

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FOURTH GENERAL ASSEMBLY

109TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

TUESDAY, MARCH 28, 2006

12:13 O'CLOCK P.M.

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The House met pursuant to adjournment.
 Speaker of the House Madigan in the chair.
 Prayer by Reverend Roy Brown with Progressive Baptist Church in Aurora, IL.
 Representative Washington led the House in the Pledge of Allegiance.
 By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:
 113 present. (ROLL CALL 1)

By unanimous consent, Representatives Jones, Leitch, Patterson and Tenhouse were excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Smith, should be recorded as present at the hour of 2:00 o'clock p.m.

LETTER OF TRANSMITTAL

March 28, 2006

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

Dear Clerk Mahoney:

Please be advised that I am extending the Final Action Deadline to April 7, 2006, for the following Senate Bill:

Senate Bill: 2477.

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

With kindest personal regards, I remain.

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

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on March 28, 2006, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:
 HOUSE RESOLUTION 1004.

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

Amendment No. 1 and 2 to SENATE BILL 385.

Amendment No. 2 to HOUSE BILL 509.

Amendment No. 1 to SENATE BILL 2235.

Amendment No. 1 to SENATE BILL 2456.

Amendment No. 1 to SENATE BILL 2469.
Amendment No. 1 to SENATE BILL 2868.
Amendment No. 1 to SENATE BILL 2873.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

International Trade & Commerce: HOUSE AMENDMENT No. 2 to HOUSE BILL 4604.
Local Government: SENATE BILL 2477.

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

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

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

MOTIONS SUBMITTED

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

MOTION

Pursuant to Rule 18(g), I move to discharge the Committee on Rules from further consideration of HOUSE RESOLUTION 1005 and advance to the order of Resolutions.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 4147.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 4135.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 4137.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 5416.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 1620.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 4829.

REQUEST FOR FISCAL NOTES

Representative Black requested that a Fiscal Note be supplied for SENATE BILL 2225, as amended.

Representative Hultgren requested that a Fiscal Note be supplied for SENATE BILL 1911, as amended.

Representative Feigenholtz requested that a Fiscal Note be supplied for SENATE BILL 2626.

REQUEST FOR STATE MANDATES FISCAL NOTES

Representative Black requested that a State Mandates Fiscal Note be supplied for SENATE BILL 2225, as amended.

Representative Hultgren requested that a State Mandates Fiscal Note be supplied for SENATE BILL 1911, as amended.

REQUEST FOR JUDICIAL NOTE

Representative Hultgren requested that a Judicial Note be supplied for SENATE BILL 1911, as amended.

PENSION NOTES SUPPLIED

Pension Notes have been supplied for HOUSE BILL 2113, as amended and SENATE BILL 835.

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for SENATE BILLS 1911, as amended and 2827.

BALANCED BUDGET NOTE SUPPLIED

A Balanced Budget Note has been supplied for HOUSE BILL 1917, as amended.

HOUSING AFFORDABILITY IMPACT NOTE SUPPLIED

A Housing Affordability Impact Note has been supplied for SENATE BILL 835.

STATE MANDATES FISCAL NOTE SUPPLIED

A State Mandates Fiscal Note has been supplied for HOUSE BILL 2113, as amended.

JUDICIAL NOTES SUPPLIED

A Judicial Note has been supplied for SENATE BILLS 835 and 1911, as amended.

HOME RULE NOTE SUPPLIED

A Home Rule Note has been supplied for HOUSE BILL 2113, as amended.

LAND CONVEYANCE APPRAISAL NOTE SUPPLIED

A Land Conveyance Appraisal Note has been supplied for SENATE BILL 3046, as amended.

STATE DEBT IMPACT NOTE SUPPLIED

A State Debt Impact Note has been supplied for SENATE BILL 835.

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 passage of bills of the following titles to-wit:

HOUSE BILL NO. 2497

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4172

A bill for AN ACT concerning consumer fraud.

HOUSE BILL NO. 4286

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4302

A bill for AN ACT concerning aging.

HOUSE BILL NO. 4317

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 4377

A bill for AN ACT concerning gaming.

HOUSE BILL NO. 4688

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4699

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4785

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 4822

A bill for AN ACT concerning human rights.

HOUSE BILL NO. 4832

A bill for AN ACT concerning education.

HOUSE BILL NO. 4986

A bill for AN ACT concerning education.

HOUSE BILL NO. 4999

A bill for AN ACT concerning collection practices.

HOUSE BILL NO. 5245

A bill for AN ACT concerning health.

HOUSE BILL NO. 5251

A bill for AN ACT concerning certain individuals killed in the line of duty.

HOUSE BILL NO. 5267

A bill for AN ACT concerning civil law.
HOUSE BILL NO. 5300

A bill for AN ACT concerning health.
HOUSE BILL NO. 5301

A bill for AN ACT concerning aging.
HOUSE BILL NO. 5375

A bill for AN ACT concerning children.
HOUSE BILL NO. 5578

A bill for AN ACT concerning the environment.
Passed by the Senate, March 27, 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 concurred with the House of Representatives in the passage of a bill of the following title to-wit:
HOUSE BILL 1620

A bill for AN ACT concerning safety.
Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:
Senate Amendment No. 1 to HOUSE BILL NO. 1620
Passed the Senate, as amended, March 27, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 1620 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by adding Section 13.6 as follows:
(415 ILCS 5/13.6 new)

Sec. 13.6. Release of radionuclides at nuclear power plants.

(a) The purpose of this Section is to require the detection and reporting of unpermitted releases of any radionuclides into groundwater, surface water, or soil at nuclear power plants, to the extent that federal law or regulation does not preempt such requirements.

(b) No owner or operator of a nuclear power plant shall violate any rule adopted under this Section.

(c) Within 24 hours after an unpermitted release of a radionuclide from a nuclear power plant, the owner or operator of the nuclear power plant where the release occurred shall report the release to the Agency and the Illinois Emergency Management Agency. For purposes of this Section, "unpermitted release of a radionuclide" means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing of a radionuclide into groundwater, surface water, or soil that is not permitted under State or federal law or regulation.

(d) The Agency and the Illinois Emergency Management Agency shall inspect each nuclear power plant for compliance with the requirements of this Section and rules adopted pursuant to this Section no less than once each calendar quarter. Nothing in this Section shall limit the Agency's authority to make inspections under Section 4 or any other provision of this Act.

(e) No later than one year after the effective date of this amendatory Act of the 94th General Assembly, the Agency, in consultation with the Illinois Emergency Management Agency, shall propose rules to the Board prescribing standards for detecting and reporting unpermitted releases of radionuclides. No later than one year after receipt of the Agency's proposal, the Board shall adopt rules prescribing standards for detecting and reporting unpermitted releases of radionuclides. Rules adopted under this subsection may also include standards for self-inspection by the owner or operator of the nuclear power plant in lieu of the inspections required under subsection (d) of this Section.

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

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 1620 was placed on the Calendar on the order of Concurrence.

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:
HOUSE BILL 4147
A bill for AN ACT in relation to economic development.
Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:
Senate Amendment No. 1 to HOUSE BILL NO. 4147
Passed the Senate, as amended, March 27, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4147 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Central Illinois Economic Development Authority Act.

Section 5. Findings. The General Assembly determines and declares the following:

- (1) that labor surplus areas currently exist in central Illinois;
- (2) that the economic burdens resulting from involuntary unemployment fall, in part, upon the State in the form of increased need for public assistance and reduced tax revenues and, in the event that the unemployed worker and his or her family migrate elsewhere to find work, the burden may also fall upon the municipalities and other taxing districts within the areas of unemployment in the form of reduced tax revenues, thereby endangering their financial ability to support necessary governmental services for their remaining inhabitants;
- (3) that the State has a responsibility to help create a favorable climate for new and improved job opportunities for its citizens by encouraging the development of commercial and service businesses and industrial and manufacturing plants within central Illinois;
- (4) that a lack of decent housing contributes to urban blight, crime, anti-social behavior, disease, a higher need for public assistance, reduced tax revenues, and the migration of workers and their families away from areas which fail to offer adequate, decent, and affordable housing, leading to the disconnection of younger generations from their elderly relations;
- (5) that decent, affordable housing is a necessary ingredient of life affording each citizen basic human dignity, a sense of self-worth, confidence, and a firm foundation upon which to build a family, educate children, and live out their elderly years in dignity;
- (6) that in order to foster civic and neighborhood pride, citizens require access to educational institutions, recreation, parks and open spaces, entertainment, sports, a reliable transportation network, cultural facilities, and theaters; and
- (7) that the main purpose of this Act is to promote industrial, commercial, residential, service, transportation, and recreational activities and facilities, thereby reducing the evils attendant upon unemployment and enhancing the public health, safety, morals, happiness, and general welfare of the State.

Section 10. Definitions. In this Act:

"Authority" means the Central Illinois Economic Development Authority.

"Governmental agency" means any federal, State, or local governmental body and any agency or instrumentality thereof, corporate or otherwise.

"Person" means any natural person, firm, partnership, corporation, both domestic and foreign, company, association or joint stock association and includes any trustee, receiver, assignee or personal representative thereof.

"Revenue bond" means any bond issued by the Authority, the principal and interest of which is payable solely from revenues or income derived from any project or activity of the Authority.

"Board" means the Board of Directors of the Central Illinois Economic Development Authority.

"Governor" means the Governor of the State of Illinois.

"City" means any city, village, incorporated town, or township within the geographical territory of the Authority.

"Industrial project" means the following:

(1) a capital project, including one or more buildings and other structures, improvements, machinery and equipment whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any manufacturing, industrial, research, transportation or commercial enterprise including but not limited to use as a factory, mill, processing plant, assembly plant, packaging plant, fabricating plant, ethanol plant, office building, industrial distribution center, warehouse, repair, overhaul or service facility, freight terminal, research facility, test facility, railroad facility, port facility, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, and including also the sites thereof and other rights in land therefore whether improved or unimproved, site preparation and landscaping and all appurtenances and facilities incidental thereto such as utilities, access roads, railroad sidings, truck docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling equipment or related equipment and other improvements necessary or convenient thereto; or

(2) any land, buildings, machinery or equipment comprising an addition to or renovation, rehabilitation or improvement of any existing capital project.

"Commercial project" means any project, including, but not limited to, one or more buildings and other structures, improvements, machinery, and equipment, whether or not on the same site or sites now existing or hereafter acquired, suitable for use by any retail or wholesale concern, distributorship, or agency.

"Project" means an industrial, housing, residential, commercial, or service project, or any combination thereof, provided that all uses fall within one of the categories described above. Any project automatically includes all site improvements and new construction involving sidewalks, sewers, solid waste and wastewater treatment and disposal sites and other pollution control facilities, resource or waste reduction, recovery, treatment and disposal facilities, parks, open spaces, wildlife sanctuaries, streets, highways, and runways.

"Lease agreement" means an agreement in which a project acquired by the Authority by purchase, gift, or lease is leased to any person or corporation that will use, or cause the project to be used, as a project, upon terms providing for lease rental payments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority, issued with respect to the project, providing for the maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, with other terms as may be deemed desirable by the Authority.

"Loan agreement" means any agreement in which the Authority agrees to loan the proceeds of its bonds, notes, or other evidences of indebtedness, issued with respect to a project, to any person or corporation which will use or cause the project to be used as a project, upon terms providing for loan repayment installments at least sufficient to pay, when due, all principal of and interest and premium, if any, on any bonds, notes, or other evidences of indebtedness of the Authority issued with respect to the project, providing for maintenance, insurance, and operation of the project on terms satisfactory to the Authority and providing for other terms deemed advisable by the Authority.

"Financial aid" means the expenditure of Authority funds or funds provided by the Authority for the development, construction, acquisition or improvement of a project, through the issuance of revenue bonds, notes, or other evidences of indebtedness.

"Costs incurred in connection with the development, construction, acquisition or improvement of a project" means the following:

(1) the cost of purchase and construction of all lands and improvements in connection therewith and equipment and other property, rights, easements, and franchises acquired which are deemed necessary for the construction;

(2) financing charges;

(3) interest costs with respect to bonds, notes, and other evidences of indebtedness of the Authority prior to and during construction and for a period of 6 months thereafter;

(4) engineering and legal expenses; and

(5) the costs of plans, specifications, surveys, and estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any project, together with such other expenses as may be necessary or incident to the financing, insuring, acquisition, and construction of a specific project and the placing of the same in operation.

Section 15. Creation.

(a) There is created a political subdivision, body politic, and municipal corporation named the Central Illinois Economic Development Authority. The territorial jurisdiction of the Authority is that geographic area within the boundaries of the following counties: Macon, Sangamon, Menard, Logan, Christian, DeWitt, Macoupin, Montgomery, Calhoun, Greene, and Jersey and any navigable waters and air space located therein.

(b) The governing and administrative powers of the Authority shall be vested in a body consisting of 15 members as follows:

(1) Ex officio members. The Director of Commerce and Economic Opportunity, or a designee of that Department, shall serve as an ex officio member.

(2) Public members. Three members shall be appointed by the Governor with the advice and consent of the Senate. The county board chairperson of the following counties shall each appoint one member: Macon, Sangamon, Menard, Logan, Christian, DeWitt, Macoupin, Montgomery, Calhoun, Greene, and Jersey. All public members shall reside within the territorial jurisdiction of the Authority. The public members shall be persons of recognized ability and experience in one or more of the following areas: economic development, finance, banking, industrial development, state or local government, commercial agriculture, small business management, real estate development, community development, venture finance, organized labor, or civic or community organization.

(c) 8 members shall constitute a quorum.

(d) The chairperson of the Authority shall be elected annually by the Board and must be a public member that resides within the territorial jurisdiction of the Authority.

(e) The terms of all initial members of the Authority shall begin 30 days after the effective date of this Act. Of the 3 original public members appointed by the Governor, 1 shall serve until the third Monday in January, 2007; 1 shall serve until the third Monday in January, 2008; 1 shall serve until the third Monday in January, 2009. The initial terms of the original public members appointed by the county board chairpersons shall be determined by lot, according to the following schedule: (i) 3 shall serve until the third Monday in January, 2007, (ii) 3 shall serve until the third Monday in January, 2008, (iii) 3 shall serve until the third Monday in January, 2009, and (iv) 2 shall serve until the third Monday in January, 2010. All successors to these original public members shall be appointed by the original appointing authority and all appointments made by the Governor shall be made with the advice and consent of the Senate, pursuant to subsection (b), and shall hold office for a term of 6 years commencing the third Monday in January of the year in which their term commences, except in the case of an appointment to fill a vacancy. Vacancies occurring among the public members shall be filled for the remainder of the term. In case of vacancy in a Governor-appointed membership when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill the office and, upon confirmation by the Senate, he or she shall hold office during the remainder of the term and until a successor is appointed and qualified. Members of the Authority are not entitled to compensation for their services as members but are entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members.

(f) The Governor may remove any public member of the Authority appointed by the Governor or a predecessor Governor in case of incompetence, neglect of duty, or malfeasance in office. The chairperson of a county board may remove any public member appointed by that chairperson or a predecessor county board chairperson in case of incompetence, neglect of duty, or malfeasance in office.

(g) The Board shall appoint an Executive Director who shall have a background in finance, including familiarity with the legal and procedural requirements of issuing bonds, real estate, or economic development and administration. The Executive Director shall hold office at the discretion of the Board. The Executive Director shall be the chief administrative and operational officer of the Authority, shall direct and supervise its administrative affairs and general management, perform such other duties as may be prescribed from time to time by the members, and receive compensation fixed by the Authority. The Department of Commerce and Economic Opportunity shall pay the compensation of the Executive Director from appropriations received for that purpose. The Executive Director shall attend all meetings of the Authority. However, no action of the Authority shall be invalid on account of the absence of the Executive Director from a meeting. The Authority may engage the services of the Illinois Finance Authority, attorneys, appraisers, engineers, accountants, credit analysts, and other consultants if the Central Illinois Economic Development Authority deems it advisable.

Section 20. Duty. All official acts of the Authority shall require the approval of at least 8 members. It shall be the duty of the Authority to promote development within the geographic confines of Macon,

Sangamon, Menard, Logan, Christian, DeWitt, Macoupin, Montgomery, Calhoun, Greene, and Jersey counties. The Authority shall use the powers conferred upon it to assist in the development, construction, and acquisition of industrial, commercial, housing, or residential projects within its territorial jurisdiction.

Section 25. Powers.

(a) The Authority possesses all the powers of a body corporate necessary and convenient to accomplish the purposes of this Act, including, without any intended limitation upon the general powers hereby conferred, the following powers:

- (1) to enter into loans, contracts, agreements, and mortgages in any matter connected with any of its corporate purposes and to invest its funds;
- (2) to sue and be sued;
- (3) to utilize services of the Illinois Finance Authority necessary to carry out its purposes;
- (4) to have and use a common seal and to alter the seal at its discretion;
- (5) to adopt all needful ordinances, resolutions, bylaws, rules, and regulations for the conduct of its business and affairs and for the management and use of the projects developed, constructed, acquired, and improved in furtherance of its purposes;
- (6) to designate the fiscal year for the Authority;
- (7) to accept and expend appropriations;
- (8) to acquire, own, lease, sell, or otherwise dispose of interests in and to real property and improvements situated on that real property and in personal property necessary to fulfill the purposes of the Authority;
- (9) to engage in any activity or operation which is incidental to and in furtherance of efficient operation to accomplish the Authority's primary purpose;
- (10) to acquire, own, construct, lease, operate, and maintain bridges, terminals, terminal facilities, and port facilities and to fix and collect just, reasonable, and nondiscriminatory charges for the use of such facilities. These charges shall be used to defray the reasonable expenses of the Authority and to pay the principal and interest of any revenue bonds issued by the Authority;
- (11) subject to any applicable condition imposed by this Act, to locate, establish and maintain a public airport, public airports, and public airport facilities within its corporate limits or within or upon any body of water adjacent thereto and to construct, develop, expand, extend, and improve any such airport or airport facility; and
- (12) to have and exercise all powers and be subject to all duties usually incident to boards of directors of corporations.

(b) The Authority shall not issue any bonds relating to the financing of a project located within the planning and subdivision control jurisdiction of any municipality or county unless: (i) notice, including a description of the proposed project and the financing for that project, is submitted to the corporate authorities of the municipality or, in the case of a proposed project in an unincorporated area, to the county board and (ii) the corporate authorities of the municipality do not, or the county board does not, adopt a resolution disapproving the project within 45 days after receipt of the notice.

(c) If any of the powers set forth in this Act are exercised within the jurisdictional limits of any municipality, all ordinances of the municipality remain in full force and effect and are controlling.

Section 30. Tax avoidance. Notwithstanding any other provision of law, the Authority shall not enter into any agreement providing for the purchase and lease of tangible personal property which results in the avoidance of taxation under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, or the Service Occupation Tax Act, without the prior written consent of the Governor.

Section 35. Bonds.

(a) The Authority, with the written approval of the Governor, shall have the continuing power to issue bonds, notes, or other evidences of indebtedness in an aggregate amount not to exceed \$250,000,000 for the following purposes: (i) development, construction, acquisition, or improvement of projects, including those established by business entities locating or expanding property within the territorial jurisdiction of the Authority; (ii) entering into venture capital agreements with businesses locating or expanding within the territorial jurisdiction of the Authority; and (iii) acquisition and improvement of any property necessary and useful in connection therewith. For the purpose of evidencing the obligations of the Authority to repay any money borrowed, the Authority may, pursuant to resolution, from time to time, issue and dispose of its interest-bearing revenue bonds, notes, or other evidences of indebtedness and may also from time to time issue and dispose of such bonds, notes, or other evidences of indebtedness to refund, at maturity, at a redemption date or in advance of either, any bonds, notes, or other evidences of indebtedness pursuant to

redemption provisions or at any time before maturity. All such bonds, notes, or other evidences of indebtedness shall be payable solely and only from the revenues or income to be derived from loans made with respect to projects, from the leasing or sale of the projects, or from any other funds available to the Authority for such purposes. The bonds, notes, or other evidences of indebtedness may bear such date or dates, may mature at such time or times not exceeding 40 years from their respective dates, may bear interest at such rate or rates not exceeding the maximum rate permitted by the Bond Authorization Act, may be in such form, may carry such registration privileges, may be executed in such manner, may be payable at such place or places, may be made subject to redemption in such manner and upon such terms, with or without premium, as is stated on the face thereof, may be authenticated in such manner and may contain such terms and covenants as may be provided by an applicable resolution.

(b) The holder or holders of any bonds, notes, or other evidences of indebtedness issued by the Authority may bring suits at law or proceedings in equity to compel the performance and observance by any corporation or person or by the Authority or any of its agents or employees of any contract or covenant made with the holders of the bonds, notes, or other evidences of indebtedness, to compel such corporation, person, the Authority, and any of its agents or employees to perform any duties required to be performed for the benefit of the holders of the bonds, notes, or other evidences of indebtedness by the provision of the resolution authorizing their issuance and to enjoin the corporation, person, the Authority, and any of its agents or employees from taking any action in conflict with any contract or covenant.

(c) If the Authority fails to pay the principal of or interest on any of the bonds or premium, if any, as the bond becomes due, a civil action to compel payment may be instituted in the appropriate circuit court by the holder or holders of the bonds on which the default of payment exists or by an indenture trustee acting on behalf of the holders. Delivery of a summons and a copy of the complaint to the chairman of the Board shall constitute sufficient service to give the circuit court jurisdiction over the subject matter of the suit and jurisdiction over the Authority and its officers named as defendants for the purpose of compelling such payment. Any case, controversy, or cause of action concerning the validity of this Act relates to the revenue of the State of Illinois.

(d) Notwithstanding the form and tenor of any bond, note, or other evidence of indebtedness and in the absence of any express recital on its face that it is non-negotiable, all such bonds, notes, and other evidences of indebtedness shall be negotiable instruments. Pending the preparation and execution of any bonds, notes, or other evidences of indebtedness, temporary bonds, notes, or evidences of indebtedness may be issued as provided by ordinance.

(e) To secure the payment of any or all of such bonds, notes, or other evidences of indebtedness, the revenues to be received by the Authority from a lease agreement or loan agreement shall be pledged, and, for the purpose of setting forth the covenants and undertakings of the Authority in connection with the issuance of the bonds, notes, or other evidences of indebtedness and the issuance of any additional bonds, notes or other evidences of indebtedness payable from such revenues, income, or other funds to be derived from projects, the Authority may execute and deliver a mortgage or trust agreement. A remedy for any breach or default of the terms of any mortgage or trust agreement by the Authority may be by mandamus proceeding in the appropriate circuit court to compel performance and compliance under the terms of the mortgage or trust agreement, but the trust agreement may prescribe by whom or on whose behalf the action may be instituted.

(f) Bonds or notes shall be secured as provided in the authorizing ordinance which may include, notwithstanding any other provision of this Act, in addition to any other security, a specific pledge, assignment of and lien on, or security interest in any or all revenues or money of the Authority, from whatever source, which may, by law, be used for debt service purposes and a specific pledge, or assignment of and lien on, or security interest in any funds or accounts established or provided for by ordinance of the Authority authorizing the issuance of the bonds or notes.

(g) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with the holders of bonds or notes or in any way impair the rights and remedies of those holders until the bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of the holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any

contract with the holders of bonds or notes issued pursuant to this Section.

(h) Not less than 30 days prior to the commitment to issue bonds, notes, or other evidences of indebtedness for the purpose of developing, constructing, acquiring, or improving housing or residential projects, as defined in this Act, the Authority shall provide notice to the Executive Director of the Illinois Housing Development Authority. Within 30 days after the notice is provided, the Illinois Housing Development Authority shall, in writing, either express interest in financing the project or notify the Authority that it is not interested in providing financing and that the Authority may finance the project or seek alternative financing.

Section 40. Bonds and notes; exemption from taxation. The creation of the Authority is in all respects for the benefit of the people of Illinois and for the improvement of their health, safety, welfare, comfort, and security, and its purposes are public purposes. In consideration thereof, the notes and bonds of the Authority issued pursuant to this Act and the income from these notes and bonds may be free from all taxation by the State or its political subdivisions, except for estate, transfer, and inheritance taxes. The exemption from taxation provided by the preceding sentence shall apply to the income on any notes or bonds of the Authority only if the Authority in its sole judgment determines that the exemption enhances the marketability of the bonds or notes or reduces the interest rates that would otherwise be borne by the bonds or notes. For purposes of Section 250 of the Illinois Income Tax Act, the exemption of the Authority shall terminate after all of the bonds have been paid. The amount of such income that shall be added and then subtracted on the Illinois income tax return of a taxpayer, subject to Section 203 of the Illinois Income Tax Act, from federal adjusted gross income or federal taxable income in computing Illinois base income shall be the interest net of any bond premium amortization.

Section 45. Acquisition.

(a) The Authority may, but need not, acquire title to any project with respect to which it exercises its authority.

(b) The Authority shall have power to acquire by purchase, lease, gift, or otherwise any property or rights therein from any person or persons, the State of Illinois, any municipal corporation, any local unit of government, the government of the United States and any agency or instrumentality of the United States, any body politic, or any county useful for its purposes, whether improved for the purposes of any prospective project or unimproved. The Authority may also accept any donation of funds for its purposes from any of these sources.

(c) The Authority shall have power to develop, construct, and improve, either under its own direction or through collaboration with any approved applicant, or to acquire, through purchase or otherwise, any project, using for this purpose the proceeds derived from its sale of revenue bonds, notes, or other evidences of indebtedness or governmental loans or grants and shall have the power to hold title to those projects in the name of the Authority.

(d) The Authority shall have the power to enter into intergovernmental agreements with the State of Illinois, the counties of Macon, Sangamon, Menard, Logan, Christian, DeWitt, Macoupin, Montgomery, Calhoun, Greene, and Jersey, the Illinois Finance Authority, the Illinois Housing Development Authority, the United States government and any agency or instrumentality of the United States, any unit of local government located within the territory of the Authority, or any other unit of government to the extent allowed by Article VII, Section 10 of the Illinois Constitution and the Intergovernmental Cooperation Act.

(e) The Authority shall have the power to share employees with other units of government, including agencies of the United States, agencies of the State of Illinois, and agencies or personnel of any unit of local government.

(f) The Authority shall have the power to exercise powers and issue bonds as if it were a municipality so authorized in Divisions 12.1, 74, 74.1, 74.3, and 74.5 of Article 11 of the Illinois Municipal Code.

Section 55. Designation of depository. The Authority shall biennially designate a national or State bank or banks as depositories of its money. Such depositories shall be designated only within the State and upon condition that bonds approved as to form and surety by the Authority and at least equal in amount to the maximum sum expected to be on deposit at any one time shall be first given by such depositories to the Authority, such bonds to be conditioned for the safe keeping and prompt repayment of such deposits. When any of the funds of the Authority shall be deposited by the treasurer in any such depository, the treasurer and the sureties on his or her official bond shall, to such extent, be exempt from liability for the loss of any such deposited funds by reason of the failure, bankruptcy, or any other act or default of such depository; provided that the Authority may accept assignments of collateral by any depository of its funds to secure such deposits to the same extent and conditioned in the same manner as assignments of collateral are permitted by law to secure deposits of the funds of any city.

Section 60. Taxation prohibited. The Authority shall have no right or authority to levy any tax or special assessment, to pledge the credit of the State or any other subdivision or municipal corporation thereof, or to incur any obligation enforceable upon any property, either within or without the territory of the Authority.

Section 65. Fees. The Authority may collect fees and charges in connection with its loans, commitments, and servicing and may provide technical assistance in the development of the region.

Section 70. Reports. The Authority shall annually submit a report of its finances to the Auditor General. The Authority shall annually submit a report of its activities to the Governor and to the General Assembly.

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

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4147 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 4161

A bill for AN ACT concerning land.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4161

Passed the Senate, as amended, March 27, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4161 by replacing everything after the enacting clause with the following:

"Section 5. "An Act in relation to certain land", approved June 13, 2000, Public Act 91-824, is amended by changing Section 20-10 as follows:

(P.A. 91-824, Sec. 20-10)

Sec. 20-10. The Director of Central Management Services is authorized to:

(a) convey by quit claim deed for \$1 buildings A & B of the former Henry Horner School property located on Oak Park Ave, Chicago, Illinois to Maryville Academy, provided however that should the property fail to be used by Maryville Academy for charitable or educational purposes, the title shall revert to the State of Illinois;

(b) convey by quit claim deed approximately 5 acres of the grounds of the former Henry Horner School located on Oak Park Avenue, Chicago, Illinois for \$1 upon identification and survey of a site mutually agreeable to the parties to New Horizon Center for the Developmentally Disabled, provided that should the property fail to be used by New Horizon Center for the Developmentally Disabled for charitable or educational purposes, title shall revert to the State of Illinois;

(c) convey by Quit Claim Deed for \$1 to the City of Chicago the following described real property:

A PARCEL OF LAND, APPROXIMATELY 16,000 SQUARE FEET ON AND ALONG THE NORTH SIDE OF WEST

IRVING PARK ROAD, HAVING APPROXIMATELY 135 FEET OF FRONTAGE ON SAID WEST IRVING PARK ROAD AND A DEPTH OF APPROXIMATELY 125 FEET, HAVING ITS EASTERLY BOUNDARY PARALLEL TO AND APPROXIMATELY 1,111 FEET WEST OF THE WEST PROPERTY LINE OF NORTH NARRAGANSETT AVENUE, AND ITS WESTERLY BOUNDARY BEING PARALLEL TO AND 135 FEET WEST OF THE EASTERLY BOUNDARY LINE, ALL IN THE COUNTY OF COOK AND STATE OF ILLINOIS.

Provided however, should the property fail to be used by the Grantee for public purposes, title shall revert to the State of Illinois;

(d) take steps to preserve, landscape, memorialize and protect unmarked historic cemetery grounds located by archeological survey on the grounds of Chicago Read Mental Health Center. This subsection shall also allow the relocation of the remains pursuant to regulations and

procedures established by the Historic Preservation Agency when deemed necessary by the Director of Central Management Services. For the purpose of the relocation of such remains, the Secretary of Human Services is designated next of kin when it is not possible to definitively establish the identity of any such remains;

(e) ~~(blank) in order to facilitate the conveyances referenced in subsections (a) and (b) after consultation with the Secretary of Transportation, the Secretary of Human Services, and the Director of Commerce and Community Affairs and upon obtaining necessary appraisals, surveys, and environmental reports, and in accordance with and in coordination with any pre-existing redevelopment agreement, convey title by quit claim deed to Chicago Read Joint Venture, Limited Partnership to surplus property located within the area bordered by Harlem Avenue, West Irving Park Road, North Narragansett Avenue, West Montrose Avenue, and Forest Preserve Drive, Chicago, Illinois, but excluding the area comprised of the property of the former Henry Horner School and the property referred to as the "Phase Three Property" under the Chicago Read Dunning Redevelopment Agreement, at fair market value and on such terms and conditions necessary to bring about the orderly redevelopment of such surplus property, provided however that "surplus property" as described in this Section shall not include buildings and grounds currently under the jurisdiction of the Department of Human Services unless specifically consented to by the Secretary of Human Services; and~~

(f) accept replacement State facilities constructed in order to relocate State operations located in facilities to be replaced or otherwise transferred to coordinate with necessary redevelopment.

(Source: P.A. 91-824, eff. 1-1-01.)

Section 10. The Director of Central Management Services shall obtain a certified copy this Act within 60 days after its effective date, and shall record the certified document in the Recorder's Office in the county in which the land is located.

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

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4161 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 1744

A bill for AN ACT concerning revenue.

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

Senate Amendment No. 1 to HOUSE BILL NO. 1744

Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 1744 by replacing everything after the enacting clause with the following:

"Section 5. The Energy Assistance Act is amended by changing Section 13 and by adding Section 15 as follows:

(305 ILCS 20/13)

Sec. 13. Supplemental Low-Income Energy Assistance Fund.

(a) The Supplemental Low-Income Energy Assistance Fund is hereby created as a special fund in the State Treasury. The Supplemental Low-Income Energy Assistance Fund is authorized to receive moneys from voluntary donations from individuals, foundations, corporations, and other sources, moneys received pursuant to Section 15, and, by statutory deposit, the moneys collected pursuant to this Section. Subject to appropriation, the Department shall use moneys from the Supplemental Low-Income Energy Assistance Fund for payments to electric or gas public utilities, municipal electric or gas utilities, and electric cooperatives on behalf of their customers who are participants in the program authorized by Section 4 of

this Act, for the provision of weatherization services and for administration of the Supplemental Low-Income Energy Assistance Fund. The yearly expenditures for weatherization may not exceed 10% of the amount collected during the year pursuant to this Section. The yearly administrative expenses of the Supplemental Low-Income Energy Assistance Fund may not exceed 10% of the amount collected during that year pursuant to this Section.

(b) Notwithstanding the provisions of Section 16-111 of the Public Utilities Act but subject to subsection (k) of this Section, each public utility, electric cooperative, as defined in Section 3.4 of the Electric Supplier Act, and municipal utility, as referenced in Section 3-105 of the Public Utilities Act, that is engaged in the delivery of electricity or the distribution of natural gas within the State of Illinois shall, effective January 1, 1998, assess each of its customer accounts a monthly Energy Assistance Charge for the Supplemental Low-Income Energy Assistance Fund. The delivering public utility, municipal electric or gas utility, or electric or gas cooperative for a self-assessing purchaser remains subject to the collection of the fee imposed by this Section. The monthly charge shall be as follows:

- (1) \$0.40 per month on each account for residential electric service;
- (2) \$0.40 per month on each account for residential gas service;
- (3) \$4 per month on each account for non-residential electric service which had less than 10 megawatts of peak demand during the previous calendar year;
- (4) \$4 per month on each account for non-residential gas service which had distributed to it less than 4,000,000 therms of gas during the previous calendar year;
- (5) \$300 per month on each account for non-residential electric service which had 10 megawatts or greater of peak demand during the previous calendar year; and
- (6) \$300 per month on each account for non-residential gas service which had 4,000,000 or more therms of gas distributed to it during the previous calendar year.

(c) For purposes of this Section:

- (1) "residential electric service" means electric utility service for household purposes delivered to a dwelling of 2 or fewer units which is billed under a residential rate, or electric utility service for household purposes delivered to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;
- (2) "residential gas service" means gas utility service for household purposes distributed to a dwelling of 2 or fewer units which is billed under a residential rate, or gas utility service for household purposes distributed to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;
- (3) "non-residential electric service" means electric utility service which is not residential electric service; and
- (4) "non-residential gas service" means gas utility service which is not residential gas service.

(d) At least 45 days prior to the date on which it must begin assessing Energy Assistance Charges, each public utility engaged in the delivery of electricity or the distribution of natural gas shall file with the Illinois Commerce Commission tariffs incorporating the Energy Assistance Charge in other charges stated in such tariffs.

(e) The Energy Assistance Charge assessed by electric and gas public utilities shall be considered a charge for public utility service.

(f) By the 20th day of the month following the month in which the charges imposed by the Section were collected, each public utility, municipal utility, and electric cooperative shall remit to the Department of Revenue all moneys received as payment of the Energy Assistance Charge on a return prescribed and furnished by the Department of Revenue showing such information as the Department of Revenue may reasonably require. If a customer makes a partial payment, a public utility, municipal utility, or electric cooperative may elect either: (i) to apply such partial payments first to amounts owed to the utility or cooperative for its services and then to payment for the Energy Assistance Charge or (ii) to apply such partial payments on a pro-rata basis between amounts owed to the utility or cooperative for its services and to payment for the Energy Assistance Charge.

(g) The Department of Revenue shall deposit into the Supplemental Low-Income Energy Assistance Fund all moneys remitted to it in accordance with subsection (f) of this Section.

(h) (Blank).

On or before December 31, 2002, the Department shall prepare a report for the General Assembly on the expenditure of funds appropriated from the Low-Income Energy Assistance Block Grant Fund for the program authorized under Section 4 of this Act.

(i) The Department of Revenue may establish such rules as it deems necessary to implement this Section.
 (j) The Department of Commerce and Economic Opportunity ~~Community Affairs~~ may establish such rules as it deems necessary to implement this Section.

(k) The charges imposed by this Section shall only apply to customers of municipal electric or gas utilities and electric or gas cooperatives if the municipal electric or gas utility or electric or gas cooperative makes an affirmative decision to impose the charge. If a municipal electric or gas utility or an electric cooperative makes an affirmative decision to impose the charge provided by this Section, the municipal electric or gas utility or electric cooperative shall inform the Department of Revenue in writing of such decision when it begins to impose the charge. If a municipal electric or gas utility or electric or gas cooperative does not assess this charge, the Department may not use funds from the Supplemental Low-Income Energy Assistance Fund to provide benefits to its customers under the program authorized by Section 4 of this Act.

In its use of federal funds under this Act, the Department may not cause a disproportionate share of those federal funds to benefit customers of systems which do not assess the charge provided by this Section.

This Section is repealed effective December 31, 2007 unless renewed by action of the General Assembly. The General Assembly shall consider the results of the evaluations described in Section 8 in its deliberations.

(Source: P.A. 92-690, eff. 7-18-02; revised 12-6-03.)

(305 ILCS 20/15 new)

Sec. 15. Transfer into Supplemental Low-Income Energy Assistance Fund. Immediately upon the effective date of this amendatory Act of the 94th General Assembly, but no later than 5 business days after that effective date, the Treasurer of the State of Illinois shall transfer into the Supplemental Low-Income Energy Assistance Fund \$5,201,055, which is equivalent to 50% of the average amount of Gas Revenue Tax paid per residential gas utility customer in State fiscal year 2005 multiplied by the number of residential gas utility customers that received assistance from the Low Income Home Energy Assistance Program during the State fiscal year 2005 winter heating season.

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

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 1744 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 2946

A bill for AN ACT concerning criminal law.

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

Senate Amendment No. 1 to HOUSE BILL NO. 2946

Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 2946 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by adding Section 12-36 as follows:

(720 ILCS 5/12-36 new)

Sec. 12-36. Possession of certain dogs by felons prohibited.

(a) For a period of 10 years commencing upon the release of a person from incarceration, it is unlawful for a person convicted of a forcible felony, a felony violation of the Humane Care for Animals Act, a felony violation of Article 24 of the Criminal Code of 1961, a felony violation of Class 3 or higher of the Illinois Controlled Substances Act, a felony violation of Class 3 or higher of the Cannabis Control Act, or a felony violation of Class 2 or higher of the Methamphetamine Control and Community Protection Act, to knowingly own, possess, have custody of, or reside in a residence with, either:

(1) an unspayed or unneutered dog or puppy older than 12 weeks of age; or
(2) irrespective of whether the dog has been spayed or neutered, any dog that has been determined to be a vicious dog under Section 15 of the Animal Control Act.

(b) Any dog owned, possessed by, or in the custody of a person convicted of a felony, as described in subsection (a), must be microchipped for permanent identification.

(c) Sentence. A person who violates this Section is guilty of a Class A misdemeanor.

(d) It is an affirmative defense to prosecution under this Section that the dog in question is neutered or spayed, or that the dog in question was neutered or spayed within 7 days of the defendant being charged with a violation of this Section. Medical records from, or the certificate of, a doctor of veterinary medicine licensed to practice in the State of Illinois who has personally examined or operated upon the dog, unambiguously indicating whether the dog in question has been spayed or neutered, shall be prima facie true and correct, and shall be sufficient evidence of whether the dog in question has been spayed or neutered. This subsection (d) is not applicable to any dog that has been determined to be a vicious dog under Section 15 of the Animal Control Act."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 2946 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 4121

A bill for AN ACT concerning criminal law.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4121

Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4121 on page 1, by replacing lines 25 through 28 with the following:

"(a-6) A person commits a false personation when he or she falsely represents himself or herself to be a recipient of, or wears on his or her person, any of the following medals if that medal was not awarded to that person by the United States government, irrespective of branch of service: the Congressional Medal of Honor, the Distinguished Service Cross, the Navy Cross, the Air Force Cross, the Silver Star, the Bronze Star, or the Purple Heart.

It is a defense to a prosecution under this subsection (a-6) that the medal is used, or is intended to be used, exclusively:

(1) for a dramatic presentation, such as a theatrical, film, or television production, or a historical re-enactment; or

(2) for a costume worn, or intended to be worn, by a person under 18 years of age."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4121 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 4135

A bill for AN ACT concerning regulation.

Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:
Senate Amendment No. 1 to HOUSE BILL NO. 4135
Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4135 by replacing everything after the enacting clause with the following:

"Section 5. The Children and Family Services Act is amended by changing Section 5c as follows:
(20 ILCS 505/5c)

Sec. 5c. Direct child welfare service employee license.

(a) By January 1, 2000, the Department, in consultation with private child welfare agencies, shall develop and implement a direct child welfare service employee license. By January 1, 2001 all child protective investigators and supervisors and child welfare specialists and supervisors employed by the Department or its contractors shall be required to demonstrate sufficient knowledge and skills to obtain and maintain the license. The Direct Child Welfare Service Employee License Board of the Department shall have the authority to revoke or suspend the license of anyone who after a hearing is found to be guilty of misfeasance. The Department shall promulgate such rules as necessary to implement this Section.

(b) If a direct child welfare service employee licensee is expected to transport a child or children with a motor vehicle in the course of performing his or her duties, the Department must verify that the licensee meets the requirements set forth in Section 5.1 of the Child Care Act of 1969. The Department must make that verification as to each such licensee every 2 years. Upon the Department's request, the Secretary of State shall provide the Department with the information necessary to enable the Department to make the verifications required under this subsection. If the Department discovers that a direct child welfare service employee licensee has engaged in transporting a child or children with a motor vehicle without having a valid driver's license, the Department shall immediately revoke the individual's direct child welfare service employee license.

(c) On or before January 1, 2000, and every year thereafter, the Department shall submit an annual report to the General Assembly on the implementation of this Section.

(Source: P.A. 92-471, eff. 8-22-01.)

Section 10. The Child Care Act of 1969 is amended by changing Section 5.1 as follows:
(225 ILCS 10/5.1) (from Ch. 23, par. 2215.1)

Sec. 5.1. (a) The Department shall ensure ~~assure~~ that no day care center, group home or child care institution as defined in this Act shall on a regular basis transport a child or children with any motor vehicle unless such vehicle is operated by a person who ~~that~~ complies with the following requirements:

1. is 21 years of age or older;
2. currently holds a valid driver's license, which has not been revoked or suspended for one or more traffic violations during the 3 years immediately prior to the date of application;
3. demonstrates physical fitness to operate vehicles by submitting the results of a medical examination conducted by a licensed physician;
4. has not been convicted of more than 2 offenses against traffic regulations governing the movement of vehicles within a twelve month period;
5. has not been convicted of reckless driving or driving under the influence or manslaughter or reckless homicide resulting from the operation of a motor vehicle within the past 3 years;
6. has signed and submitted a written statement certifying that he has not, through the unlawful operation of a motor vehicle, caused an accident which resulted in the death of any person within the 5 years immediately prior to the date of application.

However, such day care centers, group homes and child care institutions may provide for transportation of a child or children for special outings, functions or purposes that are not scheduled on a regular basis without verification that drivers for such purposes meet the requirements of this Section.

(a-5) As a means of ensuring compliance with the requirements set forth in subsection (a), the Department shall implement appropriate measures to verify that every individual who is employed at a group home or child care institution meets those requirements.

For every individual employed at a group home or child care institution who regularly transports children in the course of performing his or her duties, the Department must make the verification every 2 years.

Upon the Department's request, the Secretary of State shall provide the Department with the information necessary to enable the Department to make the verifications required under subsection (a).

In the case of an individual employed at a group home or child care institution who becomes subject to subsection (a) for the first time after the effective date of this amendatory Act of the 94th General Assembly, the Department must make that verification with the Secretary of State before the individual operates a motor vehicle to transport a child or children under the circumstances described in subsection (a).

In the case of an individual employed at a group home or child care institution who is subject to subsection (a) on the effective date of this amendatory Act of the 94th General Assembly, the Department must make that verification with the Secretary of State within 30 days after that effective date.

If the Department discovers that an individual fails to meet the requirements set forth in subsection (a), the Department shall promptly notify the appropriate group home or child care institution.

(b) Any individual who holds a valid Illinois school bus driver permit issued by the Secretary of State pursuant to The Illinois Vehicle Code, and who is currently employed by a school district or parochial school, or by a contractor with a school district or parochial school, to drive a school bus transporting children to and from school, shall be deemed in compliance with the requirements of subsection (a).

(c) The Department may, pursuant to Section 8 of this Act, revoke the license of any day care center, group home or child care institution that fails to meet the requirements of this Section.

(d) A group home or child care institution that fails to meet the requirements of this Section is guilty of a petty offense and is subject to a fine of not more than \$1,000. Each day that a group home or child care institution fails to meet the requirements of this Section is a separate offense.

(Source: P.A. 88-612, eff. 7-1-95.)".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4135 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 4137

A bill for AN ACT concerning finance.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4137

Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4137 as follows:
on page 1, line 8, by replacing "On and after" with "Beginning on"; and
on page 1, by replacing lines 10 and 11 with the following:
"purchased from State funds must be flexible fuel vehicles. Beginning July 1, 2007, all gasoline-powered vehicles purchased from State funds must be flexible fuel or fuel efficient hybrid vehicles. For purposes of this Section."; and
on page 1, line 22, by replacing "20% biodiesel (B20)" with "5% biodiesel (B5)".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4137 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 4179

A bill for AN ACT concerning name changes.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4179

Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4179 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Section 21-101 as follows:
(735 ILCS 5/21-101) (from Ch. 110, par. 21-101)

Sec. 21-101. Proceedings; parties. If any person who is a resident of this State and has resided in this State for 6 months desires to change his or her name and to assume another name by which to be afterwards called and known, the person may file a petition in the circuit court of the county wherein he or she resides praying for that relief. If it appears to the court that the conditions hereinafter mentioned have been complied with and that there is no reason why the prayer should not be granted, the court, by an order to be entered of record, may direct and provide that the name of that person be changed in accordance with the prayer in the petition. The filing of a petition in accordance with this Section shall be the sole and exclusive means by which any person committed under the laws of this State to a penal institution may change his or her name and assume another name. However, any person convicted of a felony, ~~misdemeanor criminal sexual abuse when the victim of the offense at the time of its commission is under 18 years of age, misdemeanor sexual exploitation of a child, misdemeanor indecent solicitation of a child, or misdemeanor indecent solicitation of an adult~~ in this State or any other state who has not been pardoned may not file a petition for a name change until 10 years have passed since completion and discharge from his or her sentence. A person who has been convicted of identity theft, aggravated identity theft, felony or misdemeanor criminal sexual abuse when the victim of the offense at the time of its commission is under 18 years of age, felony or misdemeanor sexual exploitation of a child, felony or misdemeanor indecent solicitation of a child, or felony or misdemeanor indecent solicitation of an adult, or any other offense for which a person is required to register under the Sex Offender Registration Act in this State or any other state who has not been pardoned shall not be permitted to file a petition for a name change in the courts of Illinois. ~~A person who is required to register as a sex offender under the Sex Offender Registration Act may not file a petition for a name change until the person is no longer under a duty to register under that Act.~~ A petitioner may include his or her spouse and adult unmarried children, with their consent, and his or her minor children where it appears to the court that it is for their best interest, in the petition and prayer, and the court's order shall then include the spouse and children. Whenever any minor has resided in the family of any person for the space of 3 years and has been recognized and known as an adopted child in the family of that person, the application herein provided for may be made by the person having that minor in his or her family.

An order shall be entered as to a minor only if the court finds by clear and convincing evidence that the change is necessary to serve the best interest of the child. In determining the best interest of a minor child under this Section, the court shall consider all relevant factors, including:

(1) The wishes of the child's parents and any person acting as a parent who has physical custody of the child.

(2) The wishes of the child and the reasons for those wishes. The court may interview the child in chambers to ascertain the child's wishes with respect to the change of name. Counsel shall be present at the interview unless otherwise agreed upon by the parties. The court shall cause a court reporter to be present who shall make a complete record of the interview instantaneously to be part of the record in the case.

(3) The interaction and interrelationship of the child with his or her parents or persons acting as parents who have physical custody of the child, step-parents, siblings, step-siblings, or any other person who may significantly affect the child's best interest.

(4) The child's adjustment to his or her home, school, and community.
(Source: P.A. 88-25; 89-192, eff. 1-1-96; 89-462, eff. 5-29-96.)".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4179 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 4203

A bill for AN ACT concerning missing persons.

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

Senate Amendment No. 2 to HOUSE BILL NO. 4203

Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 2. Amend House Bill 4203 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Missing Persons Identification Act.

Section 5. Missing person reports.

(a) Report acceptance. All law enforcement agencies shall accept without delay any report of a missing person. Acceptance of a missing person report filed in person may not be refused on any ground. No law enforcement agency may refuse to accept a missing person report:

- (1) on the basis that the missing person is an adult;
- (2) on the basis that the circumstances do not indicate foul play;
- (3) on the basis that the person has been missing for a short period of time;
- (4) on the basis that the person has been missing a long period of time;
- (5) on the basis that there is no indication that the missing person was in the jurisdiction served by the law enforcement agency at the time of the disappearance;
- (6) on the basis that the circumstances suggest that the disappearance may be voluntary;
- (7) on the basis that the reporting individual does not have personal knowledge of the facts;
- (8) on the basis that the reporting individual cannot provide all of the information requested by the law enforcement agency;
- (9) on the basis that the reporting individual lacks a familial or other relationship with the missing person; or
- (10) for any other reason.

(b) Manner of reporting. All law enforcement agencies shall accept missing person reports in person. Law enforcement agencies are encouraged to accept reports by phone or by electronic or other media to the extent that such reporting is consistent with law enforcement policies or practices.

(c) Contents of report. In accepting a report of a missing person, the law enforcement agency shall attempt to gather relevant information relating to the disappearance. The law enforcement agency shall attempt to gather at the time of the report information that shall include, but shall not be limited to, the following:

- (1) the name of the missing person, including alternative names used;
- (2) the missing person's date of birth;
- (3) the missing person's identifying marks, such as birthmarks, moles, tattoos, and scars;
- (4) the missing person's height and weight;
- (5) the missing person's gender;
- (6) the missing person's race;
- (7) the missing person's current hair color and true or natural hair color;

- (8) the missing person's eye color;
- (9) the missing person's prosthetics, surgical implants, or cosmetic implants;
- (10) the missing person's physical anomalies;
- (11) the missing person's blood type, if known;
- (12) the missing person's drivers license number, if known;
- (13) the missing person's social security number, if known;
- (14) a photograph of the missing person; recent photographs are preferable and the agency is encouraged to attempt to ascertain the approximate date the photograph was taken;
- (15) a description of the clothing the missing person was believed to be wearing;
- (16) a description of items that might be with the missing person, such as jewelry, accessories, and shoes or boots;
- (17) information on the missing person's electronic communications devices, such as cellular telephone numbers and e-mail addresses;
- (18) the reasons why the reporting individual believes that the person is missing;
- (19) the name and location of the missing person's school or employer, if known;
- (20) the name and location of the missing person's dentist or primary care physician, or both, if known;
- (21) any circumstances that may indicate that the disappearance was not voluntary;
- (22) any circumstances that may indicate that the missing person may be at risk of injury or death;
- (23) a description of the possible means of transportation of the missing person, including make, model, color, license number, and Vehicle Identification Number of a vehicle;
- (24) any identifying information about a known or possible abductor or person last seen with the missing person, or both, including:
 - (A) name;
 - (B) a physical description;
 - (C) date of birth;
 - (D) identifying marks;
 - (E) the description of possible means of transportation, including make, model, color, license number, and Vehicle Identification Number of a vehicle;
 - (F) known associates;
- (25) any other information that may aid in locating the missing person; and
- (26) the date of last contact.

(d) Notification and follow up action.

(1) Notification. The law enforcement agency shall notify the person making the report, a family member, or other person in a position to assist the law enforcement agency in its efforts to locate the missing person of the following:

(A) general information about the handling of the missing person case or about intended efforts in the case to the extent that the law enforcement agency determines that disclosure would not adversely affect its ability to locate or protect the missing person or to apprehend or prosecute any person criminally involved in the disappearance;

(B) that the person should promptly contact the law enforcement agency if the missing person remains missing in order to provide additional information and materials that will aid in locating the missing person such as the missing person's credit cards, debit cards, banking information, and cellular telephone records; and

(C) that any DNA samples provided for the missing person case are provided on a voluntary basis and will be used solely to help locate or identify the missing person and will not be used for any other purpose.

The law enforcement agency, upon acceptance of a missing person report, shall inform the reporting citizen of one of 2 resources, based upon the age of the missing person. If the missing person is under 18 years of age, contact information for the National Center for Missing and Exploited Children shall be given. If the missing person is age 18 or older, contact information for the National Center for Missing Adults shall be given.

Agencies handling the remains of a missing person who is deceased must notify the agency handling the missing person's case. Documented efforts must be made to locate family members of the deceased person to inform them of the death and location of the remains of their family member.

The law enforcement agency is encouraged to make available informational materials,

through publications or electronic or other media, that advise the public about how the information or materials identified in this subsection are used to help locate or identify missing persons.

(2) Follow up action. If the person identified in the missing person report remain missing after 30 days, and the additional information and materials specified below have not been received, the law enforcement agency shall attempt to obtain:

(A) DNA samples from family members or from the missing person along with any needed documentation, or both, including any consent forms, required for the use of State or federal DNA databases, including, but not limited to, the Local DNA Index System (LDIS), State DNA Index System (SDIS), and National DNA Index System (NDIS);

(B) an authorization to release dental or skeletal x-rays of the missing person;

(C) any additional photographs of the missing person that may aid the investigation or an identification; the law enforcement agency is not required to obtain written authorization before it releases publicly any photograph that would aid in the investigation or identification of the missing person;

(D) dental information and x-rays; and

(E) fingerprints.

(3) All DNA samples obtained in missing person cases shall be immediately forwarded to the Department of State Police for analysis. The Department of State Police shall establish procedures for determining how to prioritize analysis of the samples relating to missing person cases.

(4) This subsection shall not be interpreted to preclude a law enforcement agency from attempting to obtain the materials identified in this subsection before the expiration of the 30-day period. Section 10. Law enforcement analysis and reporting of missing person information.

(a) Prompt determination of high-risk missing person.

(1) Definition. "High-risk missing person" means a person whose whereabouts are not currently known and whose circumstances indicate that the person may be at risk of injury or death. The circumstances that indicate that a person is a high-risk missing person include, but are not limited to, any of the following:

(A) the person is missing as a result of a stranger abduction;

(B) the person is missing under suspicious circumstances;

(C) the person is missing under unknown circumstances;

(D) the person is missing under known dangerous circumstances;

(E) the person is missing more than 30 days;

(F) the person has already been designated as a high-risk missing person by another law enforcement agency;

(G) there is evidence that the person is at risk because:

(i) the person is in need of medical attention or prescription medication;

(ii) the person does not have a pattern of running away or disappearing;

(iii) the person may have been abducted by a non-custodial parent;

(iv) the person is mentally impaired;

(v) the person is under the age of 21;

(vi) the person has been the subject of past threats or acts of violence;

(vii) the person has eloped from a nursing home; or

(H) any other factor that may, in the judgment of the law enforcement official, indicate that the missing person may be at risk.

(2) Law enforcement risk assessment.

(A) Upon initial receipt of a missing person report, the law enforcement agency shall immediately determine whether there is a basis to determine that the missing person is a high-risk missing person.

(B) If a law enforcement agency has previously determined that a missing person is not a high-risk missing person, but obtains new information, it shall immediately determine whether the information indicates that the missing person is a high-risk missing person.

(C) Law enforcement agencies are encouraged to establish written protocols for the handling of missing person cases to accomplish the purposes of this Act.

(3) Law enforcement agency reports.

(A) The responding local law enforcement agency shall immediately enter all collected information relating to the missing person case in the Law Enforcement Agencies Data System (LEADS) and the National Crime Information Center (NCIC) databases. The information shall

be provided in accordance with applicable guidelines relating to the databases. The information shall be entered as follows:

(i) All appropriate DNA profiles, as determined by the Department of State Police, shall be uploaded into the missing person databases of the State DNA Index System (SDIS) and National DNA Index System (NDIS) after completion of the DNA analysis and other procedures required for database entry.

(ii) Information relevant to the Federal Bureau of Investigation's Violent Criminal Apprehension Program shall be entered as soon as possible.

(iii) The Department of State Police shall ensure that persons entering data relating to medical or dental records in State or federal databases are specifically trained to understand and correctly enter the information sought by these databases. The Department of State Police shall either use a person with specific expertise in medical or dental records for this purpose or consult with a chief medical examiner, forensic anthropologist, or odontologist to ensure the accuracy and completeness of information entered into the State and federal databases.

(B) The Department of State Police shall immediately notify all law enforcement agencies within this State and the surrounding region of the information that will aid in the prompt location and safe return of the high-risk missing person.

(C) The local law enforcement agencies that receive the notification from the Department of State Police shall notify officers to be on the lookout for the missing person or a suspected abductor.

(D) Pursuant to any applicable State criteria, local law enforcement agencies shall also provide for the prompt use of an Amber Alert in cases involving abducted children; or public dissemination of photographs in appropriate high risk cases.

Section 15. Reporting of unidentified persons and human remains.

(a) Handling of death scene investigations.

(1) The Department of State Police shall provide information to local law enforcement agencies about best practices for handling death scene investigations.

(2) The Department of State Police shall identify any publications or training opportunities that may be available to local law enforcement agencies or law enforcement officers and coroners and medical examiners concerning the handling of death scene investigations.

(b) Law enforcement reports.

(1) Before performing any death scene investigation deemed appropriate under the circumstances, the official with custody of the human remains shall ensure that the coroner or medical examiner of the county in which the deceased was found has been notified.

(2) Any coroner or medical examiner with custody of human remains that are not identified within 24 hours of discovery shall promptly notify the Department of State Police of the location of those remains.

(3) If the coroner or medical examiner with custody of remains cannot determine whether or not the remains found are human, the coroner or medical examiner shall notify the Department of State Police of the existence of possible human remains.

Section 20. Unidentified persons or human remains identification responsibilities.

(a) If the official with custody of human remains is not a coroner or medical examiner, the official shall immediately notify the coroner or medical examiner of the county in which the remains were found. The coroner or medical examiner shall go to the scene and take charge of the remains.

(b) Notwithstanding any other action deemed appropriate for the handling of the human remains, the medical examiner or coroner shall make reasonable attempts to promptly identify human remains. These actions may include but are not limited to obtaining:

- (1) photographs of the human remains (prior to an autopsy);
- (2) dental or skeletal X-rays;
- (3) photographs of items found with the human remains;
- (4) fingerprints from the remains, if possible;
- (5) samples of tissue suitable for DNA typing, if possible;
- (6) samples of whole bone or hair suitable for DNA typing, or both;
- (7) any other information that may support identification efforts.

(c) No medical examiner or coroner or any other person shall dispose of, or engage in actions that will materially affect the unidentified human remains before the medical examiner or coroner obtains:

- (1) samples suitable for DNA identification, archiving;
 - (2) photographs of the unidentified person or human remains; and
 - (3) all other appropriate steps for identification have been exhausted.
- (d) Cremation of unidentified human remains is prohibited.
- (e) The medical examiner or coroner or the Department of State Police shall make reasonable efforts to obtain prompt DNA analysis of biological samples if the human remains have not been identified by other means within 30 days.
- (f) The medical examiner or coroner or the Department of State Police shall seek support from appropriate State and federal agencies for human remains identification efforts. This support may include, but is not be limited to, available mitochondrial or nuclear DNA testing, federal grants for DNA testing, or federal grants for crime laboratory or medical examiner or coroner's office improvement.
- (g) The Department of State Police shall promptly enter information in federal and State databases that may aid in the identification of human remains. Information shall be entered into federal databases as follows:
- (1) information for the National Crime Information Center shall be entered within 72 hours;
 - (2) DNA profiles and information shall be entered into the National DNA Index System (NDIS) within 5 business days after the completion of the DNA analysis and procedures necessary for the entry of the DNA profile; and
 - (3) information sought by the Violent Criminal Apprehension Program database shall be entered as soon as practicable.
- (h) If the Department of State Police does not input the data directly into the federal databases, the Department of State Police shall consult with the medical examiner or coroner's office to ensure appropriate training of the data entry personnel and the establishment of a quality assurance protocol for ensuring the ongoing quality of data entered in the federal and State databases.
- (i) Nothing in this Act shall be interpreted to preclude any medical examiner or coroner's office, the Department of State Police, or a local law enforcement agency from pursuing other efforts to identify unidentified human remains including efforts to publicize information, descriptions, or photographs that may aid in the identification of the unidentified remains, allow family members to identify missing person, and seek to protect the dignity of the missing person.

Section 95. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by changing Section 2605-375 as follows:

(20 ILCS 2605/2605-375) (was 20 ILCS 2605/55a in part)

Sec. 2605-375. Missing persons; Law Enforcement Agencies Data System (LEADS).

(a) To establish and maintain a statewide Law Enforcement Agencies Data System (LEADS) for the purpose of providing electronic access by authorized entities to criminal justice data repositories and effecting an immediate law enforcement response to reports of missing persons, including lost, missing or runaway minors and missing endangered seniors. The Department shall implement an automatic data exchange system to compile, to maintain, and to make available to other law enforcement agencies for immediate dissemination data that can assist appropriate agencies in recovering missing persons and provide access by authorized entities to various data repositories available through LEADS for criminal justice and related purposes. To assist the Department in this effort, funds may be appropriated from the LEADS Maintenance Fund.

(b) In exercising its duties under this Section, the Department shall ~~provide~~ provide ~~do the following:~~ (1) Provide a uniform reporting format (LEADS) for the entry of pertinent information regarding the report of a missing person into LEADS. The report must include all of the following:

- (1) ~~(A)~~ Relevant information obtained from the notification concerning the missing person, including all of the following:
 - (A) ~~(i)~~ a physical description of the missing person;
 - (B) ~~(ii)~~ the date, time, and place that the missing person was last seen; and
 - (C) ~~(iii)~~ the missing person's address.
- (2) ~~(B)~~ Information gathered by a preliminary investigation, if one was made.
- (3) ~~(C)~~ A statement by the law enforcement officer in charge stating the officer's assessment of the case based on the evidence and information received.

~~(b-5) The Department of State Police shall; prepare the report required by this paragraph (1) as soon as practical, but not later than 5 hours after the Department receives notification of a missing person.~~

- (1) ~~(2)~~ Develop and implement a policy whereby a statewide or regional alert would be used in

situations relating to the disappearances of individuals, based on criteria and in a format established by the Department. Such a format shall include, but not be limited to, the age of the missing person and the suspected circumstance of the disappearance.

~~(2)~~ ~~(3)~~ Notify all law enforcement agencies that reports of missing persons shall be entered as soon as the minimum level of data specified by the Department is available to the reporting agency and that no waiting period for the entry of the data exists.

~~(3)~~ ~~(4)~~ Compile and retain information regarding lost, abducted, missing, or runaway minors in a separate data file, in a manner that allows that information to be used by law enforcement and other agencies deemed appropriate by the Director, for investigative purposes. The information shall include the disposition of all reported lost, abducted, missing, or runaway minor cases.

~~(4)~~ ~~(5)~~ Compile and maintain an historic data repository relating to lost, abducted, missing, or runaway minors and other missing persons, including, but not limited to, missing endangered seniors, in order to develop and improve techniques utilized by law enforcement agencies when responding to reports of missing persons.

~~(5)~~ ~~(6)~~ Create a quality control program regarding confirmation of missing person data, timeliness of entries of missing person reports into LEADS, and performance audits of all entering agencies.

~~(7)~~ Upon completion of the report required by paragraph (1), the Department of State Police shall immediately forward the contents of the report to all of the following:

~~(A)~~ all law enforcement agencies that have jurisdiction in the location where the missing person lives and all law enforcement agencies that have jurisdiction in the location where the missing person was last seen;

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

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

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

~~(8)~~ The Department of State Police shall begin an investigation concerning the missing person not later than 24 hours after receiving notification of a missing person.

~~(c)~~ The Illinois Law Enforcement Training Standards Board shall conduct a training program for law enforcement personnel of local governmental agencies in the Missing Persons Identification Act statewide coordinated missing endangered senior alert system established under this Section.

~~(d)~~ The Department of State Police shall perform the duties prescribed in the Missing Persons Identification Act, subject to appropriation.

(Source: P.A. 94-145, eff. 1-1-06.)

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

The foregoing message from the Senate reporting Senate Amendment No. 2 to HOUSE BILL 4203 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 4446

A bill for AN ACT concerning criminal law.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4446

Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4446 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by adding Section 3-14-4.5 as follows:
(730 ILCS 5/3-14-4.5 new)

Sec. 3-14-4.5. Private half-way houses.

(a) As used in this Section, "half-way house" means a facility primarily designed for the residence of persons on parole or mandatory supervised release from the Department of Corrections, other than one operated by the Department of Corrections.

(b) Any person or entity who intends to establish a half-way house on or after the effective date of this amendatory Act of the 94th General Assembly shall comply with all applicable local ordinances and permitting requirements.

(c) Not more than 48 hours after the placement of a person in such a half-way house, the half-way house shall give written notice to the State's Attorney and the sheriff of the county and the proper law enforcement agency of the municipality in which the half-way house is located of the identity of the person placed in that program. The identifying information shall include, but not be limited to, the name of the individual, age, physical description, photograph, and the crime for which the person was originally sentenced to the Department of Corrections. The notice shall be given in all cases, and may be provided via facsimile at such telephone number as the receiving State's Attorney, sheriff, or law enforcement agency may direct.

(d) Failure to comply with the notification requirements of subsection (c) is a petty offense for which a \$1,000 fine shall be imposed for each offense."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4446 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 4606

A bill for AN ACT concerning criminal law.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4606

Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4606 on page 2, by replacing lines 29 through 31 with the following:

"discovery of the offense by the victim."; and

on page 3, by replacing lines 12 through 14 with the following:

"commenced within 10 years of the commission of the offense if the victim reported the offense to law enforcement authorities within 3 ~~2~~ years after the commission of the offense."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4606 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 4711

A bill for AN ACT concerning criminal law.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4711
Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4711 by replacing lines 35 and 36 on page 4 and lines 1 through 10 on page 5 with the following:

"(n) A violation of subsection (a) of this Section may be inferred from evidence that the accused possessed any device or equipment described in subsection (d), (e), or (h) of this Section, and also possessed any dog.

(o) When no longer required for investigations or court proceedings relating to the events described or depicted therein, evidence relating to convictions for violations of this Section shall be retained and made available for use in training peace officers in detecting and identifying violations of this Section. Such evidence shall be made available upon request to other law enforcement agencies and to schools certified under the Illinois Police Training Act."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4711 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 4727

A bill for AN ACT concerning transportation.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4727
Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4727 on page 1, by replacing lines 9 through 24 with the following:

"(1) The Commission shall suspend or revoke the permit of an operator if it finds that:

(a) The operator or dispatcher made a false statement on the application for an operator's or dispatcher's employment permit;

(b) The operator's or dispatcher's driver's license issued by the Secretary of State has been suspended or revoked; or

(c) The operator or dispatcher has been convicted, during the preceding 5 years, of any criminal offense of the State of Illinois or any other jurisdiction involving any of the following, and the holder does not make a compelling showing that he is nevertheless fit to hold an operator's license:"; and on page 2, line 2, by replacing "safety." with the following:

"safety, and the holder does not make a compelling showing that he or she is nevertheless fit to hold an operator's license".

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4727 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 4829

A bill for AN ACT concerning human rights.

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

Senate Amendment No. 1 to HOUSE BILL NO. 4829

Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 4829 on page 1, by replacing line 5 with the following:
"changing Sections 7A-102 and 7B-102 as follows:

(775 ILCS 5/7A-102) (from Ch. 68, par. 7A-102)

Sec. 7A-102. Procedures.

(A) Charge.

(1) Within 180 days after the date that a civil rights violation allegedly has been committed, a charge in writing under oath or affirmation may be filed with the Department by an aggrieved party or issued by the Department itself under the signature of the Director.

(2) The charge shall be in such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged civil rights violation.

(A-1) Equal Employment Opportunity Commission Charges. A charge filed with the Equal Employment Opportunity Commission within 180 days after the date of the alleged civil rights violation shall be deemed filed with the Department on the date filed with the Equal Employment Opportunity Commission. Upon receipt of a charge filed with the Equal Employment Opportunity Commission, the Department shall notify the complainant that he or she may proceed with the Department. The complainant must notify the Department of his or her decision in writing within 35 days of receipt of the Department's notice to the complainant and the Department shall close the case if the complainant does not do so. If the complainant proceeds with the Department, the Department shall take no action until the Equal Employment Opportunity Commission makes a determination on the charge. Upon receipt of the Equal Employment Opportunity Commission's determination, the Department shall cause the charge to be filed under oath or affirmation and to be in such detail as provided for under subparagraph (2) of paragraph (A). At the Department's discretion, the Department shall either adopt the Equal Employment Opportunity Commission's determination or process the charge pursuant to this Act. Adoption of the Equal Employment Opportunity Commission's determination shall be deemed a determination by the Department for all purposes under this Act.

(B) Notice, and Response, and Review of Charge. The Department shall, within 10 days of the date on which the charge was filed, serve a copy of the charge on the respondent. This period shall not be construed to be jurisdictional. The charging party and the respondent may each file a position statement and other materials with the Department regarding the charge of alleged discrimination within 60 days of receipt of the notice of the charge. The position statements and other materials filed shall remain confidential unless otherwise agreed to by the party providing the information and shall not be served on or made available to the other party during pendency of a charge with the Department. The Department shall require the respondent to file a verified response to the allegations contained in the charge within 60 days of receipt of the notice of the charge. The respondent shall serve a copy of its response on the complainant or his representative. All allegations contained in the charge not timely denied by the respondent shall be deemed admitted, unless the respondent states that it is without sufficient information to form a belief with respect to such allegation. The Department may issue a notice of default directed to any respondent who fails to file a verified response to a charge within 60 days of receipt of the notice of the charge, unless the respondent can demonstrate good cause as to why such notice should not issue. The term "good cause" shall be defined by rule promulgated by the Department. Within 30 days of receipt of the respondent's response, the complainant may file a reply to said response and shall serve a copy of said reply on the respondent or his representative. A party shall have the right to supplement his response or reply at any time that the investigation of the charge is pending. The Department shall, within 10 days of the date on which the charge was filed, and again no later than 335 days thereafter, send by certified or registered mail written

notice to the complainant and to the respondent informing the complainant of the right to file a complaint with the Human Rights Commission under subparagraph (2) of paragraph (G), including in such notice the dates within which the complainant may exercise this right. In the notice the Department shall notify the complainant that the charge of civil rights violation will be dismissed with prejudice and with no right to further proceed if a written complaint is not timely filed with the Commission by the complainant pursuant to subparagraph (2) of paragraph (G) or by the Department pursuant to subparagraph (1) of paragraph (G).

(B-1) Mediation. The complainant and respondent may agree to voluntarily submit the charge to mediation without waiving any rights that are otherwise available to either party pursuant to this Act and without incurring any obligation to accept the result of the mediation process. Nothing occurring in mediation shall be disclosed by the Department or admissible in evidence in any subsequent proceeding unless the complainant and the respondent agree in writing that such disclosure be made.

(C) Investigation.

(1) After the respondent has been notified, the Department shall conduct a full investigation of the allegations set forth in the charge.

(2) The Director or his or her designated representatives shall have authority to request any member of the Commission to issue subpoenas to compel the attendance of a witness or the production for examination of any books, records or documents whatsoever.

(3) If any witness whose testimony is required for any investigation resides outside the State, or through illness or any other good cause as determined by the Director is unable to be interviewed by the investigator or appear at a fact finding conference, his or her testimony or deposition may be taken, within or without the State, in the same manner as is provided for in the taking of depositions in civil cases in circuit courts.

(4) Upon reasonable notice to the complainant and the respondent, the Department shall conduct a fact finding conference prior to 365 days after the date on which the charge was filed, unless the Director has determined whether there is substantial evidence that the alleged civil rights violation has been committed or the charge has been dismissed for lack of jurisdiction. If the parties agree in writing, the fact finding conference may be held at a time after the 365 day limit. Any party's failure to attend the conference without good cause shall result in dismissal or default. The term "good cause" shall be defined by rule promulgated by the Department. A notice of dismissal or default shall be issued by the Director and shall notify the relevant party that a request for review may be filed in writing with the Chief Legal Counsel of the Department within 30 days of receipt of notice of dismissal or default.

(D) Report.

(1) Each charge shall be the subject of a report to the Director. The report shall be a confidential document subject to review by the Director, authorized Department employees, the parties, and, where indicated by this Act, members of the Commission or their designated hearing officers.

(2) Upon review of the report, the Director shall determine whether there is substantial evidence that the alleged civil rights violation has been committed. The determination of substantial evidence is limited to determining the need for further consideration of the charge pursuant to this Act and includes, but is not limited to, findings of fact and conclusions, as well as the reasons for the determinations on all material issues. Substantial evidence is evidence which a reasonable mind accepts as sufficient to support a particular conclusion and which consists of more than a mere scintilla but may be somewhat less than a preponderance.

(a) If the Director determines that there is no substantial evidence, the charge shall be dismissed by order of the Director and the complainant notified that he or she may seek review of the dismissal order before the Chief Legal Counsel of the Department. The complainant shall have 30 days from receipt of notice to file a request for review by the Chief Legal Counsel of the Department.

(b) If the Director determines that there is substantial evidence, he or she shall designate a Department employee who is an attorney licensed to practice in Illinois to endeavor to eliminate the effect of the alleged civil rights violation and to prevent its repetition by means of conference and conciliation.

(E) Conciliation.

(1) When the Department determines that a formal conciliation conference is necessary, the complainant and respondent shall be notified of the time and place of the conference by registered or certified mail at least 10 days prior thereto and either or both parties shall appear at the conference in person or by attorney.

(2) The place fixed for the conference shall be within 35 miles of the place where the

civil rights violation is alleged to have been committed.

(3) Nothing occurring at the conference shall be disclosed by the Department unless the complainant and respondent agree in writing that such disclosure be made.

(F) Complaint.

(1) When there is a failure to settle or adjust any charge through conciliation, the Department shall prepare a written complaint, under oath or affirmation, stating the nature of the civil rights violation substantially as alleged in the charge previously filed and the relief sought on behalf of the aggrieved party.

(2) The complaint shall be filed with the Commission.

(G) Time Limit.

(1) When a charge of a civil rights violation has been properly filed, the Department, within 365 days thereof or within any extension of that period agreed to in writing by all parties, shall either issue and file a complaint in the manner and form set forth in this Section or shall order that no complaint be issued and dismiss the charge with prejudice without any further right to proceed except in cases in which the order was procured by fraud or duress. Any such order shall be duly served upon both the complainant and the respondent.

(2) Between 365 and 395 days after the charge is filed, or such longer period agreed to in writing by all parties, the aggrieved party may file a complaint with the Commission, if the Director has not sooner issued a report and determination pursuant to paragraphs (D)(1) and (D)(2) of this Section. The form of the complaint shall be in accordance with the provisions of paragraph (F). The aggrieved party shall notify the Department that a complaint has been filed and shall serve a copy of the complaint on the Department on the same date that the complaint is filed with the Commission.

(3) If an aggrieved party files a complaint with the Human Rights Commission pursuant to paragraph (2) of this subsection, or if the time period for filing a complaint has expired, the Department shall immediately cease its investigation and dismiss the charge of civil rights violation. Any final order entered by the Chief Legal Counsel under this Section is appealable in accordance with paragraph (A)(1) of Section 8-111. Failure to immediately cease an investigation and dismiss the charge of civil rights violation as provided in this paragraph (3) constitutes grounds for entry of an order by the circuit court permanently enjoining the investigation. The Department may also be liable for any costs and other damages incurred by the respondent as a result of the action of the Department.

(4) The Department shall stay any administrative proceedings under this Section after the filing of a civil action by or on behalf of the aggrieved party under any federal or State law seeking relief with respect to the alleged civil rights violation.

(H) This amendatory Act of 1995 applies to causes of action filed on or after January 1, 1996.

(I) This amendatory Act of 1996 applies to causes of action filed on or after January 1, 1996.

(Source: P.A. 94-146, eff. 7-8-05; 94-326, eff. 7-26-05; revised 8-19-05.)"

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 4829 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 5259

A bill for AN ACT concerning organ donation.

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

Senate Amendment No. 1 to HOUSE BILL NO. 5259

Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 5259 on page 2, line 36 by inserting after the period the following:

"Nothing in this Section shall be construed to authorize interference with the coroner in carrying out an investigation or autopsy."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 5259 was placed on the Calendar on the order of Concurrence.

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

HOUSE BILL 5416

A bill for AN ACT concerning education.
Together with the attached amendment thereto (which amendment has been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:
Senate Amendment No. 1 to HOUSE BILL NO. 5416
Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 5416 as follows:
on page 1, line 5, by replacing "3-14.20" with "3-14.21"; and
on page 1, line 18, after the period, by inserting the following:
"Those qualifications shall include requirements for training, education, and at least 2 years of relevant experience."; and

by replacing line 1 on page 3 through line 14 on page 4 with the following:

"(105 ILCS 5/3-14.21) (from Ch. 122, par. 3-14.21)

Sec. 3-14.21. Inspection of schools.

(a) The regional superintendent shall inspect and survey all public schools under his or her supervision and notify the board of education, or the trustees of schools in a district with trustees, in writing before July 30, whether or not the several schools in their district have been kept as required by law, using forms provided by the State Board of Education which are based on the Health/Life Safety Code for Public Schools adopted under Section 2-3.12. The regional superintendent shall report his or her findings to the State Board of Education on forms provided by the State Board of Education.

(b) If the regional superintendent determines that a school board has failed in a timely manner to correct urgent items identified in a previous life-safety report completed under Section 2-3.12 or as otherwise previously ordered by the regional superintendent, the regional superintendent shall order the school board to adopt and submit to the regional superintendent a plan for the immediate correction of the building violations. This plan shall be adopted following a public hearing that is conducted by the school board on the violations and the plan and that is preceded by at least 7 days' prior notice of the hearing published in a newspaper of general circulation within the school district. If the regional superintendent determines in the next annual inspection that the plan has not been completed and that the violations have not been corrected, the regional superintendent shall submit a report to the State Board of Education with a recommendation that the State Board withhold from payments of general State aid due to the district an amount necessary to correct the outstanding violations. The State Board, upon notice to the school board and to the regional superintendent, shall consider the report at a meeting of the State Board, and may order that a sufficient amount of general State aid be withheld from payments due to the district to correct the violations. This amount shall be paid to the regional superintendent who shall contract on behalf of the school board for the correction of the outstanding violations.

(c) The Office of the State Fire Marshal or a qualified fire official, as defined in Section 2-3.12 of this Code, to whom the State Fire Marshal has delegated his or her authority shall conduct an annual fire safety inspection of each school building in this State. The State Fire Marshal or the fire official shall coordinate its inspections with the regional superintendent. The inspection shall be based on the fire safety code authorized in Section 2-3.12 of this Code. Any violations shall be reported in writing to the regional superintendent and school board and shall reference the specific code sections where a discrepancy has been identified within 15 days after the inspection has been conducted. The regional superintendent shall

address those violations that are not corrected in a timely manner pursuant to subsection (b) of this Section. The inspection must be at no cost to the school district.

(d) If a municipality or, in the case of an unincorporated area, a county or, if applicable, a fire protection district wishes to perform new construction inspections under the jurisdiction of a regional superintendent, then the entity must register this wish with the regional superintendent. These inspections must be based on the building code authorized in Section 2-3.12 of this Code. The inspections must be at no cost to the school district.

(Source: P.A. 94-225, eff. 7-14-05.)"

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 5416 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 5260

A bill for AN ACT concerning finance.

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

Senate Amendment No. 1 to HOUSE BILL NO. 5260

Passed the Senate, as amended, March 28, 2006.

Linda Hawker, Secretary of the Senate

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 Sections 3-2 and 7 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. The notice shall identify the defect and any additional information necessary to correct the defect. If one or more items on a construction related bill or invoice are disapproved, but not the entire bill or invoice, then the portion that is not disapproved shall be paid.

(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.)

(30 ILCS 540/7) (from Ch. 127, par. 132.407)

Sec. 7. Payments to subcontractors and material suppliers.

(a) When a State official or agency responsible for administering a contract submits a voucher to the Comptroller for payment to a contractor, that State official or agency shall promptly make available electronically the voucher number, the date of the voucher, and the amount of the voucher. The State official or agency responsible for administering the contract shall provide subcontractors and material suppliers, known to the State official or agency, with instructions on how to access the electronic information. When a contractor receives any payment, the contractor shall pay each subcontractor and material supplier in proportion to the work completed by each subcontractor and material supplier their application, plus interest received under this Act, less any retention. If the contractor receives less than the full payment due under the public construction contract, the contractor shall be obligated to disburse on a pro rata basis those funds received, plus interest received under this Act, with the contractor, subcontractors and material suppliers each receiving a prorated portion based on the amount of payment. When, however, the public owner does not release the full payment due under the contract because there are specific areas of work or materials the contractor is rejecting or because the contractor has otherwise determined such areas are not suitable for payment, then those specific subcontractors or suppliers involved shall not be paid for that portion of work rejected or deemed not suitable for payment and all other subcontractors and suppliers shall be paid in full, plus interest received under this Act.

(b) If the contractor, without reasonable cause, fails to make full payment of amounts due under subsection (a) to his subcontractors and material suppliers within 15 days after receipt of payment under the public construction contract, the contractor shall pay to his subcontractors and material suppliers, in addition to the payment due them, interest in the amount of 2% per month, calculated from the expiration of the 15-day period until fully paid. This subsection shall also apply to any payments made by subcontractors and material suppliers to their subcontractors and material suppliers and to all payments made to lower tier subcontractors and material suppliers throughout the contracting chain.

(1) If a contractor, without reasonable cause, fails to make payment in full as provided in subsection (a) within 15 days after receipt of payment under the public construction contract, any subcontractor or material supplier to whom payments are owed may file a written notice with the State official or agency setting forth the amount owed by the contractor and the contractor's failure to timely pay the amount owed.

(2) The State official or agency, within 15 days after receipt of a subcontractor's or material supplier's written notice of the failure to receive payment from the contractor, shall hold a hearing convened by an administrative law judge to determine whether the contractor withheld payment, without reasonable cause, from the subcontractors and material suppliers and what amount, if any, is due to the subcontractors and material suppliers. The State official or agency shall provide appropriate notice to the parties of the date, time, and location of the hearing. Each contractor, subcontractor, and material supplier has the right to be represented by counsel at the hearing and to cross-examine witnesses and challenge documents.

(3) If there is a finding by the administrative law judge that the contractor failed to make payment in full, without reasonable cause, as provided in subsection (a), then the administrative law judge shall, in writing, direct the contractor to pay the amount owed to the subcontractors and material suppliers plus interest within 15 days after the finding.

(4) If a contractor fails to make full payment within 15 days after the administrative law judge's finding, then the contractor shall be barred from entering into a State public construction contract for a period of one year beginning on the date of the administrative law judge's finding.

(Source: P.A. 94-672, eff. 1-1-06.)

Section 10. The Local Government Prompt Payment Act is amended by changing Sections 3 and 9 as follows:

(50 ILCS 505/3) (from Ch. 85, par. 5603)

Sec. 3. The appropriate local governmental official or agency receiving goods or services must approve or disapprove a bill from a vendor or contractor for goods or services furnished the local governmental agency within 30 days after the receipt of such bill or within 30 days after the date on which the goods or services were received, whichever is later. If one or more items on a construction related bill or invoice are disapproved, but not the entire bill or invoice, then the portion that is not disapproved shall be paid. When safety or quality assurance testing of goods by the local governmental agency is necessary before the approval or disapproval of a bill and such testing cannot be completed within 30 days after receipt of the

goods, approval or disapproval of the bill must be made immediately upon completion of the testing or within 60 days after receipt of the goods, whichever occurs first. Written notice shall be mailed to the vendor or contractor immediately if a bill is disapproved.

(Source: P.A. 87-773.)

(50 ILCS 505/9) (from Ch. 85, par. 5609)

Sec. 9. Payments to subcontractors and material suppliers; failure to make timely payments; additional amount due. When a contractor receives any payment, the contractor shall pay each subcontractor and material supplier in proportion to the work completed by each subcontractor and material supplier their application less any retention. If the contractor receives less than the full payment due under the public construction contract, the contractor shall be obligated to disburse on a pro rata basis those funds received, with the contractor, subcontractors and material suppliers each receiving a prorated portion based on the amount of payment. All interest payments received pursuant to Section 4 also shall be disbursed to subcontractors and material suppliers to whom payment has been delayed, on a pro rata basis. When, however, the public owner does not release the full payment due under the contract because there are specific areas of work or materials the contractor is rejecting or because the contractor has otherwise determined such areas are not suitable for payment, then those specific subcontractors or suppliers involved shall not be paid for that portion of the work rejected or deemed not suitable for payment and all other subcontractors and suppliers shall be paid in full.

If the contractor, without reasonable cause, fails to make any payment to his subcontractors and material suppliers within 15 days after receipt of payment under the public construction contract, the contractor shall pay to his subcontractors and material suppliers, in addition to the payment due them, interest in the amount of 2% per month, calculated from the expiration of the 15-day period until fully paid. This Section ~~subsection~~ shall also apply to any payments made by subcontractors and material suppliers to their subcontractors and material suppliers and to all payments made to lower tier subcontractors and material suppliers throughout the contracting chain.

(Source: P.A. 87-773.)

Section 99. Effective date. This Act takes effect July 1, 2007."

The foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 5260 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 74

WHEREAS, On October 26, 2005, Mahmoud Ahmadinejad, President of the Islamic Republic of Iran, declared that "Israel must be wiped off the map", described Israel as "a disgraceful blot [on] the face of the Islamic world", and declared that "[a]nybody who recognizes Israel will burn in the fire of the Islamic nation's fury"; and

WHEREAS, President Ahmadinejad told reporters on December 8, 2005, at an Islamic conference in Mecca, Saudi Arabia, "Some European countries insist on saying that Hitler killed millions of innocent Jews in furnaces ... although we don't accept this claim"; and

WHEREAS, Iran funds, trains, and openly supports terrorist groups that are determined to destroy Israel; and

WHEREAS, On December 14, 2005, President Ahmadinejad said live on Iranian television, "[T]hey have invented a myth that Jews were massacred and place this above God, religions and the prophets"; and

WHEREAS, The leaders of the Islamic Republic of Iran, beginning with its founder, the Ayatollah Ruhollah Khomeini, have issued statements of hate against the United States, Israel, and Jewish peoples; and

WHEREAS, An estimated six million Jews were killed in the Nazi Holocaust; and

WHEREAS, The remarks of President Ahmadinejad have been denounced around the world and condemned by, among others, the political leaders of the United States, Arab nations, Israel, Europe, and the United Nations; and

WHEREAS, The United Nations, in General Assembly Resolution 181 (1947), recommended the adoption of the Plan of Partition with Economic Union for Palestine, which called for an independent Jewish State; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we, in adopting this resolution, condemn the recent statement by Iranian President Mahmoud Ahmadinejad that denied the occurrence of the Holocaust and supported moving the State of Israel to Europe, support the demand of the United States Congress for an official apology for these damaging, anti-Semitic statements that ignore history, human suffering, and the loss of life during the Holocaust, and support the call of the United States Congress for Iran to end its support for international terrorism and join other Middle Eastern countries in seeking a successful outcome of the Middle East peace process; and be it further

RESOLVED, That copies of this resolution be presented to the Secretary-General of the United Nations, the Iranian Ambassador to the United States, the President of the United States, the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and Secretary of the United States Senate, and the members of the Illinois Congressional delegation.

Adopted by the Senate, March 28, 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 concurred with the House in the passage of bills of the following titles to-wit:

HOUSE BILL NO. 542

A bill for AN ACT concerning State government.

HOUSE BILL NO. 2151

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 2734

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 4079

A bill for AN ACT concerning government.

HOUSE BILL NO. 4127

A bill for AN ACT concerning property.

HOUSE BILL NO. 4134

A bill for AN ACT concerning civil liabilities.

HOUSE BILL NO. 4192

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4242

A bill for AN ACT concerning State government.

HOUSE BILL NO. 4297

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4306

A bill for AN ACT concerning public health.

HOUSE BILL NO. 4310

A bill for AN ACT concerning education.

HOUSE BILL NO. 4313

A bill for AN ACT concerning State government.

HOUSE BILL NO. 4314

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4345

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 4365
A bill for AN ACT concerning education.
HOUSE BILL NO. 4369
A bill for AN ACT concerning local government.
HOUSE BILL NO. 4375
A bill for AN ACT concerning sex offenders.
HOUSE BILL NO. 4463
A bill for AN ACT concerning public employee benefits.
HOUSE BILL NO. 4519
A bill for AN ACT concerning property.
HOUSE BILL NO. 4541
A bill for AN ACT concerning public employee benefits.
HOUSE BILL NO. 4559
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 4649
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 4657
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 4703
A bill for AN ACT concerning military personnel.
HOUSE BILL NO. 4714
A bill for AN ACT concerning safety.
HOUSE BILL NO. 4717
A bill for AN ACT concerning driving offenses.
HOUSE BILL NO. 4728
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 4736
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 4760
A bill for AN ACT concerning property.
HOUSE BILL NO. 4782
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 4904
A bill for AN ACT concerning public safety.
Passed by the Senate, March 28, 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 concurred with the House in the passage of bills of the following titles to-wit:

HOUSE BILL NO. 4425
A bill for AN ACT concerning business.
HOUSE BILL NO. 5288
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 5305
A bill for AN ACT concerning local government.
HOUSE BILL NO. 5330
A bill for AN ACT concerning health.
HOUSE BILL NO. 5343
A bill for AN ACT concerning State government.
HOUSE BILL NO. 5376
A bill for AN ACT concerning business.
HOUSE BILL NO. 5429

A bill for AN ACT concerning education.
Passed by the Senate, March 28, 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 concurred with the House in the passage of bills of the following titles to-wit:

HOUSE BILL NO. 4768

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 5331

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 5339

A bill for AN ACT concerning insurance.
Passed by the Senate, March 28, 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 concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 80

Concurred in the Senate, March 28, 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 concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 84

Concurred in the Senate, March 28, 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 concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 85

Concurred in the Senate, March 28, 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 concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 89

Concurred in the Senate, March 28, 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 concurred with the House in the adoption of the following joint resolution, to-wit:
HOUSE JOINT RESOLUTION NO. 95
Concurred in the Senate, March 28, 2006.

Linda Hawker, Secretary of the Senate

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Smith was removed as principal sponsor, and Representative Currie became the new principal sponsor of SENATE BILL 2477.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 1071

Offered by Representative Kelly:
Congratulates Ronald Welch of Park Forest on the occasion of his retirement after 38 years as a member of the Park Forest Fire Department.

HOUSE RESOLUTION 1072

Offered by Representative Chapa LaVia:
Honors the SciTech Hands On Museum in Aurora on the occasion of the dedication of the "Dinosaurios Argentinos - Giants of Patagonia" exhibition.

HOUSE RESOLUTION 1074

Offered by Representative Sacia:
Congratulates the Dakota High School wrestling team on winning the IHSA 2006 Class A Team State Championship.

HOUSE RESOLUTION 1075

Offered by Representative Sacia:
Congratulates the members of the Winnebago High School boys and girls cross country teams on winning their respective IHSA Class A Cross Country Championships for 2005.

HOUSE RESOLUTION 1076

Offered by Representative Sacia:
Congratulates the members of the Bethany United Church of Christ in Freeport on the occasion of the 100th anniversary of the church's founding.

HOUSE RESOLUTION 1077

Offered by Representative Bassi:

Congratulates the Palatine Township Senior Center for becoming the first senior center in the northwest suburbs of Chicago to become accredited as awarded by NISC in February, 2006.

HOUSE RESOLUTION 1081

Offered by Representative Flider:

Congratulates Elmer McPherson of Decatur on the occasion of his retirement after 34 years in education.

HOUSE RESOLUTION 1082

Offered by Representative Granberg:

Congratulates the Wesclin Warriors boys basketball team on winning the IHSA Class A Staunton Regional tournament.

HOUSE RESOLUTION 1083

Offered by Representative Granberg:

Congratulates the Germantown Bulldogs sixth grade volleyball team on winning the All Saints Academy sixth grade volleyball tournament.

HOUSE RESOLUTION 1086

Offered by Representative Poe:

Congratulates Adam Midden of Springfield on earning the rank of Eagle Scout.

SENATE BILLS ON THIRD READING

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

On motion of Representative Holbrook, SENATE BILL 819 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 1, Nay; 0, Answering Present.

(ROLL CALL 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.

On motion of Representative Reitz, SENATE BILL 827 was taken up and read by title a third time.

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

(ROLL CALL 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.

On motion of Representative Richard Bradley, SENATE BILL 1214 was taken up and read by title a third time.

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

(ROLL CALL 4)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Osterman, SENATE BILL 2156 was taken up and read by title a third time.

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

(ROLL CALL 5)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Hamos, SENATE BILL 2238 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:

106, Yeas; 5, Nays; 1, Answering Present.

(ROLL CALL 6)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Verschoore, SENATE BILL 2241 was taken up and read by title a third time.

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

(ROLL CALL 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.

On motion of Representative William Davis, SENATE BILL 2252 was taken up and read by title a third time.

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

(ROLL CALL 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.

On motion of Representative Joyce, SENATE BILL 843 was taken up and read by title a third time.

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

(ROLL CALL 9)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Feigenholtz, SENATE BILL 2283 was taken up and read by title a third time.

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

(ROLL CALL 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.

On motion of Representative Rose, SENATE BILL 2286 was taken up and read by title a third time.

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

(ROLL CALL 11)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Saviano, SENATE BILL 2297 was taken up and read by title a third time.

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

(ROLL CALL 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.

On motion of Representative Burke, SENATE BILL 2302 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: 102, Yeas; 11, Nays; 0, Answering Present.

(ROLL CALL 13)

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

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

On motion of Representative Howard, SENATE BILL 2320 was taken up and read by title a third time.

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

(ROLL CALL 14)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Moffitt, SENATE BILL 2345 was taken up and read by title a third time.

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

(ROLL CALL 15)

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

Ordered that the Clerk inform the Senate.

SENATE BILLS ON SECOND READING

SENATE BILL 385. Having been read and held on May 26, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Molaro offered the following amendments and moved their adoption.

AMENDMENT NO. 1. Amend Senate Bill 385 by replacing everything after the enacting clause with the following:

"Section 5. The Postage Stamp Vending Machine Act is amended by changing Section 0.01 as follows: (35 ILCS 815/0.01) (from Ch. 121 1/2, par. 910)

Sec. 0.01. Short title. This Act may be cited as the ~~the~~ Postage Stamp Vending Machine Act. (Source: P.A. 86-1324.)".

AMENDMENT NO. 2. Amend Senate Bill 385, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Coin-Operated Amusement Device and Redemption Machine Tax Act is amended by changing Section 3 as follows:

(35 ILCS 510/3) (from Ch. 120, par. 481b.3)

Sec. 3. Transfer of decals; affixing decals.

(1) All privilege tax decals herein provided for shall be transferable from one device to another device. Any such transfer from one device to another shall be reported to the Department of Revenue on forms prescribed by such Department. All privilege tax decals issued hereunder shall expire on July 31 following issuance.

(2) All privilege tax decals must be securely affixed to the device. A decal that is attached to a device behind a transparent plate or covering that is screwed, bolted, or otherwise securely fastened to the device is deemed to be securely affixed for the purposes of this Section ~~(Blank)~~.

(Source: P.A. 93-32, eff. 7-1-03.)

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

The foregoing motions prevailed and the amendments were adopted.

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

SENATE BILL 951. 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 Senate Bill 951 on page 17, line 9, by replacing "reliable evidence" with "evidence, received from State or federal law enforcement or federal oversight agencies or from the results of a preliminary Department audit and determined by the Department to be credible,"; and on page 17, line 13, after the period, by inserting the following: "The Department shall by rule define what constitutes "credible" evidence for purposes of this subsection,"; and on page 17, line 15, after the period, by inserting the following: "A provider or alternate payee may request a reconsideration of payment withholding, and the Department must grant such a request. The Department shall state by rule a process and criteria by which a provider or alternate payee may request full or partial release of payments withheld under this subsection. This request may be made at any time after the Department first withholds such payments,"; and

on page 17, line 32, by replacing "consideration" with "reconsideration of the withholding"; and on page 17, between lines 33 and 34, by inserting the following:

"(5) Inform the provider or alternate payee that a written request may be made to the Illinois Department for full or partial release of withheld payments and that such requests may be made at any time after the Department first withholds such payments,"; and

on page 18, between lines 9 and 10, by inserting the following:

"(3) The withholding of payments for a period of 3 years."

There being no further amendment(s), 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: SENATE BILL 1086.

SENATE BILL 1911. 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 Senate Bill 1911 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by adding Sections 2-1208 and 8-1212 as follows:
(735 ILCS 5/2-1208 new)

Sec. 2-1208. Collateral source payments.

(a) Any pretrial payment made by or on behalf of a defendant to a plaintiff as an advance against liability shall be credited against the liability of that defendant in the event of judgment.

(b) Except as provided in subsection (a), any payments made to or benefits conferred upon a plaintiff from a third party source shall neither reduce the plaintiff's recovery nor be credited against any defendant's liability, regardless of the source and nature of the benefit or payment.

(c) Subsection (b) of this Section does not apply to payments made pursuant to the Joint Tortfeasor Contribution Act.

(d) This Section applies to actions commenced or pending on or after the effective date of this amendatory Act of the 94th General Assembly.

(735 ILCS 5/8-1212 new)

Sec. 8-1212. Bills for services rendered.

(a) A rebuttable presumption of the amount and reasonableness of a bill for services rendered may be established by a copy of the bill, with evidence of payments made or benefits conferred as described in subsection (b) of Section 2-1208 redacted, certified under the signature of the secretary, clerk, or other keeper of the bills for services rendered.

(b) A party attempting to rebut the presumption of reasonableness shall not be allowed to present evidence of payments made or benefits conferred as described in subsection (b) of Section 2-1208.

(c) This Section applies to actions commenced or pending on or after the effective date of this amendatory Act of the 94th General Assembly.

(735 ILCS 5/2-1205 rep.)

Section 10. The Code of Civil Procedure is amended by repealing Section 2-1205.

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

There being no further amendment(s), the bill, as amended, was held on the order of Second Reading.

SENATE BILL 2137. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on State Government Administration, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 2137 on page 2, line 15, by replacing "the Open Meetings Act and" with "the Open Meetings Act, the State Records Act, and".

AMENDMENT NO. 2. Amend Senate Bill 2137 on page 10, line 19, by replacing "2007" with "2006".

AMENDMENT NO. 3. Amend Senate Bill 2137 as follows:
on page 6, by replacing lines 13 and 14 with the following:

"Sec. 7. Powers and Duties. The Authority"; and

on page 8, line 33, by replacing "and" with "~~and~~"; and
on page 8, line 36, by replacing "Act." with "Act; and -."; and
on page 8, immediately after line 36, by inserting the following:

"(u) To exercise the rights, powers, and duties vested in the Authority by the Illinois Public Safety Agency Network Act."

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

SENATE BILL 2195. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend Senate Bill 2195 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 3-1 as follows:

(305 ILCS 5/3-1) (from Ch. 23, par. 3-1)

Sec. 3-1. Eligibility Requirements. Financial aid in meeting basic maintenance requirements for a livelihood compatible with health and well-being shall be given under this Article to or in behalf of aged, blind, or disabled persons who meet the eligibility conditions of Sections 3-1.1 through 3-1.7. Financial aid under this Article shall be available only for persons who are receiving Supplemental Security Income (SSI) or who have been found ineligible for SSI (i) on the basis of income or (ii) due to expiration of the period of eligibility for refugees and asylees pursuant to 8 U.S.C. 1612(a)(2). Financial aid based on item (ii) of this paragraph shall be available until July 1, 2009 ~~2006~~.

"Aged person" means a person who has attained age 65, as demonstrated by such evidence of age as the Illinois Department may by rule prescribe.

"Blind person" means a person who has no vision or whose vision with corrective glasses is so defective as to prevent the performance of ordinary duties or tasks for which eyesight is essential. The Illinois Department shall define blindness in terms of ophthalmic measurements or ocular conditions. For purposes of this Act, an Illinois Disabled Person Identification Card issued pursuant to The Illinois Identification Card Act, indicating that the person thereon named has a Type 3 disability shall be evidence that such person is a blind person within the meaning of this Section; however, such a card shall not qualify such person for aid as a blind person under this Act, and eligibility for aid as a blind person shall be determined as provided in this Act.

"Disabled person" means a person age 18 or over who has a physical or mental impairment, disease, or loss which is of a permanent nature and which substantially impairs his ability to perform labor or services or to engage in useful occupations for which he is qualified, as determined by rule and regulation of the Illinois Department. For purposes of this Act, an Illinois Disabled Person Identification Card issued pursuant to The Illinois Identification Card Act, indicating that the person thereon named has a Type 1 or 2, Class 2 disability shall be evidence that such person is a disabled person under this Section; however, such a card shall not qualify such person for aid as a disabled person under this Act, and eligibility for aid as a disabled person shall be determined as provided in this Act. If federal law or regulation permit or require the inclusion of blind or disabled persons whose blindness or disability is not of the degree specified in the foregoing definitions, or permit or require the inclusion of disabled persons under age 18 or aged persons under age 65, the Illinois Department, upon written approval of the Governor, may provide by rule that all aged, blind or disabled persons toward whose aid federal funds are available be eligible for assistance under this Article as is given to those who meet the foregoing definitions of blind person and disabled person or aged person.

(Source: P.A. 93-741, eff. 7-15-04.)

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

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2223, 2230, 2303, 2312 and 2326.

SENATE BILL 2336. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend Senate Bill 2336 on page 4, line 29, after "or", by inserting "in which at least 40% or more of the students are classified as low-income according to the".

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

SENATE BILL 2356. 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 Senate Bill 2356 as follows:
on page 1, by deleting lines 4 through 32; and
by deleting pages 2 through 7; and
on page 8, by deleting lines 1 through 32.

There being no further amendment(s), 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: SENATE BILL 2381.

SENATE BILL 2456. Having been reproduced, was taken up and read by title a second time.

Representative Pihos offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend Senate Bill 2456 on page 2 by replacing lines 28 through 30 with the following:

"(f) Any person applying at a driver services facility for issuance or renewal of a driver's license or Illinois Identification Card shall be provided."

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), 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: SENATE BILLS 2487 and 2555.

SENATE BILL 2569. 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 Senate Bill 2569 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 3-5046 as follows:
(55 ILCS 5/3-5046 new)

Sec. 3-5046. Quitclaim deed notification. Upon the recording or filing of a quitclaim deed on any

property within a county with a population of 3,000,000 or more, the recorder of deeds must mail a notification postcard to the previous owner of record at the address listed on the property record in the recorder's office.

The postcard must state that a newly recorded quitclaim deed has been filed on the property, and must state the date of the new recording, the address of the recorder's office, and any other information deemed necessary by the recorder.

No county, including a home rule county, may act in a manner inconsistent with this Section. This Section is a denial and limitation of home rule powers under subsection (i) of Section 6 of Article VII of the Illinois Constitution.

Section 90. 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."

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

SENATE BILL 2570. 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 Senate Bill 2570 on page 1, by inserting after line 3 the following:
"Section 2. The Code of Civil Procedure is amended by changing Section 15-1507 as follows:
(735 ILCS 5/15-1507) (from Ch. 110, par. 15-1507)

Sec. 15-1507. Judicial Sale.

(a) In General. Except as provided in Sections 15-1402 and 15-1403, upon entry of a judgment of foreclosure, the real estate which is the subject of the judgment shall be sold at a judicial sale in accordance with this Section 15-1507.

(b) Sale Procedures. Upon expiration of the reinstatement period and the redemption period in accordance with subsection (b) or (c) of Section 15-1603 or upon the entry of a judgment of foreclosure after the waiver of all rights of redemption, except as provided in subsection (g) of Section 15-1506, the real estate shall be sold at a sale as provided in this Article, on such terms and conditions as shall be specified by the court in the judgment of foreclosure. A sale may be conducted by any judge or sheriff.

(c) Notice of Sale. The mortgagee, or such other party designated by the court, in a foreclosure under this Article shall give public notice of the sale as follows:

(1) The notice of sale shall include at least the following information, but an immaterial error in the information shall not invalidate the legal effect of the notice:

(A) the name, address and telephone number of the person to contact for information regarding the real estate;

(B) the common address and other common description (other than legal description), if any, of the real estate;

(C) a legal description of the real estate sufficient to identify it with reasonable certainty;

(D) a description of the improvements on the real estate;

(E) the times specified in the judgment, if any, when the real estate may be inspected prior to sale;

(F) the time and place of the sale;

(G) the terms of the sale;

(H) the case title, case number and the court in which the foreclosure was filed; ~~and~~

(H-1) in the case of a condominium unit to which subsection (g) of Section 9 of the Condominium Property Act applies, the statement required by subdivision (g)(5) of Section 9 of the Condominium Property Act; and

(I) such other information ordered by the Court.

(2) The notice of sale shall be published at least 3 consecutive calendar weeks (Sunday through Saturday), once in each week, the first such notice to be published not more than 45 days prior to

the sale, the last such notice to be published not less than 7 days prior to the sale, by: (i) (A) advertisements in a newspaper circulated to the general public in the county in which the real estate is located, in the section of that newspaper where legal notices are commonly placed and (B) separate advertisements in the section of such a newspaper, which (except in counties with a population in excess of 3,000,000) may be the same newspaper, in which real estate other than real estate being sold as part of legal proceedings is commonly advertised to the general public; provided, that the separate advertisements in the real estate section need not include a legal description and that where both advertisements could be published in the same newspaper and that newspaper does not have separate legal notices and real estate advertisement sections, a single advertisement with the legal description shall be sufficient; and (ii) such other publications as may be further ordered by the court.

(3) The party who gives notice of public sale in accordance with subsection (c) of Section 15-1507 shall also give notice to all parties in the action who have appeared and have not theretofore been found by the court to be in default for failure to plead. Such notice shall be given in the manner provided in the applicable rules of court for service of papers other than process and complaint, not more than 45 days nor less than 7 days prior to the day of sale. After notice is given as required in this Section a copy thereof shall be filed in the office of the clerk of the court entering the judgment, together with a certificate of counsel or other proof that notice has been served in compliance with this Section.

(4) The party who gives notice of public sale in accordance with subsection (c) of Section 15-1507 shall again give notice in accordance with that Section of any adjourned sale; provided, however, that if the adjourned sale is to occur less than 60 days after the last scheduled sale, notice of any adjourned sale need not be given pursuant to this Section. In the event of adjournment, the person conducting the sale shall, upon adjournment, announce the date, time and place upon which the adjourned sale shall be held. Notwithstanding any language to the contrary, for any adjourned sale that is to be conducted more than 60 days after the date on which it was to first be held, the party giving notice of such sale shall again give notice in accordance with this Section.

(5) Notice of the sale may be given prior to the expiration of any reinstatement period or redemption period.

(6) No other notice by publication or posting shall be necessary unless required by order or rule of the court.

(7) The person named in the notice of sale to be contacted for information about the real estate may, but shall not be required, to provide additional information other than that set forth in the notice of sale.

(d) Election of Property. If the real estate which is the subject of a judgment of foreclosure is susceptible of division, the court may order it to be sold as necessary to satisfy the judgment. The court shall determine which real estate shall be sold, and the court may determine the order in which separate tracts may be sold.

(e) Receipt upon Sale. Upon and at the sale of mortgaged real estate, the person conducting the sale shall give to the purchaser a receipt of sale. The receipt shall describe the real estate purchased and shall show the amount bid, the amount paid, the total amount paid to date and the amount still to be paid therefor. An additional receipt shall be given at the time of each subsequent payment.

(f) Certificate of Sale. Upon payment in full of the amount bid, the person conducting the sale shall issue, in duplicate, and give to the purchaser a Certificate of Sale. The Certificate of Sale shall be in a recordable form, describe the real estate purchased, indicate the date and place of sale and show the amount paid therefor. The Certificate of Sale shall further indicate that it is subject to confirmation by the court. The duplicate certificate may be recorded in accordance with Section 12-121. The Certificate of Sale shall be freely assignable by endorsement thereon.

(g) Interest after Sale. Any bid at sale shall be deemed to include, without the necessity of a court order, interest at the statutory judgment rate on any unpaid portion of the sale price from the date of sale to the date of payment.

(Source: P.A. 86-974.)"; and

on page 4, line 32, by inserting ". if any," after "share"; and

on page 4, line 36, by replacing "assessments." with the following:

"assessments, and which remain unpaid by the owner during whose possession the assessments accrued. If the outstanding assessments are paid at any time during any action to enforce the collection of assessments, the purchaser shall have no obligation to pay any assessments which accrued before he or she acquired title.

(5) The notice of sale of a condominium unit under subsection (c) of Section 15-1507 of the Code of

Civil Procedure, the statement of assessment account issued by the association to the purchaser of a unit from a mortgagee under subsection (i) of Section 18 of this Act, and the disclosure statement issued to a prospective purchaser under Section 22.1 of this Act shall state that the purchaser of the unit other than a mortgagee shall pay the assessments required by this Section, and shall state the amount of fees owed, if any."

There being no further amendment(s), 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: SENATE BILLS 2601, 2617 and 2630.

SENATE BILL 2631. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend Senate Bill 2631 by replacing everything after the enacting clause with the following:

"Section 5. The Civic Center Code is amended by changing Section 280-20 as follows:

(70 ILCS 200/280-20)

Sec. 280-20. Rights and powers. The Authority shall have the following rights and powers:

(a) To purchase, own, construct, lease as lessee or in any other way acquire, improve, extend, repair, reconstruct, regulate, operate, equip and maintain fair and expositions grounds, convention or exhibition centers, civic auditoriums, including sites and parking areas and facilities therefor located within the metropolitan area and office buildings, if such buildings are acquired as part of the main auditorium complex;

(b) To plan for such grounds, centers and auditoriums and to plan, sponsor, hold, arrange and finance fairs, industrial, cultural, educational, theatrical, sports, trade and scientific exhibits, shows and events and to use or allow the use of such grounds, centers and auditoriums for the holding of fairs, exhibits, shows and events whether conducted by the Authority or some other person or governmental agency;

(c) To exercise the right of eminent domain to acquire sites for such grounds, centers and auditoriums, and parking areas and facilities in the manner provided for the exercise of the right of eminent domain under Article VII of the Code of Civil Procedure, as amended;

(d) To fix and collect just, reasonable and nondiscriminatory charges for the use of such parking areas and facilities, grounds, centers and auditoriums and admission charges to fairs, shows, exhibits and events sponsored or held by the Authority. The charges collected may be made available to defray the reasonable expenses of the Authority and to pay the principal of and the interest on any bonds issued by the Authority;

(d-5) To sell the following real property and retain the proceeds from the sale: the 2 Rialto Square Building at the southeast corner of Chicago Street and Clinton Street, legally described as follows: Lot 1 and Lot 2 in Block 3 in East Juliet (now Joliet) in the City of Joliet in Will County, Illinois; and

(e) To enter into contracts treating any manner with the objects and purposes of this Article.

(Source: P.A. 90-328, eff. 1-1-98.)

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

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 2582.

SENATE BILL 2650. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on Transportation and Motor Vehicles, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 2650 on page 3, below line 8, by inserting the following:
 "Section 10. The Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act is amended by changing Sections 10 and 30 as follows:

(625 ILCS 7/10)

Sec. 10. Establishment of automated control systems. The Department of State Police may establish an automated traffic control system in any construction or maintenance zone established by the Department of Transportation or the Illinois State Toll Highway Authority. An automated traffic control system may operate only during those periods when workers are present in the construction or maintenance zone. In any prosecution based upon evidence obtained through an automated traffic control system established under this Act, the State must prove that one or more workers were present in the construction or maintenance zone when the violation occurred.

(Source: P.A. 93-947, eff. 8-19-04.)

(625 ILCS 7/30)

Sec. 30. Requirements for issuance of a citation.

(a) The vehicle, vehicle operator, vehicle registration plate, speed, date, time, and location must be clearly visible on the photograph or other recorded image of the alleged violation.

(b) A Uniform Traffic Citation must be mailed or otherwise delivered to the registered owner of the vehicle. If mailed, the citation must be sent via certified mail within 14 ~~6~~ business days of the alleged violation, return receipt requested.

(c) The Uniform Traffic Citation must include:

- (1) the name and address of the vehicle owner;
- (2) the registration number of the vehicle;
- (3) the offense charged;
- (4) the time, date, and location of the violation;
- (5) the first available court date; and
- (6) notice that the basis of the citation is the photograph or recorded image from the automated traffic control system.

(d) The Uniform Traffic Citation issued to the violator must be accompanied by a written document that lists the violator's rights and obligations and explains how the violator can elect to proceed by either paying the fine or challenging the issuance of the Uniform Traffic Citation.

(Source: P.A. 93-947, eff. 8-19-04.)".

AMENDMENT NO. 2. Amend Senate Bill 2650 on page 1, line 5, after "11-605.1", by inserting "and adding Section 11-612"; and
 on page 3, below line 8, by inserting the following:

"(625 ILCS 5/11-612 new)

Sec. 11-612. Certain systems to record vehicle speeds prohibited. Except as authorized in the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act, no photographic, video, or other imaging system may be used in this State to record vehicle speeds for the purpose of enforcing any law or ordinance regarding a maximum or minimum speed limit unless a law enforcement officer is present at the scene and witnesses the event. No State or local governmental entity, including a home rule county or municipality, may use such a system in a way that is prohibited by this Section. The regulation of the use of such systems is an exclusive power and function of the State. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution."

There being no further amendment(s), 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: SENATE BILLS 2676, 2695, 2713 and 2728.

SENATE BILL 2732. 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 Senate Bill 2732 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Accounting Act is amended by changing Sections 0.03, 6.1, 9.01, 14.3, 16, 20.01, 20.1, and 27 and by adding Section 9.3 as follows:

(225 ILCS 450/0.03) (from Ch. 111, par. 5500.03)

(Section scheduled to be repealed on January 1, 2014)

Sec. 0.03. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Registered Certified Public Accountant" means any person who has been issued a registration under this Act as a Registered Certified Public Accountant.

(b) "Licensed Certified Public Accountant" means any person licensed under this Act as a Licensed Certified Public Accountant.

(c) "Committee" means the Public Accountant Registration Committee appointed by the Director.

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

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

(f) "License", "licensee", and "licensure" refers to the authorization to practice under the provisions of this Act.

(g) "Peer review program" means a study, appraisal, or review of one or more aspects of the professional work of a ~~person or firm or sole practitioner in the practice of public accounting to determine the degree of compliance by the firm or sole practitioner with professional standards and practices, conducted by persons who hold current licenses to practice public accounting under the laws of this or another state and who are not affiliated with the firm or sole practitioner being reviewed~~ ~~certified or licensed under this Act, including quality review, peer review, practice monitoring, quality assurance, and similar programs undertaken voluntarily or as a prerequisite to the providing of professional services under government requirements, or any similar internal review or inspection that is required by professional standards.~~

(h) "Review committee" means any person or persons conducting, reviewing, administering, or supervising a peer review program.

(i) "University" means the University of Illinois.

(j) "Board" means the Board of Examiners established under Section 2.

(k) "Registration", "registrant", and "registered" refer to the authorization to hold oneself out as or use the title "Registered Certified Public Accountant" or "Certified Public Accountant", unless the context otherwise requires.

(l) "Peer Review Administrator" means an organization designated by the Department that meets the requirements of subsection (f) of Section 16 of this Act and other rules that the Department may adopt.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/6.1)

(Section scheduled to be repealed on January 1, 2014)

Sec. 6.1. Examinations.

(a) The examination shall test the applicant's knowledge of accounting, auditing, and other related subjects, if any, as the Board may deem advisable. A candidate shall be required to pass all sections of the examination in order to qualify for a certificate. A candidate may take the required test sections individually and in any order, as long as the examination is taken within a timeframe established by Board rule.

(b) On and after January 1, 2005, applicants shall also be required to pass an examination on the rules of professional conduct, as determined by Board rule to be appropriate, before they may be awarded a certificate as a Certified Public Accountant.

(c) Pursuant to compliance with the Americans with Disabilities Act, the Board may provide alternative test administration arrangements that are reasonable in the context of the Certified Public Accountant examination for applicants who are unable to take the examination under standard conditions upon an applicant's submission of evidence as the Board may require, which may include a signed statement from a medical or other licensed medical professional, identifying the applicant's disabilities and the specific alternative accommodations the applicant may need. Any alteration in test administration arrangements does not waive the requirement of sitting for and passing the examination. The Board may in certain cases waive or defer any of the requirements of this Section regarding the circumstances in which the various

~~Sections of the examination must be passed upon a showing that, by reasons of circumstances beyond the applicant's control, the applicant was unable to meet the requirement.~~

(d) Any application, document, or other information filed by or concerning an applicant and any examination grades of an applicant shall be deemed confidential and shall not be disclosed to anyone without the prior written permission of the applicant, except that the names and addresses only of all applicants shall be a public record and be released as public information. Nothing in this subsection shall prevent the Board from making public announcement of the names of persons receiving certificates under this Act.

(Source: P.A. 93-683, eff. 7-2-04.)

(225 ILCS 450/9.01)

(Section scheduled to be repealed on January 1, 2014)

Sec. 9.01. Unlicensed practice; violation; civil penalty.

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

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

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

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/9.3 new)

(Section scheduled to be repealed on January 1, 2014)

Sec. 9.3. Sharing of information. Notwithstanding any other provision of this Act, for the purpose of carrying out their respective duties and responsibilities under this Act and to effectuate the purpose of this Act, both the Board of Examiners and the Department of Financial and Professional Regulation are authorized and directed to share information with each other regarding those individuals and entities licensed or certified or applying for licensure or certification under this Act.

(225 ILCS 450/14.3)

(Section scheduled to be repealed on January 1, 2014)

Sec. 14.3. Additional requirements for firms. In addition to the ownership requirements set forth in subsection (b) of Section 14, all firms licensed under this Act shall meet the following requirements:

(a) All owners of the firm, whether licensed or not, shall be active participants in the firm or its affiliated entities.

(b) An individual who supervises services for which a license is required under Section 8 of this Act or who signs or authorizes another to sign any report for which a license is required under Section 8 of this Act shall hold a valid, active unrevoked Licensed Certified Public Accountant license from this State or another state and shall comply with such additional experience requirements as may be required by rule of the Board.

(c) The firm shall require that all owners of the firm, whether or not certified or licensed under this Act, comply with rules promulgated under this Act.

(d) The firm shall designate to the Department in writing an individual licensed under this Act who shall be responsible for the proper registration of the firm.

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

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/16) (from Ch. 111, par. 5517)

(Section scheduled to be repealed on January 1, 2014)

Sec. 16. Expiration and renewal of licenses; renewal of registration; continuing education.

(a) The expiration date and renewal period for each license issued under this Act shall be set by rule.

(b) Every holder of a license or registration under this Act may renew such license or registration before the expiration date upon payment of the required renewal fee as set by rule.

(c) Every application for renewal of a license by a licensed certified public accountant who has been licensed under this Act for 3 years or more shall be accompanied or supported by any evidence the

Department shall prescribe, in satisfaction of completing, each 3 years, not less than 120 hours of continuing professional education programs in subjects given by continuing education sponsors registered by the Department upon recommendation of the Committee. Of the 120 hours, not less than 4 hours shall be courses covering the subject of professional ethics. All continuing education sponsors applying to the Department for registration shall be required to submit an initial nonrefundable application fee set by Department rule. Each registered continuing education sponsor shall be required to pay an annual renewal fee set by Department rule. Publicly supported colleges, universities, and governmental agencies located in Illinois are exempt from payment of any fees required for continuing education sponsor registration. Failure by a continuing education sponsor to be licensed or pay the fees prescribed in this Act, or to comply with the rules and regulations established by the Department under this Section regarding requirements for continuing education courses or sponsors, shall constitute grounds for revocation or denial of renewal of the sponsor's registration.

(d) Licensed Certified Public Accountants are exempt from the continuing professional education requirement for the first renewal period following the original issuance of the license.

Notwithstanding the provisions of this subsection (c), the Department may accept courses and sponsors approved by other states, by the American Institute of Certified Public Accountants, by other state CPA societies, or by national accrediting organizations such as the National Association of State Boards of Accountancy.

Failure by an applicant for renewal of a license as a licensed certified public accountant to furnish the evidence shall constitute grounds for disciplinary action, unless the Department in its discretion shall determine the failure to have been due to reasonable cause. The Department, in its discretion, may renew a license despite failure to furnish evidence of satisfaction of requirements of continuing education upon condition that the applicant follow a particular program or schedule of continuing education. In issuing rules and individual orders in respect of requirements of continuing education, the Department in its discretion may, among other things, use and rely upon guidelines and pronouncements of recognized educational and professional associations; may prescribe rules for the content, duration, and organization of courses; shall take into account the accessibility to applicants of such continuing education as it may require, and any impediments to interstate practice of public accounting that may result from differences in requirements in other states; and may provide for relaxation or suspension of requirements in regard to applicants who certify that they do not intend to engage in the practice of public accounting, and for instances of individual hardship.

The Department shall establish by rule a means for the verification of completion of the continuing education required by this Section. This verification may be accomplished through audits of records maintained by licensees; by requiring the filing of continuing education certificates with the Department; or by other means established by the Department.

The Department may establish, by rule, guidelines for acceptance of continuing education on behalf of licensed certified public accountants taking continuing education courses in other jurisdictions.

(e) For renewals on and after July 1, 2012, as a condition for granting a renewal license to firms and sole practitioners who provide services requiring a license under this Act, the Department shall require that the firm or sole practitioner satisfactorily complete a peer review during the immediately preceding 3-year period, accepted by a Peer Review Administrator in accordance with established standards for performing and reporting on peer reviews, unless the firm or sole practitioner is exempted under the provisions of subsection (i) of this Section. A firm or sole practitioner shall, at the request of the Department, submit to the Department a letter from the Peer Review Administrator stating the date on which the peer review was satisfactorily completed.

A new firm or sole practitioner not subject to subsection (l) of this Section shall undergo its first peer review during the first full renewal cycle after it is granted its initial license.

The requirements of this subsection (e) shall not apply to any person providing services requiring a license under this Act to the extent that such services are provided in the capacity of an employee of the Office of the Auditor General or to a nonprofit cooperative association engaged in the rendering of licensed service to its members only under paragraph (3) of subsection (b) of Section 14 of this Act or any of its employees to the extent that such services are provided in the capacity of an employee of the association.

(f) The Department shall approve only Peer Review Administrators that the Department finds comply with established standards for performing and reporting on peer reviews. The Department may adopt rules establishing guidelines for peer reviews, which shall do all of the following:

(1) Require that a peer review be conducted by a reviewer that is independent of the firm reviewed and approved by the Peer Review Administrator under established standards.

(2) Other than in the peer review process, prohibit the use or public disclosure of information obtained by the reviewer, the Peer Review Administrator, or the Department during or in connection with the peer review process. The requirement that information not be publicly disclosed shall not apply to a hearing before the Department that the firm or sole practitioner requests be public or to the information described in paragraph (3) of subsection (i) of this Section.

(g) If a firm or sole practitioner fails to satisfactorily complete a peer review as required by subsection (e) of this Section or does not comply with any remedial actions determined necessary by the Peer Review Administrator, the Peer Review Administrator shall notify the Department of the failure and shall submit a record with specific references to the rule, statutory provision, professional standards, or other applicable authority upon which the Peer Review Administrator made its determination and the specific actions taken or failed to be taken by the licensee that in the opinion of the Peer Review Administrator constitutes a failure to comply. The Department may at its discretion or shall upon submission of a written application by the firm or sole practitioner hold a hearing under Section 20.1 of this Act to determine whether the firm or sole practitioner has complied with subsection (e) of this Section. The hearing shall be confidential and shall not be open to the public unless requested by the firm or sole practitioner.

(h) The firm or sole practitioner reviewed shall pay for any peer review performed. The Peer Review Administrator may charge a fee to each firm and sole practitioner sufficient to cover costs of administering the peer review program.

(i) A firm or sole practitioner shall be exempt from the requirement to undergo a peer review if:

(1) Within 3 years before the date of application for renewal licensure, the sole practitioner or firm has undergone a peer review conducted in another state or foreign jurisdiction that meets the requirements of paragraphs (1) and (2) of subsection (f) of this Section. The sole practitioner or firm shall submit to the Department a letter from the organization administering the most recent peer review stating the date on which the peer review was completed; or

(2) The sole practitioner or firm satisfies all of the following conditions:

(A) during the preceding 2 years, the firm or sole practitioner has not accepted or performed any services requiring a license under this Act;

(B) the firm or sole practitioner agrees to notify the Department within 30 days of accepting an engagement for services requiring a license under this Act and to undergo a peer review within 18 months after the end of the period covered by the engagement; or

(3) For reasons of personal health, military service, or other good cause, the Department determines that the sole practitioner or firm is entitled to an exemption, which may be granted for a period of time not to exceed 12 months.

(j) If a peer review report indicates that a firm or sole practitioner complies with the appropriate professional standards and practices set forth in the rules of the Department and no further remedial action is required, the Peer Review Administrator shall destroy all working papers and documents, other than report-related documents, related to the peer review within 90 days after issuance of the letter of acceptance by the Peer Review Administrator. If a peer review letter of acceptance indicates that corrective action is required, the Peer Review Administrator may retain documents and reports related to the peer review until completion of the next peer review or other agreed-to corrective actions.

(k) In the event the practices of 2 or more firms or sole practitioners are merged or otherwise combined, the surviving firm shall retain the peer review year of the largest firm, as determined by the number of accounting and auditing hours of each of the practices. In the event that the practice of a firm is divided or a portion of its practice is sold or otherwise transferred, any firm or sole practitioner acquiring some or all of the practice that does not already have its own review year shall retain the review year of the former firm. In the event that the first peer review of a firm that would otherwise be required by this subsection (k) would be less than 12 months after its previous review, a review year shall be assigned by Peer Review Administrator so that the firm's next peer review occurs after not less than 12 months of operation, but not later than 18 months of operation.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04; revised 10-11-05.)

(225 ILCS 450/20.01) (from Ch. 111, par. 5521.01)

(Section scheduled to be repealed on January 1, 2014)

Sec. 20.01. Grounds for discipline; license or registration.

(a) The Department may refuse to issue or renew, or may revoke, suspend, or reprimand any registration or registrant, any license or licensee, place a licensee or registrant on probation for a period of time subject to any conditions the Department may specify including requiring the licensee or registrant to attend continuing education courses or to work under the supervision of another licensee or registrant, impose a

fine not to exceed \$5,000 for each violation, restrict the authorized scope of practice, or require a licensee or registrant to undergo a peer review program, for any one or more of the following:

- (1) Violation of any provision of this Act.
- (2) Attempting to procure a license or registration to practice under this Act by bribery or fraudulent misrepresentations.
- (3) Having a license to practice public accounting or registration revoked, suspended, or otherwise acted against, including the denial of licensure or registration, by the licensing or registering authority of another state, territory, or country, including but not limited to the District of Columbia, or any United States territory. No disciplinary action shall be taken in Illinois if the action taken in another jurisdiction was based upon failure to meet the continuing professional education requirements of that jurisdiction and the applicable Illinois continuing professional education requirements are met.
- (4) Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of public accounting or the ability to practice public accounting or as a Registered Certified Public Accountant.
- (5) Making or filing a report or record which the registrant or licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing the filing, or inducing another person to impede or obstruct the filing. The reports or records shall include only those that are signed in the capacity of a licensed certified public accountant or a registered certified public accountant.
- (6) Conviction in this or another State or the District of Columbia, or any United States Territory, of any crime that is punishable by one year or more in prison or conviction of a crime in a federal court that is punishable by one year or more in prison.
- (7) Proof that the licensee or registrant is guilty of fraud or deceit, or of gross negligence, incompetency, or misconduct, in the practice of public accounting.
- (8) Violation of any rule adopted under this Act.
- (9) Practicing on a revoked, suspended, or inactive license or registration.
- (10) Suspension or revocation of the right to practice before any state or federal agency.
- (11) Conviction of any crime under the laws of the United States or any state or territory of the United States that is a felony or misdemeanor and has dishonesty as an essential element, or of any crime that is directly related to the practice of the profession.
- (12) Making any misrepresentation for the purpose of obtaining a license, or registration or material misstatement in furnishing information to the Department.
- (13) Aiding or assisting another person in violating any provision of this Act or rules promulgated hereunder.
- (14) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public ~~and violating the rules of professional conduct adopted by the Department.~~
- (15) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in the inability to practice with reasonable skill, judgment, or safety.
- (16) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional service not actually rendered.
- (17) Physical or mental disability, including deterioration through the aging process or loss of abilities and skills that results in the inability to practice the profession with reasonable judgment, skill or safety.
- (18) Solicitation of professional services by using false or misleading advertising.
- (19) Failure to file a return, or pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue or any successor agency or the Internal Revenue Service or any successor agency.
- (20) Practicing or attempting to practice under a name other than the full name as shown on the license or registration or any other legally authorized name.
- (21) A finding by the Department that a licensee or registrant has not complied with a provision of any lawful order issued by the Department.
- (22) Making a false statement to the Department regarding compliance with continuing

professional education or peer review requirements.

(23) Failing to make a substantive response to a request for information by the Department within 30 days of the request.

(b) (Blank).

(c) In rendering an order, the Department shall take into consideration the facts and circumstances involving the type of acts or omissions in subsection (a) including, but not limited to:

- (1) the extent to which public confidence in the public accounting profession was, might have been, or may be injured;
- (2) the degree of trust and dependence among the involved parties;
- (3) the character and degree of financial or economic harm which did or might have resulted; and
- (4) the intent or mental state of the person charged at the time of the acts or omissions.

(d) The Department shall reissue the license or registration upon a showing that the disciplined licensee or registrant has complied with all of the terms and conditions set forth in the final order.

(e) The Department shall deny any application for a license, registration, or renewal, without hearing, to any person who has defaulted on an educational loan guaranteed by the Illinois Student Assistance Commission; however, the Department may issue a license, registration, or renewal if the person in default has established a satisfactory repayment record as determined by the Illinois Student Assistance Commission.

(f) The determination by a court that a licensee or registrant is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code will result in the automatic suspension of his or her license or registration. The licensee or registrant shall be responsible for notifying the Department of the determination by the court that the licensee or registrant is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code. The licensee or registrant shall also notify the Department upon discharge so that a determination may be made under item (17) of subsection (a) whether the licensee or registrant may resume practice.

(Source: P.A. 92-457, eff. 7-1-04; 93-629, eff. 12-23-03; 93-683, eff. 7-2-04.)

(225 ILCS 450/20.1) (from Ch. 111, par. 5522)

(Section scheduled to be repealed on January 1, 2014)

Sec. 20.1. Investigations; notice; hearing. The Department may, upon its own motion, and shall, upon the verified complaint in writing of any person setting forth facts which, if proved, would constitute grounds for disciplinary action as set forth in Section 20.01, investigate the actions of any person or entity. The Department may refer complaints and investigations to a disciplinary body of the accounting profession for technical assistance. The results of an investigation and recommendations of the disciplinary body may be considered by the Department, but shall not be considered determinative and the Department shall not in any way be obligated to take any action or be bound by the results of the accounting profession's disciplinary proceedings. The Department, before taking disciplinary action, shall afford the concerned party or parties an opportunity to request a hearing and if so requested shall set a time and place for a hearing of the complaint. With respect to determinations by a Peer Review Administrator duly appointed by the Department under subsection (f) of Section 16 of this Act that a licensee has failed to satisfactorily complete a peer review as required under subsection (e) of Section 16, the Department may consider the Peer Review Administrator's findings of fact as prima facie evidence, and upon request by a licensee for a hearing the Department shall review the record presented and hear arguments by the licensee or the licensee's counsel but need not conduct a trial or hearing de novo or accept additional evidence. The Department shall notify the applicant or the licensed or registered person or entity of any charges made and the date and place of the hearing of those charges by mailing notice thereof to that person or entity by registered or certified mail to the place last specified by the accused person or entity in the last notification to the Department, at least 30 days prior to the date set for the hearing or by serving a written notice by delivery of the notice to the accused person or entity at least 15 days prior to the date set for the hearing, and shall direct the applicant or licensee or registrant to file a written answer to the Department under oath within 20 days after the service of the notice and inform the applicant or licensee or registrant that failure to file an answer will result in default being taken against the applicant or licensee or registrant and that the license or registration may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature or extent of practice, as the Director may deem proper. In case the person fails to file an answer after receiving notice, his or her license or registration

may, in the discretion of the Department, be suspended, revoked, or placed on probationary status, or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act. The Department shall afford the accused person or entity an opportunity to be heard in person or by counsel at the hearing. At the conclusion of the hearing the Committee shall present to the Director a written report setting forth its finding of facts, conclusions of law, and recommendations. The report shall contain a finding whether or not the accused person violated this Act or failed to comply with the conditions required in this Act. If the Director disagrees in any regard with the report, he or she may issue an order in contravention of the report. The Director shall provide a written explanation to the Committee of any such deviations and shall specify with particularity the reasons for the deviations.

The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and findings are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 92-457, eff. 7-1-04; 93-683, eff. 7-2-04.)

(225 ILCS 450/27) (from Ch. 111, par. 5533)

(Section scheduled to be repealed on January 1, 2014)

Sec. 27. A licensed or registered certified public accountant shall not be required by any court to divulge information or evidence which has been obtained by him in his confidential capacity as a licensed or registered certified public accountant. This Section shall not apply to any investigation or hearing undertaken pursuant to this Act.

(Source: P.A. 92-457, eff. 7-1-04.)

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

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2738, 2778, 2810, 2829, 2885, 2967, 2968 and 2998.

SENATE BILL 2898. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend Senate Bill 2898 on page 1, line 9, by deleting "disposable single-use"; and on page 1, line 11, by replacing "with a history" with "at risk".

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

RECALL

At the request of the principal sponsor, Representative Gordon, SENATE BILL 2873 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

SENATE BILLS ON SECOND READING

SENATE BILL 2873. Having been recalled on March 28, 2006, and held on the order of Second Reading, the same was again taken up.

Representative Gordon offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 2873 on page 1, line 10, after "Corrections", by inserting "or the Department of Juvenile Justice"; and

on page 2, line 1, by replacing "date of the" with "~~date of the~~"; and
 on page 2, line 33, after "Corrections", by inserting "or the Department of Juvenile Justice"; and
 on page 2, line 35, by inserting after the period the following:
"For inmates sentenced under the law in effect prior to February 1, 1978, the petition shall be filed no more than 90 days after the Prisoner Review Board's order granting parole pursuant to Section 3-3-5 of the Unified Code of Corrections."; and

on page 3, by replacing lines 3 through 11 with the following:

"(b-6) The petition must be filed no ~~(2)~~ No more than 90 days before discharge or release:

(1) ~~(A)~~ from a Department of Juvenile Justice juvenile correctional facility if the person was placed in the facility for being adjudicated delinquent under Section 5-20 of the Juvenile Court Act of 1987 or found guilty under Section 5-620 of that Act on the basis of a sexually violent offense; or

(2) ~~(B)~~ from a commitment order that was entered as a result of a sexually violent offense.";

and

on page 3, line 12, by changing "(b-6)" to "(b-7)"; and

on page 3, line 18, by inserting "or the Department of Juvenile Justice", after "Corrections"; and

on page 4, by replacing lines 16 and 17 with the following:

"(3) the sexually violent person is discharged under Section 65 of this Act, unless the person has successfully completed a period of conditional release pursuant to Section 60 of this Act."

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), 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: SENATE BILL 2395.

SENATE BILL 2469. Having been reproduced, was taken up and read by title a second time. Representative Saviano offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend Senate Bill 2469 on page 11, by replacing lines 3 and 4 with the following:

"chief enforcement officer of this Act."

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), 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: SENATE BILL 2511.

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: SENATE BILL 2556.

HOUSE BILLS ON SECOND READING

HOUSE BILL 1917. Having been recalled on March 16, 2006, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL 2199. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

RECALL

At the request of the principal sponsor, Representative Phelps, SENATE BILL 1086 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 1071, 1072, 1074, 1075, 1076, 1077, 1081, 1082, 1083 and 1086 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

At the hour of 1:42 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, March 29, 2006, at 11:00 o'clock a.m., allowing perfunctory time for the Clerk.

The motion prevailed.

And the House stood adjourned.

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

March 28, 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	E 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	P Scully
P Brady	P Golar	P Mendoza	P Smith (ADDED)
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	E 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
P Daniels	E Jones	E Patterson	P Younge
P Davis, Monique	P Joyce	P Phelps	P 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
 SENATE BILL 819
 LOCAL GOVERNMENT-TECH
 THIRD READING
 PASSED

March 28, 2006

112 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	E 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A 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	E 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	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
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
 SENATE BILL 827
 LOCAL GOVERNMENT-TECH
 THIRD READING
 PASSED

March 28, 2006

113 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	E 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A 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	E 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
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
SENATE BILL 1214
CIVIL LAW-TECH
THIRD READING
PASSED

March 28, 2006

113 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	E 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A 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	E 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
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
 SENATE BILL 2156
 CRIM CD-DANGEROUS PLACE
 THIRD READING
 PASSED

March 28, 2006

113 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	E 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A 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	E 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
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
SENATE BILL 2238
ASTC-HOSPITL-OPERATNG RM NURSE
THIRD READING
PASSED

March 28, 2006

106 YEAS

5 NAYS

1 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Pritchard
Y Bassi	Y Dunkin	Y Lang	Y Ramey
Y Beaubien	Y Dunn	E Leitch	Y Reis
Y Beiser	N 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
N Black	Y Flowers	Y May	N 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A Smith
N 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	E Tenhouse
Y Churchill	Y Hassert	Y Molaro	A 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
P Cultra	Y Jakobsson	Y Osmond	N Watson
Y Currie	Y Jefferson	Y Osterman	Y Winters
Y D'Amico	Y Jenisch	Y Parke	Y Yarbrough
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
 SENATE BILL 2241
 PROP TAX-TRANSFER STAMPS
 THIRD READING
 PASSED

March 28, 2006

113 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	E 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A 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	E 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
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
 SENATE BILL 2252
 SOS ANTIQUE VEH SHOW FUND
 THIRD READING
 PASSED

March 28, 2006

113 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	E 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A 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	E 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
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
 SENATE BILL 843
 LOCAL GOVERNMENT-TECH
 THIRD READING
 PASSED

March 28, 2006

112 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	E 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	N 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A 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	E 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
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
 SENATE BILL 2283
 VEH CD-LICENSE INFO-USE
 THIRD READING
 PASSED

March 28, 2006

113 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	E 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A 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	E 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
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
 SENATE BILL 2286
 SPEECH PATHOLOGY ASSIST-QUALIF
 THIRD READING
 PASSED

March 28, 2006

113 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	E 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A 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	E 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
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
SENATE BILL 2297
CLINICAL PSYCHOLOGIST-SUNSET
THIRD READING
PASSED

March 28, 2006

113 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	E 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A 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	E 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
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
 SENATE BILL 2302
 CIGARETTE SAFETY STANDARD ACT
 THIRD READING
 PASSED

March 28, 2006

102 YEAS

11 NAYS

0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Pritchard
Y Bassi	Y Dunkin	Y Lang	N Ramey
Y Beaubien	Y Dunn	E Leitch	N Reis
Y Beiser	Y Durkin	Y Lindner	Y Reitz
Y Bellock	Y Eddy	Y Lyons, Joseph	Y Rita
Y Berrios	Y Feigenholtz	Y Mathias	N Rose
Y Biggins	Y Flider	N Mautino	Y Ryg
N Black	Y Flowers	Y May	N 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A Smith
Y Brauer	Y Gordon	Y Meyer	Y Sommer
Y Brosnahan	Y Graham	Y Miller	Y Soto
Y Burke	Y Granberg	N Mitchell, Bill	N Stephens
Y Chapa LaVia	Y Hamos	Y Mitchell, Jerry	Y Sullivan
Y Chavez	Y Hannig	Y Moffitt	E Tenhouse
N 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	N Watson
Y Currie	Y Jefferson	Y Osterman	Y Winters
Y D'Amico	N Jenisch	Y Parke	Y Yarbrough
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
SENATE BILL 2320
CD CORR-PRISONER ID CARD
THIRD READING
PASSED

March 28, 2006

113 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	E 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A 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	E 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
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y 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
 SENATE BILL 2345
 PROF COUNSELOR-RESTRICTIONS
 THIRD READING
 PASSED

March 28, 2006

113 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	E 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	Y Scully
Y Brady	Y Golar	Y Mendoza	A 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	E 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
Y Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y Mr. Speaker
Y Davis, William	Y Kelly	Y Pihos	
Y Delgado	Y Kosel	Y Poe	

E - Denotes Excused Absence

109TH LEGISLATIVE DAY

Perfunctory Session

TUESDAY, MARCH 28, 2006

At the hour of 1:53 o'clock p.m., the House convened perfunctory session.

INTRODUCTION AND FIRST READING OF BILLS

The following bills were introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 5774. Introduced by Representative Mitchell, Bill, AN ACT concerning elections.

HOUSE BILL 5775. Introduced by Representatives Black - Poe, AN ACT concerning elections.

HOUSE RESOLUTIONS

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

HOUSE RESOLUTION 1070

Offered by Representative Durkin:

WHEREAS, Numerous problems were observed in the process of counting ballots cast in the March 21, 2006, election to nominate many Cook County-based candidates, including, but not limited to, the candidate of the Democratic Party for the office of Cook County Board President; and

WHEREAS, As one result of these problems, many ballot counts were delayed long after the close of the polls on March 21, 2006; and

WHEREAS, The people of Cook County are entitled to have their ballots counted in a timely and accurate manner; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the House Elections & Campaign Reform Committee is directed to hold four hearings on the primary election and ballot count conducted in Cook County on March 21, 2006, and following days; and be it further

RESOLVED, That the first of these four hearings shall be held in Springfield prior to the adjournment of the House from its 2006 spring session; and be it further

RESOLVED, That the second, third, and fourth hearings shall be held in Cook County prior to August 1, 2006; and be it further

RESOLVED, That the House Elections & Campaign Reform Committee shall submit a report of its findings to the Speaker of the House and the House Minority Leader on or before September 1, 2006; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Speaker of the House, the House Minority Leader, the Chairperson of the House Elections & Campaign Reform Committee, and the Minority Spokesperson of the House Elections & Campaign Reform Committee.

HOUSE RESOLUTION 1073

Offered by Representative Sacia:

WHEREAS, The American Legion was formed in 1919, shortly after the termination of World War I hostilities; and

WHEREAS, The American Legion is an organization of wartime veterans united by a common bond of

continued service to God and country; and

WHEREAS, The American Legion observed the 87th anniversary of its founding, March 15-17, 2006, as an organization comprised of nearly 3 million men and women who have served their country with honor during one of the wars since the 20th century; and

WHEREAS, By giving meaningful service in conjunction with the theme "Still Serving America", Legionnaires have made significant contributions to American thought and deed; and

WHEREAS, Endeavors of The American Legion, which strengthen our freedom and perpetuate our free institutions, characterize this gigantic fraternity of service as one of the great bulwarks of the American way of life; and

WHEREAS, The American Legion has achieved its position of high esteem through programs of service to community, state, and nation; and

WHEREAS, Such programs have become an integral part of the State of Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we do hereby proclaim the week of March 12-18, 2006, as American Legion Week, and we call upon all citizens, companies, and organizations to join with us in commending the good works of this organization as an expression of appreciation for the wartime and peacetime services of our Legionnaires; they are truly "Still Serving America"; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the American Legion as an expression of our esteem and gratitude for their faithful service.

HOUSE RESOLUTION 1078

Offered by Representative Munson:

WHEREAS, The federal government has established a goal of reimbursing forty percent of the costs of special education incurred by school districts; it currently provides only eighteen percent of costs nationally and fourteen percent of costs in Illinois; and

WHEREAS, In the 2004-2005 school year, over 321,000 children with disabilities were served in special education programs across Illinois, costing school districts millions of dollars in unreimbursed costs; and

WHEREAS, Special education accounts for approximately twenty-one percent of all education spending; and

WHEREAS, Illinois has continued to prorate special education mandated categoricals at less than one hundred percent, with the FY06 budget prorating these mandated categoricals at ninety-seven percent; and

WHEREAS, Illinois school districts currently spend an estimated \$1 billion from their own general education funds to meet the unreimbursed costs of special education services that are mandated by federal and State laws and administrative rules; and

WHEREAS, While school districts are required to disclose their revenues and expenditures through their annual budget, there is no particular focus given to special education costs making it difficult for the State to assess the true cost of special education in Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we strongly urge the State Board of Education to develop a process by which they can collect and evaluate, both on a district and statewide level, the costs of providing special education services beyond that which is reimbursed by the State; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the State Board of Education.

HOUSE RESOLUTION 1079

Offered by Representative Washington:

WHEREAS, In order to gather statistics concerning the racial identity of persons stopped for traffic violations, Section 11-212 of the Illinois Vehicle Code was enacted to require every law enforcement agency in the State to compile statistical data relevant to traffic stops, including the race of the person stopped, the location, date, and time of the stop, the reason for the stop, and the name and badge number of the officer; and

WHEREAS, Every law enforcement agency is required to transmit its statistical data to the Department of Transportation by March 1 of 2004, 2005, 2006, and 2007; and

WHEREAS, Some law enforcement agencies are not in compliance with these requirements; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Office of the Attorney General to investigate the failure of law enforcement agencies to compile and transmit statistical data relevant to traffic stops as required under Section 11-212 of the Illinois Vehicle Code; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Attorney General.

HOUSE RESOLUTION 1080

Offered by Representative Jakobsson:

WHEREAS, Postsecondary education is increasingly an essential credential for success in the modern economy; and

WHEREAS, Affordability of a college degree is a growing concern to students, families, and State policymakers; and

WHEREAS, The cost of textbooks is a substantial and escalating burden for students; and

WHEREAS, Other states have undertaken legislative and administrative measures to curtail the rising expense of textbook purchases; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Board of Higher Education, in conjunction with the Illinois Community College Board and public universities and community colleges, shall conduct a thorough and comprehensive study of the cost and feasibility of implementing textbook rental programs at public universities and community colleges; and be it further

RESOLVED, That the Board of Higher Education shall explore the feasibility of various funding sources to establish a revolving fund to finance start-up costs for textbook rental programs at public universities and community colleges; and be it further

RESOLVED, That the Board of Higher Education shall examine measures considered or adopted in other states, including the unbundling of software or other supplementary materials from the sale of textbooks; the public listing of titles, prices, and ISBN numbers of required textbooks; and the disclosure of textbook costs to faculty; and be it further

RESOLVED, That the Board of Higher Education shall investigate the potential for technology to reduce textbook costs, including online book swaps, an electronic clearinghouse for the purchase of textbooks, and e-book alternatives to published textbooks; and be it further

RESOLVED, That the Board of Higher Education shall report its findings and recommendations to the chairpersons of the Higher Education and Higher Education Appropriations Committees of the House of Representatives no later than August 1, 2006; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Governor, the chairperson of the Board of Higher Education, the chairperson of the Illinois Community College Board, and the president of each public university and community college in this State.

HOUSE RESOLUTION 1084

Offered by Representative John Bradley:

WHEREAS, The members of the 117th Representative District Youth Advisory Council recognize the enhanced learning experiences resulting from the increased use of technology in the classroom; and

WHEREAS, Technology is recognized as an important instructional tool for educators, allowing classrooms to operate more efficiently and resulting in increased communication among students around the world; and

WHEREAS, The best learning occurs when there is continuity between home and school activities; and

WHEREAS, A majority of students have access to a home computer, personal digital assistant, the internet and other technological resources and services that expose the user to a vast pool of information;

and

WHEREAS, A recent national survey conducted by CDW Government, Inc. found that 85 percent of surveyed teachers believe the use of computer technology translates into higher student achievement and 74 percent of surveyed teachers believe that computers improve students' attention in class; and

WHEREAS, Technology can provide students and teachers with access to a wealth of research and discussion materials, including digital libraries and encyclopedias, online lesson plans, language tutorials, virtual field trips, and educational networking opportunities; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge school boards, superintendents, school principals, teachers, and other educators to incorporate increased technology programs in the classroom and provide the appropriate training, hardware, software, and other resources needed to expand technology-based learning activities; and be it further

RESOLVED, That suitable copies of this resolution be presented to the State Board of Education and members of the 117th Representative District Youth Advisory Council.

HOUSE RESOLUTION 1085

Offered by Representative John Bradley:

WHEREAS, The members of the 117th Representative District Youth Advisory Council recognize the value of all students respecting each other, their teachers, and other educators; and

WHEREAS, The students of Illinois come from a wide variety of social, economic, and family backgrounds; and

WHEREAS, Respect is defined as the objective, unbiased consideration and regard for the rights, values, beliefs, and property of all people; and

WHEREAS, Respectful behavior means treating others with civility and courtesy, accepting personal differences, listening to what others have to say, and refraining from ridiculing, embarrassing, or hurting others; and

WHEREAS, Forming relationships based on respect helps people to get along with each other, avoid and resolve disagreements, and create an encouraging social climate; and

WHEREAS, Students throughout Illinois have learned a great deal about one another through programs that teach understanding, respect, and peer mediation; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we encourage the students of Illinois to develop an understanding of the value of respectful behavior, become aware of the many ways in which they show both respect and disrespect, and discover more about themselves and their schoolmates; and be it further

RESOLVED, That we hereby declare April 5, 2006, as Respect Your Peers Day in Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the 117th Representative District Youth Advisory Council.

HOUSE JOINT RESOLUTION 111

Offered by Representative Chapa LaVia:

WHEREAS, The Joint Gang Task Force created by House Joint Resolution 11 of the Ninety-fourth General Assembly continues its examination of gang and drug problems throughout the State; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the reporting deadline for the report of the Joint Gang Task Force is extended to January 9, 2007.

At the hour of 1:53 o'clock p.m., the House Perfunctory Session adjourned.