAS, As more land in the vicinity became occupied, a village was founded and named Brodie's Grove; and

WHEREAS, In 1853-1854, the building of the Chicago and Galena railroad brought even more settlers to the area; and

WHEREAS, The town of Dement was surveyed on July 11, 1855, and in 1856 Dement Township became separated from Flagg Township; and

WHEREAS, The name of the town of Dement was changed to Creston when a stranger riding the train stepped off and remarked about the little village on the crest of the hill; the town's name was officially changed to Creston on August 11, 1869; and

WHEREAS, The Creston Opera House was built in 1875 by a stock company; purchased in 1959 from Dement Township by the Creston Booster Club, it has been the site of hundreds of events ranging from church services to medicine shows to family reunions, as well as plays and musicals; it was also the home of the first Creston-Dement Library; and

WHEREAS, The Creston Booster Club was organized in 1956 by a group of men dedicated to the betterment of the community; celebrating 50 years of existence this year, the Club has financially helped all three churches in town, the grade school, the Boy Scouts and Girl Scouts, 4-H, the library, and various other organizations when help was needed; and

WHEREAS, The Creston-Dement Library was organized in 1985 as a volunteer, not-for-profit library; in 1989 the library was named the Illinois State winner for Family Circle Magazine's "Leaders of Readers" Award; on March 17, 1992, the residents of Creston voted to approve the formation of a library district which would provide taxes for library operation; at the same time, the Creston-Dement Park District was formed; and

WHEREAS, The Creston Opera House Repertoire Nucleus Conducting Off Broadway Scenarios (C.O.H.R.N. C.O.B.S.), a community theater group, was organized in 1989; the group holds an annual theatrical production to raise money for the continuation of the Opera House and donations to the Booster Club; and

WHEREAS, Creston Grade School continually boasts high test scores on mandatory State tests, and the town is proud to keep its small school atmosphere and individualized attention for students; in the Rockford Register Star's Sunday, March 9, 2003 edition, the school was applauded as having top ISAT scores, which were 23 points higher than the statewide average; and

WHEREAS, In 1994, Creston was voted "Best Little Town in America" by the Jack Daniels Corporation; the village is now in the process of renovating the Opera House and improving the downtown merchant area; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we proclaim August 11, 2006, as the Village of Creston's 150th birthday in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Village of Creston as an expression of our esteem and with best wishes for a prosperous future.

HOUSE RESOLUTION 932

Offered by Representative Delgado:

WHEREAS, The General Assembly finds that it is in the best interests of Illinois and of Illinois families and children that families escape poverty and achieve financial progress through employment; and

WHEREAS, It is in the best interests of Illinois employers and the Illinois economy that workers be healthy, stable, and productive; and

WHEREAS, The General Assembly has created programs that support the work effort of lower income workers, including the programs under Articles IV, V, and VI of the Illinois Public Aid Code, as well as the Food Stamp Program and the programs under the Children's Health Insurance Program Act; and

WHEREAS, The General Assembly finds that data and reports submitted by the Department of Human

Services will be useful in determining whether the administration of certain of these programs is effective in helping the programs accomplish their purpose of supporting the work effort of lower income workers; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Department of Human Services has agreed to the following provisions and will develop outcome statements, measures, data-based performance indicators or targets, and reports necessary to reflect current program participation and the delivery of services in the local offices; and be it further

RESOLVED, That the outcome measures will address but not be limited to program participation and the delivery of quality services in the Temporary Assistance for Needy Families (TANF) program, the Food Stamp program, and all medical assistance programs for children and families; and be it further

RESOLVED, That for each outcome measure, the Department of Human Services shall develop performance indicators to help assess the level of attainment of the outcome measures; to the extent possible, the performance indicators shall be drawn from administrative data available; and be it further

RESOLVED, That in first year of enactment by July 2006, the Department shall provide the established outcomes statements and designated indicators to the Social Services Advisory Council for comment; after the year of enactment, the Social Services Advisory Council shall be consulted by the Department on changes to the outcomes and indicators; and be it further

RESOLVED, That in determining program participation for all relevant programs, indicators or targets shall include, but need not be limited to, the following:

(1) as of the date of the data collected for the initial report, a caseload profile for each Department of Human Services local office showing the numbers of cases receiving Food Stamps, Medicaid, TANF, and Medical Assistance (including KidCare and Family Care); for each program, the caseload profile as to each local office shall also show the percentage of caseload employed; for TANF, the caseload profile as to each local office shall also show the percentage employed full-time, the percentage employed part-time, and the percentage of caseload engaged in documented social, health, or educational activities instead of employment; by program, aggregate data shall be provided that is relevant and available;

(2) as available, statewide, the number of people enrolled in one program who are income-eligible for one or more other programs and the number of those who are enrolled in such other programs;

(3) statewide, the number of participants in TANF who are participating, as full or partial compliance in program work requirements, in activities related to mental illness/depression, substance abuse, low literacy, domestic violence, or a physical disability; as part of this indicator, the number of people in the caseload identified as having one or more of these barriers to employment, the number of funded "slots" for employment and training, the extent to which these slots are filled, and the numbers of people needing these services who are not receiving them due to the unavailability of a funded program "slot";

(4) as available, the number of individuals in any of these programs whose first language is not English, and the number who are provided translation services; in addition, the number of families whose first language is not English who participate in TANF or Food Stamps and who are participating in English as a Second Language classes; and

(5) as available, the number and percentage of program exits based on increased income, compared to the number and percentage of exits based on other factors; and be it further

RESOLVED, That in developing an outcome related to the delivery of quality services in the local offices, indicators can include, but need not be limited to:

(A) the ratio of caseworkers to cases in each program by local office;

(B) the ratio of non-English-speaking cases to caseworkers who speak the appropriate language by office;

(C) the impact in service delivery improvement by technological upgrades made in local offices, case processing, and application processes;

(D) the average time elapsed between the date of application and the date of disposition of the application in each program;

(E) as available, the number and percentage of recipient families transitioning from Medicaid to Family Care;

(F) as available, the number and percentage of recipient families transitioning from Medicaid to Kid Care Assist, from Kid Care Assist to KidCare Share, and from KidCare Share to

KidCare Premium;

(G) as available, the number of applications denied and the number of cases closed for procedural reasons (reasons other than substantive eligibility criteria based on income and family circumstances); and

(H) as available, the number of administrative appeals filed or related data to such information; and be it further

RESOLVED, That the Department of Human Services shall conduct a hearing on the administration of public assistance programs at the local office level not later than May 2007; the hearing shall include testimony of people randomly selected from the Department's caseload who have used the programs, officials familiar with the status of technology used in the administration of programs in the local offices, and Department workers engaged in the administration of programs in the local offices; the hearing shall be held so that the proceedings may be included in the October 2007 report; and be it further

RESOLVED, That the Department of Human Services shall examine the feasibility of retaining external assistance to develop a report on an estimate of the number of people in Illinois potentially eligible for each program, and the number of people enrolled in each program broken down as to both potential eligibles and actual enrollees by categories of race, national origin, and work status, insofar as the administrative date for each program tracks race and national origin; and be it further

RESOLVED, That the Department of Human Services shall prepare a report and present it to the Social Services Advisory Council on October 1, 2006 reflecting existing outcome measures and available data, indicators, or targets covering the period July 1, 2005 to June 30, 2006; thereafter, the Department shall prepare an annual report of performance indicators based on data for the previous fiscal year July 1 to June 30 and, to the extent possible, include indicators listed herein; it shall also include a summary of the testimony provided at the hearing as well as information available pertaining to the estimate of all eligible populations; pending concurrence between the Department and the Social Services Advisory Council, additional performance indicators may be added to the report; and be it further

RESOLVED, That subsequent to the submittal and review of the October 2007 report, the Department of Human Services in conjunction with the Social Services Advisory Council will determine what additional action is necessary, including the need for additional hearings and reports; and be it further

RESOLVED, That a copy of this Resolution be delivered to the Director of Human Services.

HOUSE RESOLUTION 933

Offered by Representative Chapa LaVia:

WHEREAS, Illinois families living near wind farms often oppose their construction out of fear that the windmills will decrease property values; and

WHEREAS, The development of wind energy is an important renewable resource that benefits the environment and health of Illinois residents; wind energy is free from emissions and important for the future prosperity and energy independence of this State; and

WHEREAS, Illinois has only exploited a small fraction of the wind energy potential that exists; Illinois has the wind resources to produce 6,963 megawatts of wind energy, but only produces 51 megawatts; and as wind energy production increases, its cost effectiveness increases because production costs drop; and

WHEREAS, Community opposition related to fears of property value depreciation often prevents a wind farm from being developed; this has occurred at the developed Mendota Hills wind farm and the proposed Heartland Grand Ridge wind farm; and

WHEREAS, Ironically, wind farms usually do not actually decrease property values; property surrounding wind farms has usually increased in value; a State program to compensate families for lost property values, if that occurs, due to the proximity of a wind farm may be a low-cost method to encourage future wind farm development; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Commerce Commission to study the impact of wind farms on surrounding real property values and the feasibility of a State program to reimburse families near proposed wind farms for actual property value depreciation costs; and be it further

RESOLVED, That the Illinois Commerce Commission report these findings to the Governor and the General Assembly by January 1, 2007; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Chairman of the Illinois

Commerce Commission and Governor Blagojevich.

HOUSE RESOLUTION 935

Offered by Representative Acevedo:

WHEREAS, The Illinois National Guard's commander has received instructions from the Pentagon to draft plans for the elimination of 1,000 positions from the Illinois National Guard; and

WHEREAS, The positions would be cut from an authorized level of 9,600 troops for the Illinois National Guard, which currently has only 9,400 troops serving because of recruiting shortfalls; and

WHEREAS, The President of the United States has often spoken about the need to be vigilant at home in keeping citizens safe from human and natural threats; these efforts are made more difficult when the Illinois National Guard is weakened; and

WHEREAS, The potential cuts are part of a broad national effort to cut the authorized size of the National Guard and have faced opposition from the nation's governors and Congress; and

WHEREAS, The reduction of the Illinois National Guard would diminish the State's ability to respond to major natural disasters and terrorist attacks; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the federal government not to reduce the number of positions in the Illinois National Guard due to the need for these individuals not only in wartime, but also in times of emergency and to respond to natural disasters; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the President of the United States, the Secretary of Defense, and to each member of the Illinois congressional delegation.

AGREED RESOLUTION

The following resolution was offered and placed on the Calendar on the order of Agreed Resolutions.

HOUSE RESOLUTION 934

Offered by Representative Ryg:

Mourns the death of Janet D'Argo of Wheeling.

RECALL

At the request of the principal sponsor, Representative Brady, HOUSE BILL 4971 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

ACTION ON MOTIONS

Pursuant to the motion submitted previously, Representative Phelps moved to table HOUSE BILL 4513.

The motion prevailed.

Pursuant to the motion submitted previously, Representative Munson moved to table HOUSE BILL 5379.

The motion prevailed.

RECALL

At the request of the principal sponsor, Representative Verschoore, HOUSE BILL 4298 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON THIRD READING

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

On motion of Representative Feigenholtz, HOUSE BILL 4186 was taken up and read by title a third time.

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

(ROLL CALL 2)

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

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

On motion of Representative Brosnahan, HOUSE BILL 4315 was taken up and read by title a third time.

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

(ROLL CALL 3)

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

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

On motion of Representative Winters, HOUSE BILL 4412 was taken up and read by title a third time.

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

(ROLL CALL 4)

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

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

On motion of Representative McAuliffe, HOUSE BILL 4886 was taken up and read by title a third time.

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

(ROLL CALL 5)

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

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

RECALL

At the request of the principal sponsor, Representative Joyce, HOUSE BILL 4955 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON THIRD READING

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

On motion of Representative Meyer, HOUSE BILL 5249 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 113, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 6)

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

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

On motion of Representative Hamos, HOUSE BILL 5268 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 7)

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

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

On motion of Representative Reitz, HOUSE BILL 5274 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: 98, Yeas; 16, Nays; 0, Answering Present.
(ROLL CALL 8)

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

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

On motion of Representative Mulligan, HOUSE BILL 5296 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 9)

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

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

On motion of Representative Black, HOUSE BILL 5305 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 10)

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

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

On motion of Sommer, HOUSE BILL 5339 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 11)

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

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

On motion of Representative Watson, HOUSE BILL 5343 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 12)

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

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

RESOLUTION

Having been reported out of the Committee on State Government Administration on February 15, 2006, HOUSE RESOLUTION 840 was taken up for consideration.

Representative Turner moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

HOUSE BILLS ON SECOND READING

HOUSE BILL 686. 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 House Bill 686 by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by adding Section 6-33 as follows:

(235 ILCS 5/6-33 new)

Sec. 6-33. Alcohol without liquid machines.

(a) No person shall bring into this State for use or sale any alcohol without liquid machine.

(b) For purposes of this Section, "alcohol without liquid machine" means a device designed or marketed for the purposes of mixing alcohol with oxygen or another gas to produce a mist for inhalation for recreational purposes.

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

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 874.

ACTION ON MOTIONS

Representative Hassert asked and obtained unanimous consent to table HOUSE BILL 4237.

Representative Bill Mitchell asked and obtained unanimous consent to table HOUSE BILL 5371.

Representative Mulligan asked and obtained unanimous consent to table HOUSE BILL 5294.

Representative Moffitt asked and obtained unanimous consent to table HOUSE BILL 5321.

HOUSE BILLS ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 4125.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4157.

HOUSE BILL 4173. Having been recalled on January 26, 2006, and held on the order of Second Reading, the same was again taken up.

Representative Fritchey offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 4173, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, by replacing the phrase ", except that the title "Mrs." may be used in the case of a married woman" with "~~except that the title "Mrs." may be used in the case of a married woman~~" each place the former phrase appears at the following page and line numbers:

- on page 2, lines 10 through 12; and
- on page 3, lines 23 and 24; and
- on page 5, lines 6 and 7; and
- on page 6, lines 4 and 5; and
- on page 10, lines 30 and 31.

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

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

HOUSE BILL 4205. Having been reproduced, was taken up and read by title a second time. Representative Franks offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 4205 by replacing everything after the enacting clause with the following:

"Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by changing and renumbering Section 2QQ, as added by Public Act 93-945, as follows:

(815 ILCS 505/2SS)

Sec. ~~2SS~~ 2QQ. Gift certificates.

(a) "Gift certificate" means a record evidencing a promise, made for consideration, by the seller or issuer of the record that goods or services will be provided to the holder of the record for the value shown in the record and includes, but is not limited to, a record that contains a microprocessor chip, magnetic stripe or other means for the storage of information that is prefunded and for which the value is decremented upon each use, a gift card, an electronic gift card, stored-value card or certificate, a store card or a similar record or card. For purposes of this Act, the term "gift certificate" does not include any of the following:

- (i) prepaid telecommunications and technology cards including, but not limited to, prepaid telephone calling cards, prepaid technical support cards, and prepaid Internet disks that are distributed to or purchased by a consumer;
- (ii) prepaid telecommunications and technology cards including, but not limited to, prepaid telephone calling cards, prepaid technical support cards, and prepaid Internet disks that are provided to a consumer pursuant to any award, loyalty, or promotion program without any money or other thing of value being given in exchange for the card; or
- (iii) any gift certificate usable with multiple sellers of goods or services.

(b) On or after January 1, 2007, no person shall sell a gift certificate that is subject to: (1) an expiration date; or (2) a post-purchase fee. Any gift certificate issued prior to January 1, 2007 that is subject to a fee must contain a statement clearly and

conspicuously printed on the gift certificate stating whether there is a fee, the amount of the fee, how often the fee will occur, that the fee is triggered by inactivity of the gift certificate, and at what point the fee will be charged. The statement may appear on the front or back of the gift certificate in a location where it is visible to any purchaser prior to the purchase.

(c) The face value of a gift certificate issued on or after January 1, 2007 may not be reduced in value and the holder of a gift certificate issued after January 1, 2007 may not be penalized in any way for non-use or untimely redemption of the gift certificate. Any gift certificate issued prior to January 1, 2007 that is subject to an expiration date must contain a statement clearly

and conspicuously printed on the gift certificate stating the expiration date. The statement may appear on the front or back of the gift certificate in a location where it is visible to any purchaser prior to the purchase.

(d) Subsection (c) does not apply to any gift certificate issued prior to January 1, 2007 that contains a toll free phone

number and a statement clearly and conspicuously printed on the gift certificate stating that holders can call the toll free number to find out the balance on the gift certificate, if applicable, and the expiration date. The toll free number and statement may appear on the front or back of the gift certificate in a location where it is visible to any purchaser prior to the purchase.

(e) This Section does not apply to any of the following gift certificates:

(i) Gift certificates that are distributed by the issuer to a consumer pursuant to an awards, loyalty, or promotional program without any money or thing of value being given in direct exchange or solely for the gift certificate by the consumer.

(ii) Gift certificates that are sold below face value at a volume discount to employers or to nonprofit and charitable organizations for fundraising purposes if the expiration date on those gift certificates is not more than 30 days after the date of sale.

(iii) Gift certificates that are issued for a food product.

(Source: P.A. 93-945, eff. 1-1-05; revised 11-10-04.)".

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

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

HOUSE BILL 4221. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4221 by replacing everything after the enacting clause with the following:

"Section 5. The Higher Education Student Assistance Act is amended by changing Section 140 as follows:

(110 ILCS 947/140)

Sec. 140. Powers and duties. The Commission shall have the following powers in furtherance of the programs authorized by this Act:

(a) To adopt rules and regulations governing the purchasing, servicing, and selling of eligible loans and any other matters relating to the activities of the guaranteed loan programs.

(b) To perform such other acts as may be necessary or appropriate in connection with the making, purchasing, servicing, and selling of eligible loans.

(c) To sue and be sued in the name of the Commission.

(d) To make, purchase, service, sell, or otherwise deal in, at prices and on terms and conditions determined by the Commission, eligible loans, including loans guaranteed by the Commission. However, if any student loan held by the Commission is sold or transferred to a private entity, then the private entity holding the loan must offer an interest rate on the loan that is the same as or lower than the Commission offered at the time of sale or transfer. Additionally, a private entity must offer the same fee reduction plan that was offered by the Commission at the time of sale or transfer.

(e) To issue bonds to make or acquire eligible loans or to refund the bonds of the Commission and to provide for the security and payment of those bonds and for the rights of the holders thereof.

(f) To retain in accounts designated in the resolution or resolutions authorizing the bonds of the Commission and to disburse therefrom all proceeds from the sale of the bonds of the Commission issued pursuant to this Act, all eligible loans receipts received by the Commission, and all earnings received by the Commission from any authorized investment.

(g) To hire and retain such attorneys, accountants, financial advisors, and other employees as may be required by the Commission, to determine their qualifications, to define their duties, to fix their compensation, and to pay that compensation from the proceeds from the sale of the bonds of the Commission issued pursuant to this Act and from the earnings received by the Commission from any authorized investment as provided in the resolution or resolutions authorizing the bonds, all notwithstanding any other provisions of this Act or any other law.

(h) To enter into contracts, to execute instruments, to invest and to accumulate assets, to incur liabilities, and to do all things necessary or incidental to the proper management of such affairs and the proper conduct of such business as are authorized under this Act.

(Source: P.A. 87-997.)

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

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4291.

HOUSE BILL 4334. Having been reproduced, was taken up and read by title a second time. Representative Reis offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 4334 on page 2, line 5, after "Fund," by inserting "the State's Attorneys Appellate Prosecutor's County Fund.".

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

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 4365 and 4369.

HOUSE BILL 4370. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4370 by replacing everything after the enacting clause with the following:

"Section 5. The Ambulatory Surgical Treatment Center Act is amended by adding Section 6.7 as follows:

(210 ILCS 5/6.7 new)

Sec. 6.7. Registered nurse administration of limited levels of sedation or analgesia.

(a) Nothing in this Act precludes a registered nurse from administering medications for the delivery of local or minimal sedation ordered by a physician licensed to practice medicine in all its branches, podiatrist, or dentist.

(b) If the ASTC policy allows the registered nurse to deliver moderate sedation ordered by a physician licensed to practice medicine in all its branches, podiatrist, or dentist, the following are required:

(1) The registered nurse must be under the supervision of a physician licensed to practice medicine in all its branches, podiatrist, or dentist during the delivery or monitoring of moderate sedation and have no

other responsibilities during the procedure.

(2) The registered nurse must maintain current Advanced Cardiac Life Support certification or Pediatric Advanced Life Support certification as appropriate to the age of the patient.

(3) The supervising physician licensed to practice medicine in all its branches, podiatrist, or dentist must have training and experience in delivering and monitoring moderate sedation and possess clinical privileges at the ASTC to administer moderate sedation or analgesia.

(4) The supervising physician licensed to practice medicine in all its branches, podiatrist, or dentist must remain physically present and available on the premises during the delivery of moderate sedation for diagnosis, consultation, and treatment of emergency medical conditions.

(5) The supervising physician licensed to practice medicine in all its branches, podiatrist, or dentist must maintain current Advanced Cardiac Life Support certification or Pediatric Advanced Life Support certification as appropriate to the age of the patient.

(c) Local, minimal, and moderate sedation shall be defined by the Division of Professional Regulation of the Department of Financial and Professional Regulation. Registered nurses shall be limited to administering medications for moderate sedation at doses rapidly reversible pharmacologically as determined by rule by the Division of Professional Regulation of the Department of Financial and Professional Regulation.

Section 10. The Medical Practice Act of 1987 is amended by adding Section 54.6 as follows:

(225 ILCS 60/54.6 new)

Sec. 54.6. Registered nurse administration of limited levels of anesthesia. Nothing in this Act precludes a registered nurse from administering local anesthesia or minimal sedation or moderate sedation, as defined by rule, ordered by a physician licensed to practice medicine in all its branches. The Department shall define the levels of anesthesia by rule. The Department shall list the medications for moderate sedation that are permitted under subsection (c) of Section 6.7 of the Ambulatory Surgical Treatment Act as rapidly reversible pharmacologically.

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

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

HOUSE BILL 4396. 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 House Bill 4396 by replacing the title with the following:

"AN ACT concerning public health."; and

by replacing everything after the enacting clause with the following:

"Section 5. The AIDS Confidentiality Act is amended by changing Section 7 as follows:

(410 ILCS 305/7) (from Ch. 111 1/2, par. 7307)

Sec. 7. (a) Notwithstanding the provisions of Sections 4, 5 and 6 of this Act, written informed consent is not required for a health care provider or health facility to perform a test when the health care provider or health facility procures, processes, distributes or uses a human body part donated for a purpose specified under the Illinois Anatomical Gift Act, or semen provided prior to the effective date of this Act for the purpose of artificial insemination, and such a test is necessary to assure medical acceptability of such gift or semen for the purposes intended.

(b) Written informed consent is not required for a health care provider or health facility to perform a test when a health care provider or employee of a health facility, or a firefighter or an EMT-A, EMT-I or EMT-P, is involved in an accidental direct skin or mucous membrane contact with the blood or bodily fluids of an individual which is of a nature that may transmit HIV, as determined by a physician in his medical judgment. Should such test prove to be positive, the patient and the health care provider, health facility employee, firefighter, EMT-A, EMT-I, or EMT-P shall be provided appropriate counseling consistent with this Act.

(c) Written informed consent is not required for a health care provider or health facility to perform a test when a law enforcement officer is involved in the line of duty in a direct skin or mucous membrane contact with the blood or bodily fluids of an individual which is of a nature that may transmit HIV, as determined by a physician in his medical judgment. When the physician determines that a law enforcement officer in

the line of duty has experienced a direct skin or mucous membrane contact with the blood or bodily fluids of an individual which is of a nature that may transmit HIV, the individual shall submit, upon the request of that law enforcement officer, to a test of blood or other bodily fluids to detect the presence of HIV. Should such test prove to be positive, the patient shall be provided appropriate counseling consistent with this Act. For purposes of this subsection (c), "law enforcement officer" means any person employed by the State, a county or a municipality as a policeman, peace officer, auxiliary policeman, correctional officer or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life.

(Source: P.A. 93-794, eff. 7-22-04.)".

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

HOUSE BILL 4438. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4438 on page 1, line 13, by inserting "knowingly" after "and".

AMENDMENT NO. 2. Amend House Bill 4438, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by changing Sections 16G-21 and 16H-1 and by adding Section 16G-13 as follows:

(720 ILCS 5/16G-13 new)

Sec. 16G-13. Facilitating identity theft.

(a) A person commits the offense of facilitating identity theft when he or she is an employee of the State of Illinois who in the course of his or her official duties has access to personal identifying information of another person, whether written, recorded, or on computer disk and knowingly, with the intent of committing identity theft, aggravated identity theft, or any violation of the Illinois Financial Crime Law, disposes of that written, recorded, or computerized information in any receptacle, trash can, or other container that the public could gain access to, without shredding that information, destroying the recording, or wiping the computer disk so that the information is either unintelligible or destroyed.

(b) Sentence. Facilitating identity theft is a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense.

(720 ILCS 5/16G-21)

Sec. 16G-21. Civil remedies. A person who is convicted of facilitating identity theft, identity theft, or aggravated identity theft is liable in a civil action to the person who suffered damages as a result of the violation. The person suffering damages may recover court costs, attorney's fees, lost wages, and actual damages.

(Source: P.A. 92-686, eff. 7-16-02; 93-401, eff. 7-31-03.)

(720 ILCS 5/16H-1)

Sec. 16H-1. Short title. This Article may be cited as the Illinois Financial Crime Law Act.

(Source: P.A. 93-440, eff. 8-5-03.)".

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

HOUSE BILL 4449. Having been recalled on January 31, 2006, and held on the order of Second Reading, the same was again taken up.

Representative Holbrook offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 4449, AS AMENDED, with reference to page and line numbers of House Amendment No. 1 on page 1, immediately below line 24, by inserting the following:

"(b-5) The notification required by this Section may be delayed upon a request by law enforcement if a law enforcement agency determines that the notification will impede a criminal investigation. The

notification time period required by this Section shall commence after the data collector receives notice from the law enforcement agency that the notification will not compromise the investigation."

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

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

HOUSE BILL 4451. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4451 on page 1, line 24, by replacing "A person" with "An individual"; and
 on page 1, line 28, by replacing "including the site" with "including, at the discretion of the agency having jurisdiction over the section of highway in question, the site"; and
 on page 2, line 4, by replacing "A person" with "An individual"; and
 on page 2, line 5, by replacing "this Act" with "the Litter Control Act"; and
 on page 2, line 9, by replacing "a person" with "an individual"; and
 on page 2, by deleting lines 11 and 12.

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4519.

HOUSE BILL 4541. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4541 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 17-106.1 as follows:
 (40 ILCS 5/17-106.1)

Sec. 17-106.1. Administrator. Administrator means a member who (i) is employed in a position that requires him or her to hold a Type 75 Certificate issued by the State Teacher Certification Board, (ii) is not on the Chicago teachers' or the Chicago charter school teachers' salary schedule, or (iii) is paid on an administrative payroll.

(Source: P.A. 94-514, eff. 8-10-05.)

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

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

HOUSE BILL 4676. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4676 on page 1, line 5, by deleting "4.2,"; and
 on page 1, line 14, by replacing "or neglect" with ", or neglect, or self-neglect"; and
 on page 4, line 25, by replacing "medical" with "health medical"; and
 on page 5, line 12, by replacing "medical" with "health"; and

on page 8, line 8, by replacing "~~or~~" with "or"; and
 on page 8, line 9, by deleting "or self-neglect"; and
 on page 8, line 30, by replacing "~~or~~ financially exploited , or" with "or financially exploited"; and
 on page 8, line 31, by deleting "self-neglected"; and
 on page 8, by replacing lines 34 through 36 with the following:
 "that it is in the alleged victim's best interest shall be immune from criminal or civil"; and
 on page 9, line 2, by deleting "or not making"; and
 on page 10, by replacing lines 3 and 4 with the following:
 "by this Act shall be referred to the Illinois State Medical"; and
 on page 10, by deleting lines 16 through 33; and
 on page 11, lines 15 and 16, by replacing "designated case management agency for any appropriate follow-up" with "appropriate agency or agencies as designated by the Department for any follow-up"; and
 on page 12, line 9, by replacing "; and" with ";"; and
 on page 12, line 12, before the period, by inserting "; and (iv) the procedure for data collection of incidents of self-neglect".

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 4717, 4737, 4746 and 4755.

HOUSE BILL 4756. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on International Trade & Commerce, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 4756 on page 1, line 10, by replacing "shall" with "may, subject to appropriation".

Representative Krause offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 4756 on page 1, immediately after line 15, by inserting the following:

"For purposes of this Section, "international business center" means any not-for-profit organization, including a federal, State, or local organization or private organization, that: (i) focuses on helping Illinois business take advantage of global business opportunities, (ii) sponsors and provides educational workshops, trade missions, and networking events designed to help Illinois companies develop and expand business strategies in a global environment, (iii) works with the Department to assist businesses in promoting their services, and (iv) helps local and regional businesses to expand and compete in the global marketplace.

The Department shall serve as an advisor to international business centers and shall assist them in the promotion of their services in order to promote a stronger business community and increase the workforce in Illinois. The assistance shall include facilitating trade shows and meetings within international business centers to help local and regional firms take advantage of global opportunities and become aware of foreign investment opportunities."

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

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

HOUSE BILL 4813. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4813 by replacing everything after the enacting clause with the following:

"Section 5. The Riverboat Gambling Act is amended by adding Section 13.2 as follows:

(230 ILCS 10/13.2 new)

Sec. 13.2. Rialto Square Theatre Improvement Fund. In addition to any other monies required to be paid under this Act, a riverboat with a home dock located within the City of Joliet shall pay to the Illinois Gaming Board \$1,500,000 on July 1, 2006 or within 30 days after the effective date of this amendatory Act of the 94th General Assembly, whichever is later. The payments required under this Section shall be deposited into the Rialto Square Theatre Improvement Fund, a special fund created in the State treasury. Subject to appropriation to the governing board of the Will County Metropolitan Exposition and Auditorium Authority, moneys in the Rialto Square Theatre Improvement Fund shall be used for repairs and improvements to the Rialto Square Theatre.

Section 10. The State Finance Act is amended by adding Section 5.663 and by amending Section 8h as follows:

(30 ILCS 105/5.663 new)

Sec. 5.663. The Rialto Square Theatre Improvement Fund.

(30 ILCS 105/8h)

Sec. 8h. Transfers to General Revenue Fund.

(a) Except as provided in subsection (b), notwithstanding any other State law to the contrary, the Governor may, through June 30, 2007, from time to time direct the State Treasurer and Comptroller to transfer a specified sum from any fund held by the State Treasurer to the General Revenue Fund in order to help defray the State's operating costs for the fiscal year. The total transfer under this Section from any fund in any fiscal year shall not exceed the lesser of (i) 8% of the revenues to be deposited into the fund during that fiscal year or (ii) an amount that leaves a remaining fund balance of 25% of the July 1 fund balance of that fiscal year. In fiscal year 2005 only, prior to calculating the July 1, 2004 final balances, the Governor may calculate and direct the State Treasurer with the Comptroller to transfer additional amounts determined by applying the formula authorized in Public Act 93-839 to the funds balances on July 1, 2003. No transfer may be made from a fund under this Section that would have the effect of reducing the available balance in the fund to an amount less than the amount remaining unexpended and unreserved from the total appropriation from that fund estimated to be expended for that fiscal year. This Section does not apply to any funds that are restricted by federal law to a specific use, to any funds in the Motor Fuel Tax Fund, the Intercity Passenger Rail Fund, the Hospital Provider Fund, the Medicaid Provider Relief Fund, the Teacher Health Insurance Security Fund, the Reviewing Court Alternative Dispute Resolution Fund, ~~or~~ the Voters' Guide Fund, the Foreign Language Interpreter Fund, the Lawyers' Assistance Program Fund, the Supreme Court Federal Projects Fund, the Supreme Court Special State Projects Fund, ~~or~~ the Low-Level Radioactive Waste Facility Development and Operation Fund, or the Hospital Basic Services Preservation Fund, or to any funds to which subsection (f) of Section 20-40 of the Nursing and Advanced Practice Nursing Act applies. No transfers may be made under this Section from the Pet Population Control Fund. Notwithstanding any other provision of this Section, for fiscal year 2004, the total transfer under this Section from the Road Fund or the State Construction Account Fund shall not exceed the lesser of (i) 5% of the revenues to be deposited into the fund during that fiscal year or (ii) 25% of the beginning balance in the fund. For fiscal year 2005 through fiscal year 2007, no amounts may be transferred under this Section from the Road Fund, the State Construction Account Fund, the Criminal Justice Information Systems Trust Fund, the Wireless Service Emergency Fund, or the Mandatory Arbitration Fund.

In determining the available balance in a fund, the Governor may include receipts, transfers into the fund, and other resources anticipated to be available in the fund in that fiscal year.

The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practicable after receiving the direction to transfer from the Governor.

(b) This Section does not apply to: (i) the Ticket For The Cure Fund; ~~(ii) or to~~ any fund established under the Community Senior Services and Resources Act; or ~~(iii) (ii)~~ on or after January 1, 2006 (the effective date of Public Act 94-511) ~~this amendatory Act of the 94th General Assembly~~, the Child Labor and Day and Temporary Labor Enforcement Fund.

(c) This Section does not apply to the Demutualization Trust Fund established under the Uniform Disposition of Unclaimed Property Act.

(d) This Section does not apply to the Rialto Square Theatre Fund established under the Riverboat Gambling Act.

(Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674, eff. 6-10-04; 93-714, eff. 7-12-04; 93-801,

eff. 7-22-04; 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff. 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff. 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645, eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05; 94-691, eff. 11-2-05; revised 11-15-05.)

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

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

HOUSE BILL 4894. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4894 on page 1, line 1, by replacing "health care workers" with "regulation"; and
on page 2, line 7, after "Systems", by inserting "by January 1, 2009"; and
on page 2, line 9, by replacing "program." with the following:
"program approved by the U.S. Department of Labor. State employees who perform inspections and testing on behalf of State institutions and who meet all other requirements of this subsection (f) need not be licensed under this Act or employed by a licensee under this Act in order to perform inspection and testing duties under this subsection (f)."; and
on page 2, line 10, by replacing "inspection" with "inspections"; and
on page 2, by replacing line 12 with the following:
"a county, a fire protection district, or the Office of the State Fire Marshal."

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

HOUSE BILL 4904. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4904 on page 3, line 15, by replacing "Director, in consultation with" with "Director, with the consent of"; and
on page 4, line 28, by replacing "Director, in consultation with" with "Director, with the consent of"; and
on page 5, by replacing lines 3 through 5 with the following:
"established through regulation by the Director. The chief amusement ride inspector shall be licensed in Illinois as a professional engineer.";
and
on page 7, by deleting lines 4 through 7.

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4949.

HOUSE BILL 4948. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4948 on page 2, line 31 by replacing "local law enforcement agency" with "controlling unit of local government"; and
on page 3, line 2, after the period, by inserting "No fine shall be imposed under this subsection with respect to a law enforcement agency that does not perform traffic stops.".

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4951.

HOUSE BILL 4974. 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 House Bill 4974 on page 1, line 31, after "A", by inserting "K-3"; and on page 2, line 10, after "classes", by inserting "in grades kindergarten through 3".

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

HOUSE BILL 4987. 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 House Bill 4987 on page 1, line 14, by deleting "school".

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

HOUSE BILL 5001. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elections & Campaign Reform, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5001 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Section 10-9 as follows:

(10 ILCS 5/10-9) (from Ch. 46, par. 10-9)

Sec. 10-9. The following electoral boards are designated for the purpose of hearing and passing upon the objector's petition described in Section 10-8.

1. The State Board of Elections will hear and pass upon objections to the nominations of candidates for State offices, nominations of candidates for congressional, legislative and judicial offices of districts, subcircuits, or circuits situated in more than one county, nominations of candidates for the offices of State's attorney or regional superintendent of schools to be elected from more than one county, and petitions for proposed amendments to the Constitution of the State of Illinois as provided for in Section 3 of Article XIV of the Constitution.

2. The county officers electoral board to hear and pass upon objections to the nominations of candidates for county offices, for congressional, legislative and judicial offices of a district, subcircuit, or circuit coterminous with or less than a county, for school trustees to be voted for by the electors of the county or by the electors of a township of the county, for offices of a school or community college district within the county, for the office of multi-township assessor where candidates for such office are nominated in accordance with this Code, and for all special district offices, shall be composed of the county clerk, or an assistant designated by the county clerk, the State's attorney of the county or an Assistant State's Attorney designated by the State's Attorney, and the clerk of the circuit court, or an assistant designated by the clerk of the circuit court, of the county, of whom the county clerk or his designee shall be the chairman, except that in any county which has established a county board of election commissioners that board shall

constitute the county officers electoral board ex-officio.

3. The municipal officers electoral board to hear and pass upon objections to the nominations of candidates for officers of municipalities shall be composed of the mayor or president of the board of trustees of the city, village or incorporated town, and the city, village or incorporated town clerk, and one member of the city council or board of trustees, that member being designated who is eligible to serve on the electoral board and has served the greatest number of years as a member of the city council or board of trustees, of whom the mayor or president of the board of trustees shall be the chairman.

4. The township officers electoral board to pass upon objections to the nominations of township officers shall be composed of the township supervisor, the town clerk, and that eligible town trustee elected in the township who has had the longest term of continuous service as town trustee, of whom the township supervisor shall be the chairman.

5. ~~(Blank.) The education officers electoral board to hear and pass upon objections to the nominations of candidates for offices in school or community college districts shall be composed of the presiding officer of the school or community college district board, who shall be the chairman, the secretary of the school or community college district board and the eligible elected school or community college board member who has the longest term of continuous service as a board member.~~

6. In all cases, however, where the Congressional or Legislative district is wholly within the jurisdiction of a board of election commissioners and in all cases where the school district or special district is wholly within the jurisdiction of a municipal board of election commissioners and in all cases where the municipality or township is wholly or partially within the jurisdiction of a municipal board of election commissioners, the board of election commissioners shall ex-officio constitute the electoral board.

For special districts situated in more than one county, the county officers electoral board of the county in which the principal office of the district is located has jurisdiction to hear and pass upon objections. For purposes of this Section, "special districts" means all political subdivisions other than counties, municipalities, and townships ~~and school and community college districts.~~

In the event that any member of the appropriate board is a candidate for the office with relation to which the objector's petition is filed, he shall not be eligible to serve on that board and shall not act as a member of the board and his place shall be filled as follows:

- a. In the county officers electoral board by the county treasurer, and if he or she is ineligible to serve, by the sheriff of the county.
- b. In the municipal officers electoral board by the eligible elected city council or board of trustees member who has served the second greatest number of years as a city council or board of trustees member.
- c. In the township officers electoral board by the eligible elected town trustee who has had the second longest term of continuous service as a town trustee.
- ~~d. In the education officers electoral board by the eligible elected school or community college district board member who has had the second longest term of continuous service as a board member.~~

In the event that the chairman of the electoral board is ineligible to act because of the fact that he is a candidate for the office with relation to which the objector's petition is filed, then the substitute chosen under the provisions of this Section shall be the chairman; In this case, the officer or board with whom the objector's petition is filed, shall transmit the certificate of nomination or nomination papers as the case may be, and the objector's petition to the substitute chairman of the electoral board.

When 2 or more eligible individuals, by reason of their terms of service on a city council or board of trustees, or township board of trustees, ~~or school or community college district board,~~ qualify to serve on an electoral board, the one to serve shall be chosen by lot.

Any vacancies on an electoral board not otherwise filled pursuant to this Section shall be filled by public members appointed by the Chief Judge of the Circuit Court for the county wherein the electoral board hearing is being held upon notification to the Chief Judge of such vacancies. The Chief Judge shall be so notified by a member of the electoral board or the officer or board with whom the objector's petition was filed. In the event that none of the individuals designated by this Section to serve on the electoral board are eligible, the chairman of an electoral board shall be designated by the Chief Judge.

(Source: P.A. 94-645, eff. 8-22-05.)"

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

HOUSE BILL 5002. Having been reproduced, was taken up and read by title a second time. The following amendment was offered in the Committee on Labor, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5002 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Employee Classification Act.

Section 3. Purpose. This Act is intended to address the practice of misclassifying employees as independent contractors.

Section 5. Definitions. As used in this Act:

"Contractor" means any person who, in any capacity other than as the employee of another for wages as the sole compensation, undertakes to construct, alter, repair, move, wreck, or demolish any fixture or structure. "Contractor" includes a general contractor and a subcontractor, but does not include a person who furnishes only materials or supplies.

"Department" means the Department of Labor.

"Director" means the Director of Labor.

"Employer" means any contractor that employs individuals deemed employees under Section 10 of this Act; however, "employer" does not include (i) the State of Illinois or its officers, agencies, or political subdivisions or (ii) the federal government.

"Entity" means any contractor for which a person is performing any service and is not classified as an employee under Section 10 of this Act; however, "entity" does not include (i) the State of Illinois or its officers, agencies, or political subdivisions or (ii) the federal government.

Section 10. Applicability; status of individuals performing service. For the purposes of this Act, an individual performing any service for a contractor is deemed to be an employee unless it is shown that:

- (1) the individual has been and will continue to be free from control or direction over the performance of the service, both under his or her contract of service and in fact;
- (2) the service is either outside the usual course of the business for which the service is performed or the service is performed outside of all the places of business of the enterprise for which the service is performed; and
- (3) the individual is engaged in an independently established trade, occupation, profession, or business.

Section 15. Notice.

(a) The Department shall post a summary of the requirements of this Act in English, Spanish, and Polish on its web site and on bulletin boards in each of its offices.

(b) An employer or entity for whom one or more persons classified as independent contractors are performing service shall post and keep posted, in conspicuous places on each job site where those persons work and in each of its offices, a notice in English, Spanish, and Polish, prepared by the Department, summarizing the requirements of this Act. The Department shall furnish copies of summaries to employers and entities upon request without charge.

Section 20. Failure to properly designate or classify persons performing services as employees.

(a) Except as provided in subsection (b), it is a violation of this Act for an employer or entity not to designate an individual as an employee under Section 10 of this Act unless the employer or entity satisfies the provisions of Section 10.

(b) Subsection (a) does not apply to any designation of an individual by an employer or entity in accordance with the requirements of any other law, rule, or regulation.

Section 25. Enforcement. It shall be the duty of the Department to enforce the provisions of this Act. The Department shall have the power to conduct investigations in connection with the administration and enforcement of this Act and any investigator with the Department shall be authorized to visit and inspect, at all reasonable times, any places covered by this Act and shall be authorized to inspect, at all reasonable times, documents related to the determination of whether a person is an employee under Section 10 of this Act. The Department shall conduct hearings in accordance with the Illinois Administrative Procedure Act upon written complaint by an investigator of the Department or any interested person of a violation of the Act. After the hearing, if supported by the evidence, the Department may (i) issue and cause to be served on any party an order to cease and desist from further violation of the Act, (ii) take affirmative or other action as deemed reasonable to eliminate the effect of the violation, and (iii) determine the amount of any civil penalty allowed by the Act. The Director of Labor or his or her representative may compel, by subpoena, the attendance and testimony of witnesses and the production of books, payrolls, records, papers, and other evidence in any investigation or hearing and may administer oaths to witnesses.

Section 30. Review under Administrative Review Law. Any party to a proceeding under this Act may apply for and obtain judicial review of an order of the Department entered under this Act in accordance with the provisions of the Administrative Review Law, and the Department in proceedings under the Act may obtain an order from the court for the enforcement of its order.

Section 35. Contempt. Whenever it appears that any employer or entity has violated a valid order of the Department issued under this Act, the Director of Labor may commence an action and obtain from the court an order commanding the employer or entity to obey the order of the Department or be adjudged guilty of contempt of court and punished accordingly.

Section 40. Penalties. An employer or entity that violates any of the provisions of this Act or any rule adopted under this Act shall be subject to a civil penalty not to exceed \$1,500 for each violation found in the first audit by the Department. Following a first audit, an employer or entity shall be subject to a civil penalty not to exceed \$2,500 for each repeat violation found by the Department within 5 years. For purposes of this Section, each violation of this Act for each person and for each day the violation continues shall constitute a separate and distinct violation. In determining the amount of a penalty, the Director shall consider the appropriateness of the penalty to the employer or entity charged, upon the determination of the gravity of the violations. For any second or subsequent violation determined by the Department which is within 5 years of an earlier violation, the Department shall add the employer or entity's name to a list to be posted on the Department's website. Upon such determination the Department shall notify the violating employer or entity. Such employer or entity shall then have 10 working days to request a hearing by the Department on the alleged violations. Failure to respond within the 10 working day period shall result in automatic and immediate placement and publication on the list. If the employer or entity requests a hearing within the 10 working day period, the Director shall set a hearing on the alleged violations. Such hearing shall take place no later than 45 calendar days after the receipt by the Department of Labor of the request for a hearing. The Department of Labor is empowered to promulgate, adopt, amend, and rescind rules to govern the hearing procedure. No contract shall be awarded to a employer or entity appearing on the list until 4 years have elapsed from the date of the last violation. The amount of the penalty, when finally determined, may be recovered in a civil action filed in any circuit court by the Director of Labor or a person aggrieved by a violation of this Act or any rule adopted under this Act. In any civil action brought by an aggrieved person pursuant to this Section, the circuit court shall award the aggrieved person 10% of the amount recovered. In such case the remaining amount recovered shall be submitted to the Director of Labor.

Section 45. Willful violations.

(a) Whoever willfully violates any of the provisions of this Act or any rule adopted under this Act or whoever obstructs the Director of Labor, or his or her representatives, or any other person authorized to inspect places of employment under this Act shall be liable for penalties up to double the statutory amount.

(b) Whoever willfully violates any of the provisions of this Act or any rule adopted under this Act shall be liable to the employee for punitive damages in an amount equal to the penalties assessed in subsection (a) of this Section.

(c) The Director may promulgate rules for the collection of these penalties. The penalty shall be imposed in cases in which an employer or entity's conduct is proven by a preponderance of the evidence to be willful. The penalty may be recovered in a civil action brought by the Director of Labor in any circuit court. In any such action, the Director of Labor shall be represented by the Attorney General.

Section 50. Employee Classification Fund. All moneys received by the Department as fees and civil penalties under this Act shall be deposited into the Employee Classification Fund and shall be used, subject to appropriation by the General Assembly, by the Department for administration, investigation, and other expenses incurred in carrying out its powers and duties under this Act. The Department shall hire as many investigators as may be necessary to carry out the purposes of this Act. Any moneys in the Fund at the end of a fiscal year in excess of those moneys necessary for the Department to carry out its powers and duties under this Act shall be available to the Department for the next fiscal year for any of the Department's duties.

Section 55. Retaliation.

(a) It is a violation of this Act for an employer or entity, or any agent of an employer or entity, to retaliate through discharge or in any other manner against any person for exercising any rights granted under this Act. Such retaliation shall subject an employer or entity to civil penalties pursuant to this Act or a private cause of action.

(b) It is a violation of this Act for an employer or entity to retaliate against a person for:

(1) making a complaint to an employer or entity, to a co-worker, to a community

organization, before a public hearing, or to a State or federal agency that rights guaranteed under this Act have been violated;

- (2) causing to be instituted any proceeding under or related to this Act; or
- (3) testifying or preparing to testify in an investigation or proceeding under this Act.

Section 60. Private right of action.

(a) A person aggrieved by a violation of this Act or any rule adopted under this Act by an employer or entity may file suit in circuit court, in the county where the alleged offense occurred or where any person who is party to the action resides, without regard to exhaustion of any alternative administrative remedies provided in this Act. Actions may be brought by one or more persons for and on behalf of themselves and other persons similarly situated. A person whose rights have been violated under this Act by an employer or entity is entitled to collect:

- (1) the amount of any wages, salary, employment benefits, or other compensation denied or lost to the person by reason of the violation, plus an equal amount in liquidated damages;
- (2) compensatory damages and an amount up to \$500 for each violation of this Act or any rule adopted under this Act;
- (3) in the case of unlawful retaliation, all legal or equitable relief as may be appropriate; and
- (4) attorney's fees and costs.

(b) The right of an aggrieved person to bring an action under this Section terminates upon the passing of 3 years from the final date of service to the employer or entity. This limitations period is tolled if an employer or entity has deterred a person's exercise of rights under this Act by contacting or threatening to contact law enforcement agencies.

Section 65. Rulemaking. In addition to any rulemaking required by any other provision of this Act, the Department may adopt reasonable rules to implement and administer this Act. For purposes of this Act, the General Assembly finds that the adoption of rules to implement this Act is deemed an emergency and necessary for the public interest and welfare.

Section 70. No waivers.

(a) There shall be no waiver of any provision of this Act.

(b) It is a Class C misdemeanor for an employer to attempt to induce any individual to waive any provision of this Act.

Section 75. Cooperation. The Department of Labor, the Department of Employment Security, the Department of Revenue, and the Illinois Workers' Compensation Commission shall cooperate under this Act by sharing information concerning any suspected misclassification by an employer of one or more of its employees as independent contractors.

Section 901. The Department of Employment Security Law of the Civil Administrative Code of Illinois is amended by adding Section 1005-160 as follows:

(20 ILCS 1005/1005-160 new)

Sec. 1005-160. Misclassification of employees as independent contractors. The Department of Labor, the Department of Employment Security, the Department of Revenue, and the Illinois Workers' Compensation Commission shall cooperate under the Employee Classification Act by sharing information concerning any suspected misclassification by an employer or entity, as defined in the Employee Classification Act, of one or more employees as independent contractors.

Section 905. The Department of Labor Law of the Civil Administrative Code of Illinois is amended by adding Section 1505-125 as follows:

(20 ILCS 1505/1505-125 new)

Sec. 1505-125. Misclassification of employees as independent contractors. The Department of Labor, the Department of Employment Security, the Department of Revenue, and the Illinois Workers' Compensation Commission shall cooperate under the Employee Classification Act by sharing information concerning any suspected misclassification by an employer or entity, as defined in the Employee Classification Act, of one or more employees as independent contractors.

Section 910. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by adding Section 2505-750 as follows:

(20 ILCS 2505/2505-750 new)

Sec. 2505-750. Misclassification of employees as independent contractors. The Department of Labor, the Department of Employment Security, the Department of Revenue, and the Illinois Workers' Compensation Commission shall cooperate under the Employee Classification Act by sharing information concerning any suspected misclassification by an employer or entity, as defined in the Employee Classification Act, of one

or more employees as independent contractors.

Section 915. The State Finance Act is amended by adding Section 5.663 as follows:

(30 ILCS 105/5.663 new)

Sec. 5.663. The Employee Classification Fund.

Section 920. The Illinois Procurement Code is amended by changing Section 50-70 as follows:

(30 ILCS 500/50-70)

Sec. 50-70. Additional provisions. This Code is subject to applicable provisions of the following Acts:

- (1) Article 33E of the Criminal Code of 1961;
- (2) the Illinois Human Rights Act;
- (3) the Discriminatory Club Act;
- (4) the Illinois Governmental Ethics Act;
- (5) the State Prompt Payment Act;
- (6) the Public Officer Prohibited Activities Act; ~~and~~
- (7) the Drug Free Workplace Act; and
- (8) the Employee Classification Act.

(Source: P.A. 90-572, eff. 2-6-98.)

Section 925. The Workers' Compensation Act is amended by adding Section 26.1 as follows:

(820 ILCS 305/26.1 new)

Sec. 26.1. Misclassification of employees as independent contractors. The Department of Labor, the Department of Employment Security, the Department of Revenue, and the Illinois Workers' Compensation Commission shall cooperate under the Employee Classification Act by sharing information concerning any suspected misclassification by an employer or entity, as defined in the Employee Classification Act, of one or more employees as independent contractors.

Section 990. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 999. Effective date. This Act takes effect July 1, 2006."

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 5233.

HOUSE BILL 5244. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5244 by replacing everything after the enacting clause with the following:

"Section 1. Short Title. This Act may be cited as the I-Connect Computer Technology Act.

Section 5. Purpose. The General Assembly finds that in the modern, knowledge-based economy of the 21st century it is critical that all students have access to modern educational technology. The General Assembly further finds that universal access to portable computers has been found to increase student assessment test scores and encourage student and parent collaborations in learning. It is the duty of the State to provide new ways to equalize and advance educational opportunities for all students in public schools. In order to meet the goal of universal access to modern educational technology, the General Assembly finds it necessary to provide students in public schools with access to portable computers.

Section 10. Definitions. In this Act:

"Board" means the I-Connect Computer Technology Board.

"ISBE" means the Illinois State Board of Education.

"Low income student" means a pupil aged 3 to 17, inclusive, who is (i) from a family receiving public aid, (ii) living in an institution for neglected or delinquent children, (iii) being supported in a foster home with public funds, or (iv) eligible to receive free or reduced-price lunches.

"Program" means the I-Connect Computer Technology Program.

Section 15. I-Connect Computer Technology Program.

(a) The Illinois State Board of Education shall, by rule and with the advice of the I-Connect Computer Technology Board, establish and implement the I-Connect Computer Technology Program, which must meet all of the following standards:

(1) Beginning with the 2006-2007 school year and each school year thereafter, each student entering 7th grade who attends a public school meeting the criteria established in Sections 22 and 23 of this Act shall receive a portable computer. Additionally, each teacher teaching 7th grade students in a classroom at a public school shall receive a portable computer. Portable computers shall be delivered to each school district and shall become the property of the school district. School districts are responsible for distributing the computers to students and for establishing rules for student use of the computers. Each portable computer must include software and other learning technologies capable of being used in a classroom environment.

(2) Each school taking part in the I-Connect Computer Technology Program shall receive teacher technology training and professional development. Teachers that take part in technology training courses, seminars, or other related courses of instruction may credit that time towards their continuing professional development requirement, pursuant to Section 21-14 of the School Code. Professional development provided in accordance with this Act must be sufficient to ensure optimal use of software and other learning technologies associated with using portable computers.

(3) A statewide or regional plan for external and internal network and technical support must be created to allow for contracts for technical support with private businesses, colleges or universities, or not-for-profit corporations.

(4) A set-aside funding mechanism must be established to cover the costs of replacement portable computers and parts. Nothing in this Section shall preclude a contract with a vendor that places the financial duty on the vendor to cover those costs in part or in whole.

(b) ISBE is authorized to enter into contracts and memorandums of understanding with private parties and other State agencies to carry out its functions under this Act. ISBE shall establish a competitive procurement process for the selection of vendors for the purchase of portable computers and related technical support and professional development. Each Regional Office of Education shall select one vendor that has responded to ISBE's procurement process for the purchase of portable computers and related technical support and professional development for program recipients in its region.

Section 20. I-Connect Computer Technology Board.

(a) There is created the I-Connect Computer Technology Board. The Board shall be comprised of 10 members as follows: the Lieutenant Governor; 5 members appointed by the Governor; and one member appointed by the President of the Senate, one member appointed by the Minority Leader of the Senate, one member appointed by the Speaker of the House of Representatives, and one member appointed by the Minority Leader of the House of Representatives.

(b) Each of the Governor's appointees must have a background in at least one of the following areas:

- (1) computer technical support;
- (2) education administration at the grade K through 12 level;
- (3) teaching 6th through 12th grade students;
- (4) community outreach; or
- (5) the Illinois Century Network or other means of accessing the internet in schools.

(c) All members shall serve 4-year terms, except that members appointed to fill a vacancy shall serve for the remainder of the vacated term. Vacancies shall be filled in the same manner as the initial appointment.

(d) Board members shall receive no compensation other than reimbursement for necessary travel expenses, which shall be reimbursed by ISBE.

Section 22. Program participants.

(a) Subject to appropriation, participation for each school year shall be limited to (i) no more than 2 public schools in each Regional Office of Education region, (ii) no more than 30 schools in non-Chicago Cook County, and (iii) 30 schools in Chicago. Nothing in this Section shall be construed to limit the number of schools that may apply for the Program.

(b) Priority shall be given to those schools where at least 40% of the students are low income students, as defined in Section 10 of this Act.

(c) All participating schools must comply with requests from ISBE and the Board for information relating to the annual report requirement of Section 25 of this Act.

(d) All participating schools shall designate at least one teacher or administrator who shall coordinate

with ISBE and the Board and have the primary responsibility for ensuring that computers are being used and maintained.

Section 23. Application

(a) No later than 30 days after a majority of members of the Board are appointed, an application shall be developed by the Board and mailed to the principal of every public school in Illinois that educates 7th grade students.

(b) The application shall, at a minimum, contain all of the following:

- (1) A deadline for returning to application for entrance into the Program.
- (2) An inquiry into the adequacy of the school's infrastructure to manage the computers.
- (3) A requirement to provide the name of the school coordinator required under Section 22 of this Act.

Section 25. Annual Report. By no later than July 1st of each year, the Board, in conjunction with ISBE, shall submit an annual report to the Governor and the members of the General Assembly on the progress of the I-Connect Computer Technology Program. The report must include, at a minimum, all of the following:

- (1) The number of students receiving portable computers.
- (2) An accounting of all State, local, and federal funds used to implement the Program.
- (3) A projection for the cost of implementing the Program in the next school year.
- (4) The identification of software included on computers provided under the Program.
- (5) The academic progress of the students using the computers.
- (6) If available, a comparison of academic progress between those students using the computers in a specific curriculum and those who are not.
- (7) The quality and quantity of increased student proficiency with technology.
- (8) Teacher involvement and performance.
- (9) Of those students taking the computer home, the number of households in which persons other than the student use the computer.
- (10) Recommendations for Program improvement.

Section 30. I-Connect Computer Technology Fund.

(a) The I-Connect Computer Technology Fund is created as a special fund in the State treasury. All funds deposited into the I-Connect Computer Technology Fund shall be used, subject to appropriation, by ISBE for the purposes of this Act.

(b) ISBE may use any funds appropriated by the General Assembly for the purposes of the I-Connect Computer Technology Program, as well as any gift, grant, or donation given for the I-Connect Computer Technology Program. ISBE may solicit and accept a gift, grant, or donation of any kind from any source, including from a foundation, private entity, governmental entity, or institution of higher education, for the implementation of the I-Connect Computer Technology Program.

Section 35. Local authority. It is the sole duty of school districts, school administrators, and school teachers to make decisions relating to the use of portable computers provided under this Act, including determining: (i) standards for allowing students to take computers off school property; (ii) the courses or curriculums best suited for the computers; and (iii) the use of particular software or learning technologies.

Section 90. The State Finance Act is amended by adding Section 5.663 as follows:

(30 ILCS 105/5.663 new)

Sec. 5.663. The I-Connect Computer Technology Fund.

Section 95. The School Code is amended by changing Section 21-14 as follows:

(105 ILCS 5/21-14) (from Ch. 122, par. 21-14)

Sec. 21-14. Registration and renewal of certificates.

(a) A limited four-year certificate or a certificate issued after July 1, 1955, shall be renewable at its expiration or within 60 days thereafter by the county superintendent of schools having supervision and control over the school where the teacher is teaching upon certified evidence of meeting the requirements for renewal as required by this Act and prescribed by the State Board of Education in consultation with the State Teacher Certification Board. An elementary supervisory certificate shall not be renewed at the end of the first four-year period covered by the certificate unless the holder thereof has filed certified evidence with the State Teacher Certification Board that he has a master's degree or that he has earned 8 semester hours of credit in the field of educational administration and supervision in a recognized institution of higher learning. The holder shall continue to earn 8 semester hours of credit each four-year period until such time as he has earned a master's degree.

All certificates not renewed or registered as herein provided shall lapse after a period of 5 years from the expiration of the last year of registration. Such certificates may be reinstated for a one year period upon

payment of all accumulated registration fees. Such reinstated certificates shall only be renewed: (1) by earning 5 semester hours of credit in a recognized institution of higher learning in the field of professional education or in courses related to the holder's contractual teaching duties; or (2) by presenting evidence of holding a valid regular certificate of some other type. Any certificate may be voluntarily surrendered by the certificate holder. A voluntarily surrendered certificate shall be treated as a revoked certificate.

(b) When those teaching certificates issued before February 15, 2000 are renewed for the first time after February 15, 2000, all such teaching certificates shall be exchanged for Standard Teaching Certificates as provided in subsection (c) of Section 21-2. All Initial and Standard Teaching Certificates, including those issued to persons who previously held teaching certificates issued before February 15, 2000, shall be renewable under the conditions set forth in this subsection (b).

Initial Teaching Certificates are valid for 4 years of teaching, as provided in subsection (b) of Section 21-2 of this Code, and are renewable every 4 years until the person completes 4 years of teaching. If the holder of an Initial Certificate has completed 4 years of teaching but has not completed the requirements set forth in paragraph (2) of subsection (c) of Section 21-2 of this Code, then the Initial Certificate may be reinstated for one year, during which the requirements must be met. A holder of an Initial Certificate who has not completed 4 years of teaching may continuously register the certificate for additional 4-year periods without penalty. Initial Certificates that are not registered shall lapse consistent with subsection (a) of this Section and may be reinstated only in accordance with subsection (a). Standard Teaching Certificates are renewable every 5 years as provided in subsection (c) of Section 21-2 and subsection (c) of this Section. For purposes of this Section, "teaching" is defined as employment and performance of services in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, in a certificated teaching position, or a charter school operating in compliance with the Charter Schools Law.

(c) In compliance with subsection (c) of Section 21-2 of this Code, which provides that a Standard Teaching Certificate may be renewed by the State Teacher Certification Board based upon proof of continuing professional development, the State Board of Education and the State Teacher Certification Board shall jointly:

- (1) establish a procedure for renewing Standard Teaching Certificates, which shall include but not be limited to annual timelines for the renewal process and the components set forth in subsections (d) through (k) of this Section;
- (2) establish the standards for certificate renewal;
- (3) approve or disapprove the providers of continuing professional development activities;
- (4) determine the maximum credit for each category of continuing professional development activities, based upon recommendations submitted by a continuing professional development activity task force, which shall consist of 6 staff members from the State Board of Education, appointed by the State Superintendent of Education, and 6 teacher representatives, 3 of whom are selected by the Illinois Education Association and 3 of whom are selected by the Illinois Federation of Teachers;
- (5) designate the type and amount of documentation required to show that continuing professional development activities have been completed; and
- (6) provide, on a timely basis to all Illinois teachers, certificate holders, regional superintendents of schools, school districts, and others with an interest in continuing professional development, information about the standards and requirements established pursuant to this subsection (c).

(d) Any Standard Teaching Certificate held by an individual employed and performing services in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control in a certificated teaching position or a charter school in compliance with the Charter Schools Law must be maintained Valid and Active through certificate renewal activities specified in the certificate renewal procedure established pursuant to subsection (c) of this Section, provided that a holder of a Valid and Active certificate who is only employed on either a part-time basis or day-to-day basis as a substitute teacher shall pay only the required registration fee to renew his or her certificate and maintain it as Valid and Active. All other Standard Teaching Certificates held may be maintained as Valid and Exempt through the registration process provided for in the certificate renewal procedure established pursuant to subsection (c) of this Section. A Valid and Exempt certificate must be immediately activated, through procedures developed jointly by the State Board of Education and the State Teacher Certification Board, upon the certificate holder becoming employed and performing services in an

Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control in a certificated teaching position or a charter school operating in compliance with the Charter Schools Law. A holder of a Valid and Exempt certificate may activate his or her certificate through procedures provided for in the certificate renewal procedure established pursuant to subsection (c) of this Section.

(e)(1) A Standard Teaching Certificate that has been maintained as Valid and Active for the 5 years of the certificate's validity shall be renewed as Valid and Active upon the certificate holder: (i) completing an advanced degree from an approved institution in an education-related field; (ii) completing at least 8 semester hours of coursework as described in subdivision (B) of paragraph (3) of this subsection (e); (iii) earning at least 24 continuing education units as described in subdivision (C) of paragraph (3) of this subsection (e); (iv) completing the National Board for Professional Teaching Standards process as described in subdivision (D) of paragraph (3) of this subsection (e); or (v) earning 120 continuing professional development units ("CPDU") as described in subdivision (E) of paragraph (3) of this subsection (e). The maximum continuing professional development units for each continuing professional development activity identified in subdivisions (F) through (J) of paragraph (3) of this subsection (e) shall be jointly determined by the State Board of Education and the State Teacher Certification Board. If, however, the certificate holder has maintained the certificate as Valid and Exempt for a portion of the 5-year period of validity, the number of continuing professional development units needed to renew the certificate as Valid and Active shall be proportionately reduced by the amount of time the certificate was Valid and Exempt. Furthermore, if a certificate holder is employed and performs teaching services on a part-time basis for all or a portion of the certificate's 5-year period of validity, the number of continuing professional development units needed to renew the certificate as Valid and Active shall be reduced by 50% for the amount of time the certificate holder has been employed and performed teaching services on a part-time basis. Part-time shall be defined as less than 50% of the school day or school term.

Notwithstanding any other requirements to the contrary, if a Standard Teaching Certificate has been maintained as Valid and Active for the 5 years of the certificate's validity and the certificate holder has completed his or her certificate renewal plan before July 1, 2002, the certificate shall be renewed as Valid and Active.

(2) Beginning July 1, 2004, in order to satisfy the requirements for continuing professional development provided for in subsection (c) of Section 21-2 of this Code, each Valid and Active Standard Teaching Certificate holder shall complete professional development activities that address the certificate or those certificates that are required of his or her certificated teaching position, if the certificate holder is employed and performing services in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, or that certificate or those certificates most closely related to his or her teaching position, if the certificate holder is employed in a charter school. Except as otherwise provided in this subsection (e), the certificate holder's activities must address purposes (A), (B), (C), or (D) and must reflect purpose (E) of the following continuing professional development purposes:

(A) Advance both the certificate holder's knowledge and skills as a teacher consistent with the Illinois Professional Teaching Standards and the Illinois Content Area Standards in the certificate holder's areas of certification, endorsement, or teaching assignment in order to keep the certificate holder current in those areas.

(B) Develop the certificate holder's knowledge and skills in areas determined to be critical for all Illinois teachers, as defined by the State Board of Education, known as "State priorities".

(C) Address the knowledge, skills, and goals of the certificate holder's local school improvement plan, if the teacher is employed in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control.

(D) Expand the certificate holder's knowledge and skills in an additional teaching field or toward the acquisition of another teaching certificate, endorsement, or relevant education degree.

(E) Address the needs of serving students with disabilities, including adapting and modifying the general curriculum related to the Illinois Learning Standards to meet the needs of students with disabilities and serving such students in the least restrictive environment. Teachers who hold certificates endorsed for special education must devote at least 50% of their continuing professional development activities to this purpose. Teachers holding other certificates must devote at least 20% of their activities to this purpose.

A speech-language pathologist or audiologist who is licensed under the Illinois Speech-Language Pathology and Audiology Practice Act and who has met the continuing education requirements of that Act

and the rules promulgated under that Act shall be deemed to have satisfied the continuing professional development requirements established by the State Board of Education and the Teacher Certification Board to renew a Standard Certificate.

(3) Continuing professional development activities may include, but are not limited to, the following activities:

(A) completion of an advanced degree from an approved institution in an education-related field;

(B) at least 8 semester hours of coursework in an approved education-related program, of which at least 2 semester hours relate to the continuing professional development purpose set forth in purpose (A) of paragraph (2) of this subsection (e), completion of which means no other continuing professional development activities are required;

(C) continuing education units that satisfy the continuing professional development purposes set forth in paragraph (2) of this subsection (e), with each continuing education unit equal to 5 clock hours, provided that a plan that includes at least 24 continuing education units (or 120 clock/contact hours) need not include any other continuing professional development activities;

(D) completion of the National Board for Professional Teaching Standards ("NBPTS") process for certification or recertification, completion of which means no other continuing professional development activities are required;

(E) completion of 120 continuing professional development units that satisfy the continuing professional development purposes set forth in paragraph (2) of this subsection (e) and may include without limitation the activities identified in subdivisions (F) through (J) of this paragraph (3);

(F) collaboration and partnership activities related to improving the teacher's knowledge and skills as a teacher, including the following:

(i) participating on collaborative planning and professional improvement teams and committees;

(ii) peer review and coaching;

(iii) mentoring in a formal mentoring program, including service as a consulting teacher participating in a remediation process formulated under Section 24A-5 of this Code;

(iv) participating in site-based management or decision making teams, relevant committees, boards, or task forces directly related to school improvement plans;

(v) coordinating community resources in schools, if the project is a specific goal of the school improvement plan;

(vi) facilitating parent education programs for a school, school district, or regional office of education directly related to student achievement or school improvement plans;

(vii) participating in business, school, or community partnerships directly related to student achievement or school improvement plans; or

(viii) supervising a student teacher or teacher education candidate in clinical supervision, provided that the supervision may only be counted once during the course of 5 years;

(G) college or university coursework related to improving the teacher's knowledge and skills as a teacher as follows:

(i) completing undergraduate or graduate credit earned from a regionally accredited institution in coursework relevant to the certificate area being renewed, including coursework that incorporates induction activities and development of a portfolio of both student and teacher work that provides experience in reflective practices, provided the coursework meets Illinois Professional Teaching Standards or Illinois Content Area Standards and supports the essential characteristics of quality professional development; or

(ii) teaching college or university courses in areas relevant to the certificate area being renewed, provided that the teaching may only be counted once during the course of 5 years;

(H) conferences, workshops, institutes, seminars, and symposiums related to improving the teacher's knowledge and skills as a teacher, subject to disapproval of the activity or event by the State Teacher Certification Board acting jointly with the State Board of Education, including the following:

(i) completing non-university credit directly related to student achievement, school improvement plans, or State priorities;

(ii) participating in or presenting at workshops, seminars, conferences, institutes, and symposiums;

(iii) training as external reviewers for Quality Assurance; or

(iv) training as reviewers of university teacher preparation programs.

A teacher, however, may not receive credit for conferences, workshops, institutes, seminars, or symposiums that are designed for entertainment, promotional, or commercial purposes or that are solely inspirational or motivational. The State Superintendent of Education and regional superintendents of schools are authorized to review the activities and events provided or to be provided under this subdivision (H) and to investigate complaints regarding those activities and events, and either the State Superintendent of Education or a regional superintendent of schools may recommend that the State Teacher Certification Board and the State Board of Education jointly disapprove those activities and events considered to be inconsistent with this subdivision (H);

(I) other educational experiences related to improving the teacher's knowledge and skills as a teacher, including the following:

- (i) participating in action research and inquiry projects;
- (ii) observing programs or teaching in schools, related businesses, or industry that is systematic, purposeful, and relevant to certificate renewal;
- (iii) traveling related to one's teaching assignment, directly related to student achievement or school improvement plans and approved by the regional superintendent of schools or his or her designee at least 30 days prior to the travel experience, provided that the traveling shall not include time spent commuting to destinations where the learning experience will occur;
- (iv) participating in study groups related to student achievement or school improvement plans;
- (v) serving on a statewide education-related committee, including but not limited to the State Teacher Certification Board, State Board of Education strategic agenda teams, or the State Advisory Council on Education of Children with Disabilities;
- (vi) participating in work/learn programs or internships; or
- (vii) developing a portfolio of student and teacher work;

(J) professional leadership experiences related to improving the teacher's knowledge and skills as a teacher, including the following:

- (i) participating in curriculum development or assessment activities at the school, school district, regional office of education, State, or national level;
- (ii) participating in team or department leadership in a school or school district;
- (iii) participating on external or internal school or school district review teams;
- (iv) publishing educational articles, columns, or books relevant to the certificate area being renewed; or
- (v) participating in non-strike related professional association or labor organization service or activities related to professional development;

(K) receipt of a subsequent Illinois certificate or endorsement pursuant to this Article; ~~or~~

(L) completion of requirements for meeting the Illinois criteria for becoming "highly qualified" (for purposes of the No Child Left Behind Act of 2001, Public Law 107-110) in an additional teaching area; -

(M) successful completion of 4 semester hours of graduate-level coursework on the assessment of one's own performance in relation to the Illinois Teaching Standards, as described in clause (B) of paragraph (2) of subsection (c) of Section 21-2 of this Code; -

(N) successful completion of a minimum of 4 semester hours of graduate-level coursework addressing preparation to meet the requirements for certification by the National Board for Professional Teaching Standards, as described in clause (C) of paragraph (2) of subsection (c) of Section 21-2 of this Code; or -

(O) participation in training courses, seminars, or other course of instruction that develop the technology skills of the teacher or that provide the teacher with skills for integration of technology into the classroom.

(4) A person must complete the requirements of this subsection (e) before the expiration of his or her Standard Teaching Certificate and must submit assurance to the regional superintendent of schools or, if applicable, a local professional development committee authorized by the regional superintendent to submit recommendations to him or her for this purpose. The statement of assurance shall contain a list of the activities completed, the provider offering each activity, the number of credits earned for each activity, and the purposes to which each activity is attributed. The certificate holder shall maintain the evidence of completion of each activity for at least one certificate renewal cycle. The certificate holder shall affirm under penalty of perjury that he or she has completed the activities listed and will maintain the required

evidence of completion. The State Board of Education or the regional superintendent of schools for each region shall conduct random audits of assurance statements and supporting documentation.

(5) (Blank).

(6) (Blank).

(f) Notwithstanding any other provisions of this Code, a school district is authorized to enter into an agreement with the exclusive bargaining representative, if any, to form a local professional development committee (LPDC). The membership and terms of members of the LPDC may be determined by the agreement. Provisions regarding LPDCs contained in a collective bargaining agreement in existence on the effective date of this amendatory Act of the 93rd General Assembly between a school district and the exclusive bargaining representative shall remain in full force and effect for the term of the agreement, unless terminated by mutual agreement. The LPDC shall make recommendations to the regional superintendent of schools on renewal of teaching certificates. The regional superintendent of schools for each region shall perform the following functions:

(1) review recommendations for certificate renewal, if any, received from LPDCs;

(2) (blank);

(3) (blank);

(4) (blank);

(5) determine whether certificate holders have met the requirements for certificate renewal and notify certificate holders if the decision is not to renew the certificate;

(6) provide a certificate holder with the opportunity to appeal a recommendation made by a LPDC, if any, not to renew the certificate to the regional professional development review committee;

(7) issue and forward recommendations for renewal or nonrenewal of certificate holders'

Standard Teaching Certificates to the State Teacher Certification Board; and

(8) (blank).

(g)(1) Each regional superintendent of schools shall review and concur or nonconcur with each recommendation for renewal or nonrenewal of a Standard Teaching Certificate he or she receives from a local professional development committee, if any, or, if a certificate holder appeals the recommendation to the regional professional development review committee, the recommendation for renewal or nonrenewal he or she receives from a regional professional development review committee and, within 14 days of receipt of the recommendation, shall provide the State Teacher Certification Board with verification of the following, if applicable:

(A) the certificate holder has satisfactorily completed professional development and continuing education activities set forth in paragraph (3) of subsection (e) of this Section;

(B) the certificate holder has submitted the statement of assurance required under paragraph (4) of subsection (e) of this Section, and this statement has been attached to the application for renewal;

(C) the local professional development committee, if any, has recommended the renewal of the certificate holder's Standard Teaching Certificate and forwarded the recommendation to the regional superintendent of schools;

(D) the certificate holder has appealed his or her local professional development committee's recommendation of nonrenewal, if any, to the regional professional development review committee and the result of that appeal;

(E) the regional superintendent of schools has concurred or nonconcurred with the local professional development committee's or regional professional development review committee's recommendation, if any, to renew or nonrenew the certificate holder's Standard Teaching Certificate and made a recommendation to that effect; and

(F) the established registration fee for the Standard Teaching Certificate has been paid.

If the notice required by this subsection (g) includes a recommendation of certificate nonrenewal, then, at the same time the regional superintendent of schools provides the State Teacher Certification Board with the notice, he or she shall also notify the certificate holder in writing, by certified mail, return receipt requested, that this notice has been provided to the State Teacher Certification Board.

(2) Each certificate holder shall have the right to appeal his or her local professional development committee's recommendation of nonrenewal, if any, to the regional professional development review committee, within 14 days of receipt of notice that the recommendation has been sent to the regional superintendent of schools. Each regional superintendent of schools shall establish a regional professional

development review committee or committees for the purpose of advising the regional superintendent of schools, upon request, and handling certificate holder appeals. This committee shall consist of at least 4 classroom teachers, one non-administrative certificated educational employee, 2 administrators, and one at-large member who shall be either (i) a parent, (ii) a member of the business community, (iii) a community member, or (iv) an administrator, with preference given to an individual chosen from among those persons listed in items (i), (ii), and (iii) in order to secure representation of an interest not already represented on the committee. The teacher and non-administrative certificated educational employee members of the review committee shall be selected by their exclusive representative, if any, and the administrators and at-large member shall be selected by the regional superintendent of schools. A regional superintendent of schools may add additional members to the committee, provided that the same proportion of teachers to administrators and at-large members on the committee is maintained. Any additional teacher and non-administrative certificated educational employee members shall be selected by their exclusive representative, if any. Vacancies in positions on a regional professional development review committee shall be filled in the same manner as the original selections. Committee members shall serve staggered 3-year terms. All individuals selected to serve on regional professional development review committees must be known to demonstrate the best practices in teaching or their respective field of practice.

(h)(1) The State Teacher Certification Board shall review the regional superintendent of schools' recommendations to renew or nonrenew Standard Teaching Certificates and notify certificate holders in writing whether their certificates have been renewed or nonrenewed within 90 days of receipt of the recommendations, unless a certificate holder has appealed a regional superintendent of schools' recommendation of nonrenewal, as provided in paragraph (2) of this subsection (h). The State Teacher Certification Board shall verify that the certificate holder has met the renewal criteria set forth in paragraph (1) of subsection (g) of this Section.

(2) Each certificate holder shall have the right to appeal a regional superintendent of school's recommendation to nonrenew his or her Standard Teaching Certificate to the State Teacher Certification Board, within 14 days of receipt of notice that the decision has been sent to the State Teacher Certification Board, which shall hold an appeal hearing within 60 days of receipt of the appeal. When such an appeal is taken, the certificate holder's Standard Teaching Certificate shall continue to be valid until the appeal is finally determined. The State Teacher Certification Board shall review the regional superintendent of school's recommendation, the regional professional development review committee's recommendation, if any, and the local professional development committee's recommendation, if any, and all relevant documentation to verify whether the certificate holder has met the renewal criteria set forth in paragraph (1) of subsection (g) of this Section. The State Teacher Certification Board may request that the certificate holder appear before it. All actions taken by the State Teacher Certification Board shall require a quorum and be by a simple majority of those present and voting. A record of all votes shall be maintained. The State Teacher Certification Board shall notify the certificate holder in writing, within 7 days of completing the review, whether his or her Standard Teaching Certificate has been renewed or nonrenewed, provided that if the State Teacher Certification Board determines to nonrenew a certificate, the written notice provided to the certificate holder shall be by certified mail, return receipt requested. All certificate renewal or nonrenewal decisions of the State Teacher Certification Board are final and subject to administrative review, as set forth in Section 21-24 of this Code.

(i) Holders of Master Teaching Certificates shall meet the same requirements and follow the same procedures as holders of Standard Teaching Certificates, except that their renewal cycle shall be as set forth in subsection (d) of Section 21-2 of this Code and their renewal requirements shall be subject to paragraph (8) of subsection (c) of Section 21-2 of this Code.

A holder of a teaching certificate endorsed as a speech-language pathologist who has been granted the Certificate of Clinical Competence by the American Speech-Language Hearing Association may renew his or her Standard Teaching Certificate pursuant to the 10-year renewal cycle set forth in subsection (d) of Section 21-2 of this Code.

(j) Holders of Valid and Exempt Standard and Master Teaching Certificates who are not employed and performing services in an Illinois public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, in a certificated teaching position, may voluntarily activate their certificates through the regional superintendent of schools of the regional office of education for the geographic area where their teaching is done. These certificate holders shall follow the same renewal criteria and procedures as all other Standard and Master Teaching Certificate holders, except that their continuing professional development activities need not reflect or address the knowledge, skills, and goals of a local school improvement plan.

(k) (Blank).

(l) (Blank).

(m) The changes made to this Section by this amendatory Act of the 93rd General Assembly that affect renewal of Standard and Master Certificates shall apply to those persons who hold Standard or Master Certificates on or after the effective date of this amendatory Act of the 93rd General Assembly and shall be given effect upon renewal of those certificates.

(Source: P.A. 92-510, eff. 6-1-02; 92-796, eff. 8-10-02; 93-81, eff. 7-2-03; 93-679, eff. 6-30-04.)

Section 98. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

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

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

HOUSE BILL 5260. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5260 by replacing everything after the enacting clause with the following:

"Section 5. The State Prompt Payment Act is amended by changing Section 3-2 as follows:

(30 ILCS 540/3-2) (from Ch. 127, par. 132.403-2)

Sec. 3-2. Beginning July 1, 1993, in any instance where a State official or agency is late in payment of a vendor's bill or invoice for goods or services furnished to the State, as defined in Section 1, properly approved in accordance with rules promulgated under Section 3-3, the State official or agency shall pay interest to the vendor in accordance with the following:

(1) Any bill approved for payment under this Section must be paid or the payment issued to the payee within 60 days of receipt of a proper bill or invoice. If payment is not issued to the payee within this 60 day period, an interest penalty of 1.0% of any amount approved and unpaid shall be added for each month or fraction thereof after the end of this 60 day period, until final payment is made.

(1.1) A State agency shall review in a timely manner each bill or invoice after its receipt. If the State agency determines that the bill or invoice contains a defect making it unable to process the payment request, the agency shall notify the vendor requesting payment as soon as possible after discovering the defect pursuant to rules promulgated under Section 3-3; provided, however, that the notice for construction related bills or invoices must be given not later than 30 days after the bill or invoice was first submitted or not later than 30 days after the receipt of the goods or services, whichever is later. The notice shall identify the defect and any additional information necessary to correct the defect.

(2) Where a State official or agency is late in payment of a vendor's bill or invoice properly approved in accordance with this Act, and different late payment terms are not reduced to writing as a contractual agreement, the State official or agency shall automatically pay interest penalties required by this Section amounting to \$50 or more to the appropriate vendor. Each agency shall be responsible for determining whether an interest penalty is owed and for paying the interest to the vendor. For interest of at least \$5 but less than \$50, the vendor must initiate a written request for the interest penalty when such interest is due and payable. The Department of Central Management Services and the State Comptroller shall jointly promulgate rules establishing the conditions under which interest of less than \$5 may be claimed and paid. In the event an individual has paid a vendor for services in advance, the provisions of this Section shall apply until payment is made to that individual.

(Source: P.A. 92-384, eff. 7-1-02.)"

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

HOUSE BILL 5267. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5267 by replacing everything after the enacting clause with the following:

"Section 5. The Condominium Property Act is amended by changing Section 27 as follows:

(765 ILCS 605/27) (from Ch. 30, par. 327)

Sec. 27. (a) If there is any unit owner other than the developer, the condominium instruments shall be amended only as follows:

(i) upon the affirmative vote of 2/3 of those voting or upon the majority specified by the condominium instruments, provided that in no event shall the condominium instruments require more than a three-quarters vote of unit owners; and

(ii) ~~together~~ with the approval of any mortgagees required under the provisions of the condominium instruments.

Except ~~except~~ in cases where this Act provides different methods of amendment or with respect to property

whose declaration is recorded on or after July 1, 1984, no condominium instrument shall require more than a three-quarters vote of unit owners to amend the bylaws. Except to the extent authorized by other provisions of this Act, no amendment to the condominium instrument shall change the boundaries of any unit or the undivided interest in the common elements, the number of votes in the unit owners' association, or the liability for common expenses appertaining to a unit.

(b) (1) If there is an omission or error in the declaration, bylaws or other condominium instrument, the association may correct the error or omission by an amendment to the declaration, bylaws, or other condominium instrument in such respects as may be required to conform to this Act, and any other applicable statute or to the declaration by vote of two-thirds of the members of the Board of Managers or by a majority vote of the unit owners at a meeting called for this purpose, unless the Act or the condominium instruments specifically provide for greater percentages or different procedures.

(2) If through a scrivener's error, a unit has not been designated as owning an appropriate undivided share of the common elements or does not bear an appropriate share of the common expenses or that all the common expenses or all of the common elements in the condominium have not been distributed in the declaration, so that the sum total of the shares of common elements which have been distributed or the sum total of the shares of the common expenses fail to equal 100%, or if it appears that more than 100% of the common elements or common expenses have been distributed, the error may be corrected by operation of law by filing an amendment to the declaration approved by vote of two-thirds of the members of the Board of Managers or a majority vote of the unit owners at a meeting called for this purpose which proportionately adjusts all percentage interests so that the total is equal to 100% unless the condominium instruments specifically provide for a different procedure or different percentage vote by the owners of the units and the owners of mortgages thereon affected by modification being made in the undivided interest in the common elements, the number of votes in the unit owners association or the liability for common expenses appertaining to the unit.

(3) If an omission or error or a scrivener's error in the declaration, bylaws or other condominium instrument is corrected by vote of two-thirds of the members of the Board of Managers pursuant to the authority established in subsections (b)(1) or (b)(2) of Section 27 of this Act, the Board upon written petition by unit owners with 20 percent of the votes of the association filed within 30 days of the Board action shall call a meeting of the unit owners within 30 days of the filing of the petition to consider the Board action. Unless a majority of the votes of the unit owners of the association are cast at the meeting to reject the action, it is ratified whether or not a quorum is present.

(4) The procedures for amendments set forth in this subsection (b) cannot be used if such an amendment would materially or adversely affect property rights of the unit owners unless the affected unit owners consent in writing. This Section does not restrict the powers of the association to otherwise amend the declaration, bylaws, or other condominium instruments, but authorizes a simple process of amendment requiring a lesser vote for the purpose of correcting defects, errors, or omissions when the property rights of the unit owners are not materially or adversely affected.

(5) If there is an omission or error in the declaration, bylaws, or other condominium instruments, which may not be corrected by an amendment procedure set forth in paragraphs (1) and (2) of subsection (b) of

Section 27 in the declaration then the Circuit Court in the County in which the condominium is located shall have jurisdiction to hear a petition of one or more of the unit owners thereon or of the association, to correct the error or omission, and the action may be a class action. The court may require that one or more methods of correcting the error or omission be submitted to the unit owners to determine the most acceptable correction. All unit owners in the association must be joined as parties to the action. Service of process on owners may be by publication, but the plaintiff shall furnish all unit owners not personally served with process with copies of the petition and final judgment of the court by certified mail return receipt requested, at their last known address.

(6) Nothing contained in this Section shall be construed to invalidate any provision of a condominium instrument authorizing the developer to amend a condominium instrument prior to the latest date on which the initial membership meeting of the unit owners must be held, whether or nor it has actually been held, to bring the instrument into compliance with the legal requirements of the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Federal Housing Administration, the United States Veterans Administration or their respective successors and assigns.

(Source: P.A. 84-545.)

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

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 5269.

HOUSE BILL 5251. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5251 on page 3, by replacing lines 7 through 10 with the following:

"eligible parent, as defined in Section 2-2 of the Probate Act of 1975, of the person killed in the line of duty. This subsection (d-1) applies to any pending claim if compensation was not paid to the claimant of the pending claim before the effective".

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 5243.

RECALL

At the request of the principal sponsor, Representative Coulson, HOUSE BILL 5269 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON SECOND READING

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 5295, 5301, 5330, 5331, 5336, 5356 and 5370.

HOUSE BILL 5375. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5375 on page 2, by replacing lines 14 through 18 with the following:

"If an allegation is raised to a school board member during the course of an open or closed school board meeting that a child who is enrolled in the school district of which he or she is a board member is an abused child as defined in Section 3 of this Act, the member shall direct or cause the school board to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse. For purposes of this paragraph, a school board member is granted the authority in his or her individual capacity to direct the superintendent of the school district or other equivalent school administrator to comply with the requirements of this Act concerning the reporting of child abuse."; and

on page 4, by replacing lines 8 through 14 with the following:

"first violation and a Class 4 felony for a second or subsequent violation; except that if the person acted as part of a plan".

AMENDMENT NO. 2. Amend House Bill 5375 on page 3, by deleting lines 18 through 30.

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

HOUSE BILL 5376. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5376 by replacing everything after the enacting clause with the following:

"Section 5. The Business Corporation Act of 1983 is amended by changing Sections 6.15, 8.75, 11.70, and 12.56 as follows:

(805 ILCS 5/6.15) (from Ch. 32, par. 6.15)

Sec. 6.15. Issuance of fractional shares or scrip. A corporation may, but shall not be obliged to, issue a certificate for a fractional share, and, by action of its board of directors, may in lieu thereof, pay cash equal to the fair value of said fractional share, or issue scrip in registered or bearer form which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip aggregating a full share. A certificate for a fractional share shall, but scrip shall not unless otherwise provided therein, entitle the holder to exercise fractional voting rights, to receive dividends thereon and to participate in any of the assets of the corporation in the event of liquidation. The board of directors may cause such scrip to be issued subject to the condition that it shall become void if not exchanged for certificates representing full shares before a specified date, or subject to the condition that the shares for which such scrip is exchangeable may be sold by the corporation or by an agent on behalf of the holder thereof and the proceeds thereof distributed to the holders of such scrip or subject to any other conditions which the board of directors may deem advisable.

For purposes of this Section, "fair value", with respect to the cashout of a fractional share, means the proportionate interest of the fractional share in the corporation, without any discount for minority status or, absent extraordinary circumstance, lack of marketability.

(Source: P.A. 83-1025.)

(805 ILCS 5/8.75) (from Ch. 32, par. 8.75)

Sec. 8.75. Indemnification of officers, directors, employees and agents; insurance.

(a) A corporation may indemnify any person who was or is a party, or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the corporation) by reason of the fact that he or she is or was a director, officer, employee or agent of the corporation, or who is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by such person in connection with such action, suit or proceeding, if such person acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to the best interests of the corporation, and, with respect to any criminal action or proceeding, had

no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in or not opposed to the best interests of the corporation or, with respect to any criminal action or proceeding, that the person had reasonable cause to believe that his or her conduct was unlawful.

(b) A corporation may indemnify any person who was or is a party, or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the corporation to procure a judgment in its favor by reason of the fact that such person is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees) actually and reasonably incurred by such person in connection with the defense or settlement of such action or suit, if such person acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of the corporation, provided that no indemnification shall be made with respect to any claim, issue, or matter as to which such person has been adjudged to have been liable to the corporation, unless, and only to the extent that the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability, but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses as the court shall deem proper.

(c) To the extent that a present or former director, officer or employee of a corporation has been successful, on the merits or otherwise, in the defense of any action, suit or proceeding referred to in subsections (a) and (b), or in defense of any claim, issue or matter therein, such person shall be indemnified against expenses (including attorneys' fees) actually and reasonably incurred by such person in connection therewith, if the person acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of the corporation.

(d) Any indemnification under subsections (a) and (b) (unless ordered by a court) shall be made by the corporation only as authorized in the specific case, upon a determination that indemnification of the present or former director, officer, employee or agent is proper in the circumstances because he or she has met the applicable standard of conduct set forth in subsections (a) or (b). Such determination shall be made with respect to a person who is a director or officer at the time of the determination: (1) by the majority vote of the directors who are not parties to such action, suit or proceeding, even though less than a quorum, (2) by a committee of the directors who are not parties to such action, suit, or proceeding, even though less than a quorum, designated by a majority vote of the directors, ~~even though less than a quorum~~, (3) if there are no such directors, or if the directors so direct, by independent legal counsel in a written opinion, or (4) by the shareholders.

(e) Expenses (including attorney's fees) incurred by an officer or director in defending a civil or criminal action, suit or proceeding may be paid by the corporation in advance of the final disposition of such action, suit or proceeding upon receipt of an undertaking by or on behalf of the director or officer to repay such amount if it shall ultimately be determined that such person is not entitled to be indemnified by the corporation as authorized in this Section. Such expenses (including attorney's fees) incurred by former directors and officers or other employees and agents may be so paid on such terms and conditions, if any, as the corporation deems appropriate.

(f) The indemnification and advancement of expenses provided by or granted under the other subsections of this Section shall not be deemed exclusive of any other rights to which those seeking indemnification or advancement of expenses may be entitled under any by-law, agreement, vote of shareholders or disinterested directors, or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office.

(g) A corporation may purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the corporation, or who is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against any liability asserted against such person and incurred by such person in any such capacity, or arising out of his or her status as such, whether or not the corporation would have the power to indemnify such person against such liability under the provisions of this Section.

(h) If a corporation indemnifies or advances expenses to a director or officer under subsection (b) of this Section, the corporation shall report the indemnification or advance in writing to the shareholders with or before the notice of the next shareholders meeting.

(i) For purposes of this Section, references to "the corporation" shall include, in addition to the surviving

corporation, any merging corporation (including any corporation having merged with a merging corporation) absorbed in a merger which, if its separate existence had continued, would have had the power and authority to indemnify its directors, officers, and employees or agents, so that any person who was a director, officer, employee or agent of such merging corporation, or was serving at the request of such merging corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, shall stand in the same position under the provisions of this Section with respect to the surviving corporation as such person would have with respect to such merging corporation if its separate existence had continued.

(j) For purposes of this Section, references to "other enterprises" shall include employee benefit plans; references to "fines" shall include any excise taxes assessed on a person with respect to an employee benefit plan; and references to "serving at the request of the corporation" shall include any service as a director, officer, employee or agent of the corporation which imposes duties on, or involves services by such director, officer, employee, or agent with respect to an employee benefit plan, its participants, or beneficiaries. A person who acted in good faith and in a manner he or she reasonably believed to be in the best interests of the participants and beneficiaries of an employee benefit plan shall be deemed to have acted in a manner "not opposed to the best interest of the corporation" as referred to in this Section.

(k) The indemnification and advancement of expenses provided by or granted under this Section shall, unless otherwise provided when authorized or ratified, continue as to a person who has ceased to be a director, officer, employee, or agent and shall inure to the benefit of the heirs, executors, and administrators of that person.

(l) The changes to this Section made by this amendatory Act of the 92nd General Assembly apply only to actions commenced on or after the effective date of this amendatory Act of the 92nd General Assembly.

(Source: P.A. 91-464, eff. 1-1-00; 92-33, eff. 7-1-01.)

(805 ILCS 5/11.70) (from Ch. 32, par. 11.70)

Sec. 11.70. Procedure to Dissent.

(a) If the corporate action giving rise to the right to dissent is to be approved at a meeting of shareholders, the notice of meeting shall inform the shareholders of their right to dissent and the procedure to dissent. If, prior to the meeting, the corporation furnishes to the shareholders material information with respect to the transaction that will objectively enable a shareholder to vote on the transaction and to determine whether or not to exercise dissenters' rights, a shareholder may assert dissenters' rights only if the shareholder delivers to the corporation before the vote is taken a written demand for payment for his or her shares if the proposed action is consummated, and the shareholder does not vote in favor of the proposed action.

(b) If the corporate action giving rise to the right to dissent is not to be approved at a meeting of shareholders, the notice to shareholders describing the action taken under Section 11.30 or Section 7.10 shall inform the shareholders of their right to dissent and the procedure to dissent. If, prior to or concurrently with the notice, the corporation furnishes to the shareholders material information with respect to the transaction that will objectively enable a shareholder to determine whether or not to exercise dissenters' rights, a shareholder may assert dissenter's rights only if he or she delivers to the corporation within 30 days from the date of mailing the notice a written demand for payment for his or her shares.

(c) Within 10 days after the date on which the corporate action giving rise to the right to dissent is effective or 30 days after the shareholder delivers to the corporation the written demand for payment, whichever is later, the corporation shall send each shareholder who has delivered a written demand for payment a statement setting forth the opinion of the corporation as to the estimated fair value of the shares, the corporation's latest balance sheet as of the end of a fiscal year ending not earlier than 16 months before the delivery of the statement, together with the statement of income for that year and the latest available interim financial statements, and either a commitment to pay for the shares of the dissenting shareholder at the estimated fair value thereof upon transmittal to the corporation of the certificate or certificates, or other evidence of ownership, with respect to the shares, or instructions to the dissenting shareholder to sell his or her shares within 10 days after delivery of the corporation's statement to the shareholder. The corporation may instruct the shareholder to sell only if there is a public market for the shares at which the shares may be readily sold. If the shareholder does not sell within that 10 day period after being so instructed by the corporation, for purposes of this Section the shareholder shall be deemed to have sold his or her shares at the average closing price of the shares, if listed on a national exchange, or the average of the bid and asked price with respect to the shares quoted by a principal market maker, if not listed on a national exchange, during that 10 day period.

(d) A shareholder who makes written demand for payment under this Section retains all other rights of a

shareholder until those rights are cancelled or modified by the consummation of the proposed corporate action. Upon consummation of that action, the corporation shall pay to each dissenter who transmits to the corporation the certificate or other evidence of ownership of the shares the amount the corporation estimates to be the fair value of the shares, plus accrued interest, accompanied by a written explanation of how the interest was calculated.

(e) If the shareholder does not agree with the opinion of the corporation as to the estimated fair value of the shares or the amount of interest due, the shareholder, within 30 days from the delivery of the corporation's statement of value, shall notify the corporation in writing of the shareholder's estimated fair value and amount of interest due and demand payment for the difference between the shareholder's estimate of fair value and interest due and the amount of the payment by the corporation or the proceeds of sale by the shareholder, whichever is applicable because of the procedure for which the corporation opted pursuant to subsection (c).

(f) If, within 60 days from delivery to the corporation of the shareholder notification of estimate of fair value of the shares and interest due, the corporation and the dissenting shareholder have not agreed in writing upon the fair value of the shares and interest due, the corporation shall either pay the difference in value demanded by the shareholder, with interest, or file a petition in the circuit court of the county in which either the registered office or the principal office of the corporation is located, requesting the court to determine the fair value of the shares and interest due. The corporation shall make all dissenters, whether or not residents of this State, whose demands remain unsettled parties to the proceeding as an action against their shares and all parties shall be served with a copy of the petition. Nonresidents may be served by registered or certified mail or by publication as provided by law. Failure of the corporation to commence an action pursuant to this Section shall not limit or affect the right of the dissenting shareholders to otherwise commence an action as permitted by law.

(g) The jurisdiction of the court in which the proceeding is commenced under subsection (f) by a corporation is plenary and exclusive. The court may appoint one or more persons as appraisers to receive evidence and recommend decision on the question of fair value. The appraisers have the power described in the order appointing them, or in any amendment to it.

(h) Each dissenter made a party to the proceeding is entitled to judgment for the amount, if any, by which the court finds that the fair value of his or her shares, plus interest, exceeds the amount paid by the corporation or the proceeds of sale by the shareholder, whichever amount is applicable.

(i) The court, in a proceeding commenced under subsection (f), shall determine all costs of the proceeding, including the reasonable compensation and expenses of the appraisers, if any, appointed by the court under subsection (g), but shall exclude the fees and expenses of counsel and experts for the respective parties. If the fair value of the shares as determined by the court materially exceeds the amount which the corporation estimated to be the fair value of the shares or if no estimate was made in accordance with subsection (c), then all or any part of the costs may be assessed against the corporation. If the amount which any dissenter estimated to be the fair value of the shares materially exceeds the fair value of the shares as determined by the court, then all or any part of the costs may be assessed against that dissenter. The court may also assess the fees and expenses of counsel and experts for the respective parties, in amounts the court finds equitable, as follows:

(1) Against the corporation and in favor of any or all dissenters if the court finds that the corporation did not substantially comply with the requirements of subsections (a), (b), (c), (d), or (f).

(2) Against either the corporation or a dissenter and in favor of any other party if the court finds that the party against whom the fees and expenses are assessed acted arbitrarily, vexatiously, or not in good faith with respect to the rights provided by this Section.

If the court finds that the services of counsel for any dissenter were of substantial benefit to other dissenters similarly situated and that the fees for those services should not be assessed against the corporation, the court may award to that counsel reasonable fees to be paid out of the amounts awarded to the dissenters who are benefited. Except as otherwise provided in this Section, the practice, procedure, judgment and costs shall be governed by the Code of Civil Procedure.

(j) As used in this Section:

(1) "Fair value", with respect to a dissenter's shares, means the proportionate interest of the shareholder in the corporation, without discount for minority status or, absent extraordinary circumstance, lack of marketability, value of the shares immediately before

the consummation of the corporate action to which the dissenter objects excluding any appreciation or depreciation in anticipation of the corporate action, unless exclusion would be inequitable.

(2) "Interest" means interest from the effective date of the corporate action until the date of payment, at the average rate currently paid by the corporation on its principal bank loans or, if none, at a rate that is fair and equitable under all the circumstances.

(Source: P.A. 86-1156.)

(805 ILCS 5/12.56)

Sec. 12.56. Shareholder remedies: non-public corporations.

(a) In an action by a shareholder in a corporation that has no shares listed on a national securities exchange or regularly traded in a market maintained by one or more members of a national or affiliated securities association, the Circuit Court may order one or more of the remedies listed in subsection (b) if it is established that:

(1) The directors are deadlocked, whether because of even division in the number of directors or because of greater than majority voting requirements in the articles of incorporation or the by-laws or otherwise, in the management of the corporate affairs; the shareholders are unable to break the deadlock; and either irreparable injury to the corporation is thereby caused or threatened or the business of the corporation can no longer be conducted to the general advantage of the shareholders; or

(2) The shareholders are deadlocked in voting power and have failed, for a period that includes at least 2 consecutive annual meeting dates, to elect successors to directors whose terms have expired and either irreparable injury to the corporation is thereby caused or threatened or the business of the corporation can no longer be conducted to the general advantage of the shareholders; or

(3) The directors or those in control of the corporation have acted, are acting, or will act in a manner that is illegal, oppressive, or fraudulent with respect to the petitioning shareholder whether in his or her capacity as a shareholder, director, or officer; or

(4) The corporation assets are being misapplied or wasted.

(b) The relief which the court may order in an action under subsection (a) includes but is not limited to the following:

(1) The performance, prohibition, alteration, or setting aside of any action of the corporation or of its shareholders, directors, or officers or of any other party to the proceedings;

(2) The cancellation or alteration of any provision in the corporation's articles of incorporation or by-laws;

(3) The removal from office of any director or officer;

(4) The appointment of any individual as a director or officer;

(5) An accounting with respect to any matter in dispute;

(6) The appointment of a custodian to manage the business and affairs of the corporation to serve for the term and under the conditions prescribed by the court;

(7) The appointment of a provisional director to serve for the term and under the conditions prescribed by the court;

(8) The submission of the dispute to mediation or other forms of non-binding alternative dispute resolution;

(9) The payment of dividends;

(10) The award of damages to any aggrieved party;

(11) The purchase by the corporation or one or more other shareholders of all, but not less than all, of the shares of the petitioning shareholder for their fair value and on the terms determined under subsection (e); or

(12) The dissolution of the corporation if the court determines that no remedy specified in subdivisions (1) through (11) or other alternative remedy is sufficient to resolve the matters in dispute. In determining whether to dissolve the corporation, the court shall consider among other relevant evidence the financial condition of the corporation but may not refuse to dissolve the corporation solely because it has accumulated earnings or current operating profits.

(c) The remedies set forth in subsection (b) shall not be exclusive of other legal and equitable remedies which the court may impose.

(d) In determining the appropriate relief to order pursuant to this Section, the court may take into consideration the reasonable expectations of the corporation's shareholders as they existed at the time the corporation was formed and developed during the course of the shareholders' relationship with the corporation and with each other.

(e) If the court orders a share purchase, it shall:

(i) Determine the fair value of the shares, with or without the assistance of appraisers, taking into account any impact on the value of the shares resulting from the actions giving

rise to a petition under this Section;

- (ii) Consider any financial or legal constraints on the ability of the corporation or the purchasing shareholder to purchase the shares;
- (iii) Specify the terms of the purchase, including, if appropriate, terms for installment payments, interest at the rate and from the date determined by the court to be equitable, subordination of the purchase obligation to the rights of the corporation's other creditors, security for a deferred purchase price, and a covenant not to compete or other restriction on the seller;
- (iv) Require the seller to deliver all of his or her shares to the purchaser upon receipt of the purchase price or the first installment of the purchase price; and
- (v) Retain jurisdiction to enforce the purchase order by, among other remedies, ordering the corporation to be dissolved if the purchase is not completed in accordance with the terms of the purchase order.

For purposes of this subsection (e), "fair value", with respect to a petitioning shareholder's shares, means the proportionate interest of the shareholder in the corporation, without any discount for minority status or, absent extraordinary circumstances, lack of marketability.

The purchase ordered pursuant to this subsection (e) shall be consummated within 20 days after the date the order becomes final unless before that time the corporation files with the court a notice of its intention to dissolve and articles of dissolution are properly filed with the Secretary of State within 50 days after filing the notice with the court.

After the purchase order is entered and before the purchase price is fully paid, any party may petition the court to modify the terms of the purchase and the court may do so if it finds that such changes are equitable.

Unless the purchase order is modified by the court, the selling shareholder shall have no further rights as a shareholder from the date the seller delivers all of his or her shares to the purchaser or such other date specified by the court.

If the court orders shares to be purchased by one or more other shareholders, in allocating the shares to be purchased by the other shareholders, unless equity requires otherwise, the court shall attempt to preserve the existing distribution of voting rights and other designations, preferences, qualifications, limitations, restrictions and special or relative rights among the holders of the class or classes and may direct that holders of a specific class or classes shall not participate in the purchase.

(f) When the relief requested by the petition includes the purchase of the petitioner's shares, then at any time within 90 days after the filing of the petition under this Section, or at such time determined by the court to be equitable, the corporation or one or more shareholders may elect to purchase all, but not less than all, of the shares owned by the petitioning shareholder for their fair value. An election pursuant to this Section shall state in writing the amount which the electing party will pay for the shares.

(1) The election shall be irrevocable unless the court determines that it is equitable to set aside or modify the election.

(2) If the election to purchase is filed by one or more shareholders, the corporation shall, within 10 days thereafter, give written notice to all shareholders. The notice must state: (i) the name and number of shares owned by the petitioner; (ii) the name and number of shares owned by each electing shareholder; and (iii) the amount which each electing party will pay for the shares and must advise the recipients of their right to join in the election to purchase shares. Shareholders who wish to participate must file notice of their intention to join in a purchase no later than 30 days after the date of the notice to them or at such time as the court in its discretion may allow. All shareholders who have filed an election or notice of their intention to participate in the election to purchase thereby become parties to the proceeding and shall participate in the purchase in proportion to their ownership of shares as of the date the first election was filed, unless they otherwise agree or the court otherwise directs.

(3) The court in its discretion may allow the corporation and all non-petitioning shareholders to file an election to purchase the petitioning shareholder's shares at a higher price. If the court does so, it shall allow other shareholders an opportunity to join in the purchase at the higher price in accordance with their proportionate ownership interest.

(4) After an election has been filed by the corporation or one or more shareholders, the proceeding filed under this Section may not be discontinued or settled, nor may the petitioning shareholder sell or otherwise dispose of his or her shares, unless the court determines that it would be equitable to the corporation and the shareholders, other than the petitioner, to permit the discontinuance, settlement, sale, or other disposition. In considering whether equity exists to approve any settlement, the court may take into consideration the reasonable expectations of the shareholders as set forth in

subsection (d), including any existing agreement among the shareholders.

(5) If, within 30 days of the filing of the latest election allowed by the court, the parties reach agreement as to the fair value and terms of purchase of the petitioner's shares, the court shall enter an order directing the purchase of petitioner's shares upon the terms and conditions agreed to by the parties.

(6) If the parties are unable to reach an agreement as provided for in paragraph (5) of this subsection (f), the court, upon application of any party, shall stay the proceeding under subsection (a) and shall determine the fair value of the petitioner's shares pursuant to subsection (e) as of the day before the date on which the petition under subsection (a) was filed or as of such other date as the court deems appropriate under the circumstances.

(g) In any proceeding under this Section, the court shall allow reasonable compensation to the custodian, provisional director, appraiser, or other such person appointed by the court for services rendered and reimbursement or direct payment of reasonable costs and expenses, which amounts shall be paid by the corporation.

(Source: P.A. 94-394, eff. 8-1-05.)"

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 5550.

HOUSE BILL 5555. Having been reproduced, was taken up and read by title a second time. The following amendment was offered in the Committee on Public Utilities, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5555 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Water and Sewer Utility Customer Service Act.

Section 5. Application of Public Utilities Act to water and sewer utilities. Except to the extent modified or supplemented by the specific provisions of this Act, the Sections of the Public Utilities Act pertaining to public utilities, public utility rates, and services, and the regulation thereof, are fully and equally applicable to water and sewer rates and services and the regulation thereof, except where the context clearly renders such provisions inapplicable.

Section 10. Definitions. The definitions contained in the Public Utilities Act apply to terms used in this Act, unless the context clearly indicates otherwise.

Section 15. Customer rights.

(a) Within 90 days after the effective date of this amendatory Act of the 94th General Assembly, the Commission shall hold public hearings concerning and establish a water bill of rights for customers of public utilities providing water or sewer service. The water bill of rights must detail what rights a customer has in each of the following situations:

- (1) The customer's water meter is replaced.
- (2) The customer's bill increases by more than 20% within one billing period.
- (3) The customer's water service is terminated.
- (4) The customer wishes to appeal a termination of service notice.
- (5) The customer is unable to make payment on a billing statement.
- (6) A surcharge or annual reconciliation is filed that will increase the amount billed to the customer.
- (7) The customer is billed for services provided prior to the date covered by the billing statement.
- (8) The customer is due to receive a credit.

The water bill of rights must also include information concerning the service obligations of the utility and informing the customer about unfair and unethical collection practices and remedies that the customer may pursue for a violation of the customer's rights. The Commission shall also determine the penalties that shall be imposed on the utility for noncompliance with the customer's water bill of rights.

(b) No water or sewer public utility may terminate the service of any customer without first

providing at least 7 days' advance written notice to the customer. The written notice must include a copy of the water bill of rights created under this Section and must notify the customer of the customer's right to appeal the termination. The Commission shall establish, by rule, a minimum payment schedule that must be followed by the customer and the public utility of a customer is disputing an amount billed to the customer or appealing a termination of service and sanctions that may be imposed against any public utility that terminates service to any customer who adheres to the minimum payment schedule established by the Commission. No water or sewer public utility shall terminate service to any customer appealing a termination of service or disputing a billed amount so long as the customer adheres to the minimum payment schedule required by the Commission.

A customer must be at least 60 days in arrears before a shutoff notice can be issued. The Commission shall establish procedures to set aside a shutoff notice if it affects the safety and welfare of the community. The procedures shall be published and provided to the municipality or townships served by the utility.

(c) Each water or sewer public utility must provide written notice to each affected customer of any annual reconciliation rate adjustment and when it will go into effect.

(d) Each water or sewer public utility must disclose on each billing statement any amount billed that is for service provided prior to the date covered by the billing statement. The disclosure must include the dates for which the prior service is being billed. Each billing statement that includes an amount billed for service provided prior to the date covered by the billing statement must disclose the dates for which that amount is billed and must include a copy of the water bill of rights and a statement of current Commission rules concerning back-billing. The Commission must verify any annual reconciliation in the number of gallons that have been back-billed by a water or sewer public utility and the utility must credit the customer with those gallons, calculated in dollars, with interest at the prime rate.

(e) The Commission shall establish by rule an informal complaint process for processing complaints about water and sewer public utilities and shall respond to each complaint by providing the consumer with a copy of the utilities response to the complaint and a copy of the Commission's review of the complaint and its findings. The Commission must provide the consumer with all available options for recourse.

(f) Any refund on the billing statement of a customer of a water or sewer public utility must be itemized and state the purpose of the refund.

Section 20. Water service for building construction purposes. At the request of any municipality or township within the service area of a public utility that provides water service to customers within the municipality or township, a public utility must (i) require all water service used for building construction purposes to be measured by meter and subject to approved rates and charges for metered water service and (ii) prohibit the unauthorized use of water taken from hydrants or service lines installed at construction sites.

Section 25. Water and sewer or public utilities; subcontractors. The Commission shall adopt rules to direct for-profit water and sewer public utilities to conform to standards that protect consumers from irresponsible subcontractors contracted by a for-profit water or sewer public utility. The rules must provide for notice to the consumer of the proper kind of identification that the subcontractor must present to the customer, prohibit the subcontractor from soliciting or receiving payment of any kind for any service provided by the water or sewer public utility, and establish sanctions for violations.

Section 30. Water and sewer public utilities; annual reconciliation charges. The Commission must establish by rule a formula for determining (i) the amount of unmetered water that a unit of local government and customers can expect to pay for in order to protect the public and (ii) the percentage of unmetered water that reflects environmental waste that is the result of a water or sewer public utility's management inefficiencies and neglect. The formula and the utility's compliance with existing conservation agreements must be considered as part of all rate cases and annual reconciliations associated with that utility. The Commission shall establish sanctions for violations of any conservation agreements.

Section 35. Meter malfunction; testing.

(a) If a public utility furnishing water to any customer determines that a meter owned by the public utility has malfunctioned, then the public utility is prohibited from charging the customer during the malfunction unless the customer intentionally caused the malfunction.

(b) If requested by the Commission or by the customer whose use is measured by the meter, a public utility furnishing water to any customer must conduct a test to determine the accuracy of the meter. Upon receipt of the written request of the Commission or the customer, the utility must use a company authorized by the Commission to conduct the test. The utility shall charge the customer for the conduct of the test in

the amount authorized by the Commission by rule.

(c) The Commission may establish by rule a minimum schedule for testing of water meters and any tests conducted thereunder must be conducted at the utility's expense.

Section 40. Rate increases; public forums. When any public utility providing water or sewer service proposes a rate increase, prior to the date set for the hearing, a public forum on the increase must be conducted in a location within 45 minutes drive time of the location where the increase will take effect and the public utility must provide 30 days' advance notice of each public forum to the governing body of those units of local government affected by the increases. The day and time of the forum shall be selected so as to encourage the greatest public participation. Reports and comments made during or as a result of the public forum must be made available to the hearing officials and reviewed as part of the hearing for the rate case.

Section 45. Water and sewer utilities; low usage. Each public utility that provides water and sewer service must establish a unit rate, subject to review by the Commission, that applies only to those customers who use less than 100 gallons of water in any billing period.

Section 50. Water and sewer utilities; separate meters. Each public utility that provides water and sewer service must offer separate rates for water and sewer service to any commercial or residential customer who uses separate meters to measure each of those services. In order for the separate rate to apply, a combination of meters must be used to measure the amount of water that reaches the sewer system and the amount of water that does not reach the sewer system.

Section 905. The Public Utilities Act is amended by changing Section 9-223 as follows:
(220 ILCS 5/9-223) (from Ch. 111 2/3, par. 9-223)

Sec. 9-223. Fire protection charge.

(a) The Commission may authorize any public utility engaged in the production, storage, transmission, sale, delivery or furnishing of water to impose a fire protection charge, in addition to any rate authorized by this Act, sufficient to cover a reasonable portion of the cost of providing the capacity, facilities and the water necessary to meet the fire protection needs of any municipality or public fire protection district. Such fire protection charge shall be in the form of a fixed amount per bill and shall be shown separately on the utility bill of each customer of the municipality or fire protection district. Any filing by a public utility to impose such a fire protection charge or to modify a charge shall be made pursuant to Section 9-201 of this Act. Any fire protection charge imposed shall reflect the costs associated with providing fire protection service for each municipality or fire protection district. No such charge shall be imposed directly on any municipality or fire protection district for a reasonable level of fire protection services unless provided for in a separate agreement between the municipality or the fire protection district and the utility.

(b) Within one year after the effective date of this amendatory Act of the 94th General Assembly, the Commission shall conduct at least 3 public forums to evaluate the purpose and use of each fire protection charge imposed under this Section. At least one forum must be held in northern Illinois, at least one forum must be held in central Illinois, and at least one forum must be held in southern Illinois. The Commission must invite a representative from each municipality and fire protection district affected by a fire protection charge under this Section to attend a public forum. The Commission shall report its findings concerning recommendations concerning the purpose and use of each fire protection charge to the General Assembly no later than the last day of the veto session in 2006.

(Source: P.A. 84-617.)

Section 999. Effective date. This Act takes effect upon becoming law."

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

HOUSE BILL 4788. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4788 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by adding Section 10-17.12 as follows:

(305 ILCS 5/10-17.12 new)

Sec. 10-17.12. Compromise of assigned child support arrearages. The Department of Healthcare and Family Services may provide by rule for compromise of debt owed to the State in the form of child support

arrearages and interest accrued on child support arrearages assigned to the State under Section 10-1. The rule shall establish the circumstances under which such obligations may be compromised, with due regard for the payment ability of low-income obligors and the importance of encouraging payment of current child support obligations."

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

HOUSE BILLS ON THIRD READING

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

On motion of Representative Rose, HOUSE BILL 4960 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 13)

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

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

On motion of Representative Holbrook, HOUSE BILL 4449 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 14)

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

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

RECALL

At the request of the principal sponsor, Representative Beiser, HOUSE BILL 4451 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

AGREED RESOLUTIONS

HOUSE RESOLUTION 934 was taken up for consideration. Representative Currie moved the adoption of the agreed resolution. The motion prevailed and the agreed resolution was adopted.

ADJOURNMENT RESOLUTION HOUSE JOINT RESOLUTION 100

Representative Currie offered the following resolution:

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Thursday, February 16, 2006, it stands adjourned until Tuesday, February 21, 2006 at 12:00 o'clock noon; and when the Senate adjourns, it stands adjourned until Wednesday, February 22, 2006 at 12:00 o'clock noon.

HOUSE JOINT RESOLUTION 100 was taken up for immediate consideration.
Representative Currie moved the adoption of the resolution.
The motion prevailed and the resolution was adopted.
Ordered that the Clerk inform the Senate and ask their concurrence.

At the hour of 1:46 o'clock p.m., Representative Currie moved that the House do now adjourn.
The motion prevailed.

And in accordance therewith and pursuant to HOUSE JOINT RESOLUTION 100, the House stood adjourned until Tuesday, February 21, 2006, at 12:00 o'clock noon.

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

February 16, 2006

0 YEAS

0 NAYS

114 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 4186
 DCFS-FOSTER CARE AGENCY-DISCLOS
 THIRD READING
 PASSED

February 16, 2006

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 4315
 SOLICIT CHARITY-AUTO COLLECTN
 THIRD READING
 PASSED

February 16, 2006

113 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 4412
 PROC PREFERENCE-BIOBASED
 THIRD READING
 PASSED

February 16, 2006

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 4886
 CRIM PRO-BAIL DENIAL
 THIRD READING
 PASSED

February 16, 2006

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5249
CRIM CD-SEX OFFENDER-DAY CARE
THIRD READING
PASSED

February 16, 2006

113 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 5268
 STATE COMPREHENSIV HOUSNG PLAN
 THIRD READING
 PASSED

February 16, 2006

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5274
VEH CD-WEIGHT-TRUCK MIXERS
THIRD READING
PASSED

February 16, 2006

98 YEAS	16 NAYS	0 PRESENT	
Y Acevedo	Y Dugan	N Krause	Y Pritchard
Y Bassi	Y Dunkin	Y Lang	Y Ramey
Y Beaubien	Y Dunn	Y Leitch	Y Reis
Y Beiser	Y Durkin	Y Lindner	Y Reitz
Y Bellock	Y Eddy	Y Lyons, Joseph	Y Rita
Y Berrios	N Feigenholtz	N Mathias	Y Rose
Y Biggins	Y Flider	Y Mautino	N Ryg
Y Black	Y Flowers	N May	Y Sacia
Y Boland	Y Franks	Y McAuliffe	Y Saviano
Y Bost	N Fritchey	Y McCarthy	Y Schmitz
Y Bradley, John	N Froehlich	Y McGuire	Y Schock
Y Bradley, Richard	Y Giles	N McKeon	A Scully
Y Brady	Y Golar	Y Mendoza	Y Smith
Y Brauer	Y Gordon	Y Meyer	Y Sommer
Y Brosnahan	N Graham	Y Miller	Y Soto
Y Burke	Y Granberg	Y Mitchell, Bill	Y Stephens
Y Chapa LaVia	N Hamos	Y Mitchell, Jerry	Y Sullivan
Y Chavez	Y Hannig	Y Moffitt	Y Tenhouse
Y Churchill	Y Hassert	Y Molaro	Y Tryon
Y Collins	Y Hoffman	Y Mulligan	Y Turner
Y Colvin	Y Holbrook	Y Munson	Y Verschoore
N Coulson	Y Howard	Y Myers	Y Wait
Y Cross	Y Hultgren	Y Nekritz	N Washington
Y Cultra	Y Jakobsson	Y Osmond	Y Watson
N Currie	Y Jefferson	N Osterman	Y Winters
Y D'Amico	Y Jenisch	Y Parke	N Yarbrough
E Daniels	Y Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	A Mr. Speaker
Y Davis, William	Y Kelly	N Pihos	
Y Delgado	Y Kosel	Y Poe	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 5296
 ALL KIDS-AUDIT-REPORT-PREMIUMS
 THIRD READING
 PASSED

February 16, 2006

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5305
CHANUTE-RANTOUL REDVELPMNT CMN
THIRD READING
PASSED

February 16, 2006

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5339
MGD CARE REFORM-PROHIBITIONS
THIRD READING
PASSED

February 16, 2006

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 5343
 DISABLED PERSN REHAB ACT-ACCTS
 THIRD READING
 PASSED

February 16, 2006

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 4960
 FIRE PROT DIST-DISCONNECTION
 THIRD READING
 PASSED

February 16, 2006

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4449
CONSUMER FRAUD-SECURITY BREACH
THIRD READING
PASSED

February 16, 2006

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

95TH LEGISLATIVE DAY**Perfunctory Session****THURSDAY, FEBRUARY 16, 2006**

At the hour of 1:48 o'clock p.m., the House convened perfunctory session.

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 2156 (Osterman), 2238 (Hamos), 2300 (Molaro), 2336 (Mendoza), 2350 (Lang), 2399 (Lang) and 2449 (Munson).

At the hour of 1:50 o'clock p.m., the House Perfunctory Session adjourned.