

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-FOURTH GENERAL ASSEMBLY**

**124TH LEGISLATIVE DAY**

**REGULAR & PERFUNCTORY SESSION**

**WEDNESDAY, APRIL 26, 2006**

**12:41 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
Daily Journal Index  
124th Legislative Day**

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The House met pursuant to adjournment.

Representative Hannig in the chair.

Prayer by Colonel Retired Randy Harrison.

Representative D'Amico 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:

105 present. (ROLL CALL 1)

By unanimous consent, Representatives Richard Bradley, Colvin, Coulson, Daniels, Dunn, Jefferson, Jones, Lindner, Osmond, Patterson, Pihos, Rita and Yarbrough were excused from attendance.

### **TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Rose replaced Representative Black in the Committee on Rules on April 26, 2006.

Representative Mulligan replaced Representative Coulson in the Committee on Human Services on April 26, 2006.

Representative Reis replaced Representative Dunn in the Committee on Human Services on April 26, 2006.

Representative Chapa LaVia replaced Representative Gordon in the Committee on Judiciary I - Civil Law on April 26, 2006.

Representative Kosel replaced Representative Osmond in the Committee on Judiciary I - Civil Law on April 26, 2006.

Representative Verschoore replaced Representative Flider in the Committee on Local Government on April 19, 2006.

Representative Lang replaced Representative Beiser in the Committee on Local Government on April 19, 2006.

Representative Nekritz replaced Representative Ryg in the Committee on Local Government on April 19, 2006.

Representative Hamos replaced Representative Younge in the Committee on Local Government on April 26, 2006.

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

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 26, 2006, reported the same back with the following recommendations:

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

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

Amendment No. 1 to SENATE BILL 585.

Amendment No. 4 to SENATE BILL 998.

Amendment No. 2 to SENATE BILL 2796.

That the bill be reported "approved for consideration" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 611 and 613.

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

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

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

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

Representative Currie, Chairperson, from the Committee on Rules to which the following was referred, action taken on April 26, 2006, (A) reported the same back with the following recommendations:

**LEGISLATIVE MEASURE ASSIGNED TO COMMITTEE:**

Executive: SENATE AMENDMENT No. 2 to SENATE BILL 611.

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

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

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

Y Rose,Chapin(R) (replacing Black)  
 A Hassert,Brent(R)

**REPORTS FROM STANDING COMMITTEES**

Representative Delgado, Chairperson, from the Committee on Human Services to which the following were referred, action taken on April 26, 2006, reported the same back with the following recommendations:

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

Amendment No. 3 to SENATE BILL 2328.

That the resolution be reported "recommends be adopted as amended" and be placed on the House Calendar: HOUSE RESOLUTION 1151.

The committee roll call vote on House Resolution 1151 and Amendment No. 3 to Senate Bill 2328 is as follows:

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

Y Delgado,William(D), Chairperson  
 Y Bellock,Patricia(R), Republican Spokesperson  
 Y Collins,Annazette(D)  
 Y Cultra,Shane(R)  
 Y Flowers,Mary(D)  
 Y Jakobsson,Naomi(D)

A Rita,Robert(D), Vice-Chairperson  
 Y Chavez,Michelle(D)  
 Y Mulligan,Rosemary(R) (replacing Coulson)  
 Y Reis,David(R) (replacing Dunn)  
 Y Howard,Constance(D)  
 Y Jenisch,Roger(R)

Representative John Bradley, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken on April 26, 2006, reported the same back with the following recommendations:

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

Motion to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 4676.

The committee roll call vote on Motion to Concur with Senate Amendment numbered 1 and 2 to House Bill 4676 is as follows:

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

A Fritchey,John(D), Chairperson  
 Y Hultgren,Randall(R), Republican Spokesperson  
 Y ChapaLaVia,Linda(D) (replacing Gordon)  
 A Hoffman,Jay(D)  
 Y Mathias,Sidney(R)  
 Y Kosel(R) (replacing Osmond)  
 Y Sacia,Jim(R)

Y Bradley,John(D), Vice-Chairperson  
 Y Brosnahan,James(D)  
 Y Hamos,Julie(D)  
 Y Lang,Lou(D)  
 Y Nekritz,Elaine(D)  
 Y Rose,Chapin(R)  
 A Wait,Ronald(R)

Representative Osterman, Chairperson, from the Committee on Local Government to which the following were referred, action taken on April 26, 2006, reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2654.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2049.

The committee roll call vote on Senate Bill 2049 is as follows:  
6, Yeas; 2, Nays; 2, Answering Present.

- |  |                                     |
|--|-------------------------------------|
| Y Osterman,Harry(D), Chairperson             | Y Verschoore (D) (replacing Flider) |
| P Mathias,Sidney(R), Republican Spokesperson | Y Lang,Lou(D) (replacing Beiser)    |
| Y Kelly,Robin(D)                             | P Moffitt,Donald(R)                 |
| Y Nekritz,Elaine(D) (replacing Ryg)          | A Sommer,Keith(R)                   |
| N Tryon,Michael(R)                           | N Watson,Jim(R)                     |
| Y Hamos,Julie(D) (replacing Younge)          |                                     |

The committee roll call vote on Senate Bill 2654 is as follows:  
10, Yeas; 0, Nays; 0, Answering Present.

- |  |                                       |
|--|---------------------------------------|
| Y Osterman,Harry(D), Chairperson             | Y Verschoore,P. (D)(replacing Flider) |
| Y Mathias,Sidney(R), Republican Spokesperson | Y Lang,Lou(D) (replacing Beiser)      |
| Y Kelly,Robin(D)                             | Y Moffitt,Donald(R)                   |
| Y Nekritz,Elaine(D) (replacing Ryg)          | A Sommer,Keith(R)                     |
| Y Tryon,Michael(R)                           | Y Watson,Jim(R)                       |
| Y Hamos,Julie(D) (replacing Younge)          |                                       |

**JUDICIAL NOTE SUPPLIED**

A Judicial Note has been supplied for SENATE BILL 1279, as amended.

**HOUSING AFFORDABILITY IMPACT NOTE SUPPLIED**

A Housing Affordability Impact Note has been supplied for SENATE BILL 1279, as amended.

**STATE DEBT IMPACT NOTES SUPPLIED**

State Debt Impact Notes have been supplied for HOUSE BILL 1815, as amended, and SENATE BILL 1279, as amended.

**PENSION NOTES SUPPLIED**

Pension Notes have been supplied for HOUSE BILL 1815, as amended, and SENATE BILL 1279, as amended.

**HOME RULE NOTE SUPPLIED**

A Home Rule Note has been supplied for SENATE BILL 1279, as amended.

**STATE MANDATES FISCAL NOTE SUPPLIED**

A State Mandates Fiscal Note has been supplied for SENATE BILL 1279, as amended.

**REQUEST FOR FISCAL NOTE**

Representative Stephens requested that a Fiscal Note be supplied for SENATE BILL 1279, as amended.

**CHANGE OF SPONSORSHIP**

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Molaro became the new principal sponsor of HOUSE BILL 1918.

**AGREED RESOLUTIONS**

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

**HOUSE RESOLUTION 1237**

Offered by Representative Bellock:  
Congratulates Renato "Ron" Turano of Burr Ridge on being elected to serve in the Italian Parliament as the first senator to represent a new district of expatriate countrymen.

**HOUSE RESOLUTION 1238**

Offered by Representative Bellock:  
Congratulates Robert "Bob" Pindar on the occasion of his retirement from his position at the South East Association for Special Parks And Recreation after 24 years of service.

**HOUSE RESOLUTION 1239**

Offered by Representative Sommer:  
Congratulates Vickie Lannie on her retirement and thanks her for her efforts to make this State a better place to live.

**HOUSE RESOLUTION 1240**

Offered by Representative Mathias:  
Congratulates Buffalo Grove Fire Chief Tim Sashko on being named the Illinois Fire Chief of the Year.

**HOUSE RESOLUTION 1241**

Offered by Representative Osterman:  
Congratulates Fr. William G. Kenneally on the occasion of his retirement from his position at St. Gertrude parish.

**HOUSE RESOLUTION 1242**

Offered by Representative William Davis:  
Mourns the death of Shirley J. Szabo of Munster, Indiana.

HOUSE RESOLUTION 1243

Offered by Representative Durkin:

Congratulates Renato "Ron" Turano of Burr Ridge on being elected to serve in the Italian Parliament as the first senator to represent a new district of expatriate countrymen.

**DISTRIBUTION OF SUPPLEMENTAL CALENDAR**

Supplemental Calendar No. 1 was distributed to the Members at 12:47 o'clock p.m.

**AGREED RESOLUTION**

HOUSE RESOLUTION 1165 was taken up for consideration.  
Representative Currie requested that all Members be added as co-sponsors.  
Representative Currie moved the adoption of the agreed resolution.  
The motion prevailed and the agreed resolution was adopted.

**RESOLUTIONS**

Having been reported out of the Committee on International Trade & Commerce on April 19, 2006, SENATE JOINT RESOLUTION 74 was taken up for consideration.  
Representative Mathias moved the adoption of the resolution.  
The motion prevailed and the resolution was adopted.  
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Elementary & Secondary Education on April 25, 2006, SENATE JOINT RESOLUTION 82 was taken up for consideration.  
Representative Giles moved the adoption of the resolution.  
And on that motion, a vote was taken resulting as follows:  
99, Yeas; 5, Nays; 0, Answering Present.  
(ROLL CALL 2)  
The motion prevailed and the Resolution was adopted.  
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Elementary & Secondary Education on April 25, 2006, SENATE JOINT RESOLUTION 66 was taken up for consideration.  
Representative Monique Davis moved the adoption of the resolution.  
The motion prevailed and the resolution was adopted.  
Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on Transportation and Motor Vehicles on April 25, 2006, SENATE JOINT RESOLUTION 83 was taken up for consideration.  
Representative Madigan moved the adoption of the resolution.  
The motion prevailed and the resolution was adopted.  
Ordered that the Clerk inform the Senate.



### SENATE BILLS ON THIRD READING

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

On motion of Representative Fritchey, SENATE BILL 279 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: 103, Yeas; 0, Nays; 2, Answering Present.

(ROLL CALL 3)

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 Dugan, SENATE BILL 859 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 105, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 4)

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

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

On motion of Representative Fritchey, SENATE BILL 946 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: 88, Yeas; 17, 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 Smith, SENATE BILL 2795 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: 104, Yeas; 0, Nays; 1, Answering Present.

(ROLL CALL 6)

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.

### HOUSE BILL ON SECOND READING

HOUSE BILL 1918. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Molaro offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1918 by replacing everything after the enacting clause with the following:

"Section 1. Findings. The legislature makes all of the following findings:

(1) That riverboat gaming has had a negative impact on horse racing. From 1992, the first full year of riverboat operations, through 2005, Illinois on-track wagering has decreased by 42% from \$835 million to \$482 million.

(2) That this decrease in wagering has negatively impacted purses for Illinois racing, which has hurt the State's breeding industry. Between 1991 and 2004 the number of foals registered with the Department of Agriculture has decreased by more than 46% from 3,529 to 1,891.

(3) That the decline of the Illinois horseracing and breeding program, a \$2.5 billion industry, would be reversed if this amendatory Act of the 94th General Assembly was enacted. By requiring that riverboats agree to pay 3% of their gross revenue into the Horse Racing Equity Trust Fund, total purses in the State may increase by 50%, helping Illinois tracks to better compete with those in other states. Illinois currently ranks thirteenth nationally in terms of its purse size; the change would propel the State to second or third.

(4) That Illinois agriculture and other businesses that support and supply the horse racing industry, already a sector that employs over 37,000 Illinoisans, also stand to substantially benefit and would be much more likely to create additional jobs should Illinois horse racing once again become competitive with other states.

(5) That the 3% of gross revenues this amendatory Act of the 94th General Assembly will contribute to the horse racing industry will benefit that important industry for Illinois farmers, breeders, and fans of horseracing and will begin to address the negative impact riverboat gaming has had on Illinois horseracing.

Section 5. The State Finance Act is amended by changing Section 8h as follows:

(30 ILCS 105/8h)

Sec. 8h. Transfers to General Revenue Fund.

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

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

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

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

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

~~(d) (e)~~ This Section does not apply to moneys set aside in the Illinois State Podiatric Disciplinary Fund for podiatric scholarships and residency programs under the Podiatric Scholarship and Residency Act.

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

eff. 7-22-04; 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff. 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff. 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645, eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05; 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; revised 1-23-06.)

Section 10. The Illinois Horse Racing Act of 1975 is amended by changing Section 54 as follows:

(230 ILCS 5/54)

Sec. 54. Horse Racing Equity Trust Fund.

(a) There is created ~~in the State Treasury~~ a Fund to be known as the Horse Racing Equity Trust Fund, which is a non-appropriated trust fund held separate and apart from State moneys. The Fund shall consist of moneys paid into it ~~by owners licensees under pursuant to subsection (c 5) of Section 13 of the Riverboat Gambling Act for the purposes described in this Section.~~ The Fund shall be administered by the Board. Moneys in the Fund shall be distributed as directed and certified by the Board in accordance with the provisions of subsection (b) the Racing Board.

(b) The moneys deposited into the Fund, plus any accrued interest on those moneys, shall be distributed by ~~the State Treasurer~~ within 10 days after those moneys are deposited into the Fund as follows:

(1) ~~Sixty percent~~ Fifty percent of all moneys distributed under this subsection shall be distributed to organization licensees to be distributed at their race meetings as purses. Fifty-seven percent of the amount distributed under this paragraph (1) shall be distributed for thoroughbred race meetings and 43% shall be distributed for standardbred race meetings. Within each breed, moneys shall be allocated to each organization licensee's purse fund in accordance with the ratio between the purses generated for that breed by that licensee during the prior calendar year and the total purses generated throughout the State for that breed during the prior calendar year by licensees in the current calendar year.

(2) The remaining ~~40%~~ 50% of the moneys distributed under this subsection (b) shall be distributed as follows:

(A) 11% shall be distributed to any person (or its successors or assigns) who had operating control of a racetrack that conducted live racing in 2002 at a racetrack in a county with at least 230,000 inhabitants that borders the Mississippi River and is a licensee in the current year; and

(B) the remaining 89% shall be distributed pro rata according to the aggregate proportion of total state wide handle from wagering on live races conducted in Illinois (irrespective of where the wagers are placed) for calendar years 2004 and 2005 at the racetrack, inter track, and inter track wagering locations that derive their licenses from a racetrack identified in this paragraph (2) for calendar years 1994, 1996, and 1997 to (i) any person (or its

successors or assigns) who (i) had majority operating control of a racing facility at which live racing was conducted in calendar year ~~2002,~~ (ii) ~~1997 and who has operating control of an organization licensee that conducted racing in calendar year 1997 and~~ is a licensee in the current year, and (iii) is not eligible to receive moneys under subparagraph (A) of this paragraph (2).

The moneys received by an organization licensee under this paragraph (2) shall be used by each organization licensee to improve, maintain, market, and otherwise operate its racing facilities to conduct live racing, which shall include backstretch services and capital improvements related to live racing and the backstretch. Any organization licensees sharing common ownership may pool the moneys received and spent at all racing facilities commonly owned in order to meet these requirements, or (ii) any person (or its successors or assigns) who has operating control of a racing facility located in a county that is bounded by the Mississippi River that has a population of less than 150,000 according to the 1990 decennial census and conducted an average of 60 days of racing per year between 1985 and 1993 and has been awarded an inter track wagering license in the current year.

If any person identified in this paragraph (2) becomes ineligible to receive moneys

from the Fund, such amount shall be redistributed among the remaining persons in proportion to their percentages otherwise calculated.

(c) The Board shall monitor organization licensees to ensure that moneys paid to organization licensees under this Section are distributed by the organization licensees as provided in subsection (b).

(Source: P.A. 91-40, eff. 6-25-99.)

Section 15. The Riverboat Gambling Act is amended by changing Sections 7, 13, and 23 as follows:

(230 ILCS 10/7) (from Ch. 120, par. 2407)

Sec. 7. Owners Licenses.

(a) The Board shall issue owners licenses to persons, firms or corporations which apply for such licenses upon payment to the Board of the non-refundable license fee set by the Board, upon payment of a \$25,000 license fee for the first year of operation and a \$5,000 license fee for each succeeding year and upon a determination by the Board that the applicant is eligible for an owners license pursuant to this Act and the

rules of the Board. As a condition of licensure and as a successor source of payment for those funds previously payable under subsection (c-5) of Section 13 of the Riverboat Gambling Act, any owners licensee that holds or receives its owners license on or after the effective date of this amendatory Act of the 94th General Assembly, other than an owners licensee operating a riverboat with adjusted gross receipts in calendar year 2004 of less than \$200,000,000, must pay into the Horse Racing Equity Trust Fund, in addition to any other payments required under this Act, an amount equal to 3% of the adjusted gross receipts received by the owners licensee. The payments required under this Section shall be made by the owners licensee to the State Treasurer no later than 3:00 o'clock p.m. of the day after the day when the adjusted gross receipts were received by the owners licensee. A person, firm or corporation is ineligible to receive an owners license if:

- (1) the person has been convicted of a felony under the laws of this State, any other state, or the United States;
  - (2) the person has been convicted of any violation of Article 28 of the Criminal Code of 1961, or substantially similar laws of any other jurisdiction;
  - (3) the person has submitted an application for a license under this Act which contains false information;
  - (4) the person is a member of the Board;
  - (5) a person defined in (1), (2), (3) or (4) is an officer, director or managerial employee of the firm or corporation;
  - (6) the firm or corporation employs a person defined in (1), (2), (3) or (4) who participates in the management or operation of gambling operations authorized under this Act;
  - (7) (blank); or
  - (8) a license of the person, firm or corporation issued under this Act, or a license to own or operate gambling facilities in any other jurisdiction, has been revoked.
- (b) In determining whether to grant an owners license to an applicant, the Board shall consider:
- (1) the character, reputation, experience and financial integrity of the applicants and of any other or separate person that either:
    - (A) controls, directly or indirectly, such applicant, or
    - (B) is controlled, directly or indirectly, by such applicant or by a person which controls, directly or indirectly, such applicant;
  - (2) the facilities or proposed facilities for the conduct of riverboat gambling;
  - (3) the highest prospective total revenue to be derived by the State from the conduct of riverboat gambling;
  - (4) the extent to which the ownership of the applicant reflects the diversity of the State by including minority persons and females and the good faith affirmative action plan of each applicant to recruit, train and upgrade minority persons and females in all employment classifications;
  - (5) the financial ability of the applicant to purchase and maintain adequate liability and casualty insurance;
  - (6) whether the applicant has adequate capitalization to provide and maintain, for the duration of a license, a riverboat;
  - (7) the extent to which the applicant exceeds or meets other standards for the issuance of an owners license which the Board may adopt by rule; and
  - (8) The amount of the applicant's license bid.
- (c) Each owners license shall specify the place where riverboats shall operate and dock.
- (d) Each applicant shall submit with his application, on forms provided by the Board, 2 sets of his fingerprints.
- (e) The Board may issue up to 10 licenses authorizing the holders of such licenses to own riverboats. In the application for an owners license, the applicant shall state the dock at which the riverboat is based and the water on which the riverboat will be located. The Board shall issue 5 licenses to become effective not earlier than January 1, 1991. Three of such licenses shall authorize riverboat gambling on the Mississippi River, or, with approval by the municipality in which the riverboat was docked on August 7, 2003 and with Board approval, be authorized to relocate to a new location, in a municipality that (1) borders on the Mississippi River or is within 5 miles of the city limits of a municipality that borders on the Mississippi River and (2), on August 7, 2003, had a riverboat conducting riverboat gambling operations pursuant to a license issued under this Act; one of which shall authorize riverboat gambling from a home dock in the city of East St. Louis. One other license shall authorize riverboat gambling on the Illinois River south of Marshall County. The Board shall issue one additional license to become effective not earlier than March 1,

1992, which shall authorize riverboat gambling on the Des Plaines River in Will County. The Board may issue 4 additional licenses to become effective not earlier than March 1, 1992. In determining the water upon which riverboats will operate, the Board shall consider the economic benefit which riverboat gambling confers on the State, and shall seek to assure that all regions of the State share in the economic benefits of riverboat gambling.

In granting all licenses, the Board may give favorable consideration to economically depressed areas of the State, to applicants presenting plans which provide for significant economic development over a large geographic area, and to applicants who currently operate non-gambling riverboats in Illinois. The Board shall review all applications for owners licenses, and shall inform each applicant of the Board's decision. The Board may grant an owners license to an applicant that has not submitted the highest license bid, but if it does not select the highest bidder, the Board shall issue a written decision explaining why another applicant was selected and identifying the factors set forth in this Section that favored the winning bidder.

In addition to any other revocation powers granted to the Board under this Act, the Board may revoke the owners license of a licensee which fails to begin conducting gambling within 15 months of receipt of the Board's approval of the application if the Board determines that license revocation is in the best interests of the State.

(f) The first 10 owners licenses issued under this Act shall permit the holder to own up to 2 riverboats and equipment thereon for a period of 3 years after the effective date of the license. Holders of the first 10 owners licenses must pay the annual license fee for each of the 3 years during which they are authorized to own riverboats.

(g) Upon the termination, expiration, or revocation of each of the first 10 licenses, which shall be issued for a 3 year period, all licenses are renewable annually upon payment of the fee and a determination by the Board that the licensee continues to meet all of the requirements of this Act and the Board's rules. However, for licenses renewed on or after May 1, 1998, renewal shall be for a period of 4 years, unless the Board sets a shorter period.

(h) An owners license shall entitle the licensee to own up to 2 riverboats. A licensee shall limit the number of gambling participants to 1,200 for any such owners license. A licensee may operate both of its riverboats concurrently, provided that the total number of gambling participants on both riverboats does not exceed 1,200. Riverboats licensed to operate on the Mississippi River and the Illinois River south of Marshall County shall have an authorized capacity of at least 500 persons. Any other riverboat licensed under this Act shall have an authorized capacity of at least 400 persons.

(i) A licensed owner is authorized to apply to the Board for and, if approved therefor, to receive all licenses from the Board necessary for the operation of a riverboat, including a liquor license, a license to prepare and serve food for human consumption, and other necessary licenses. All use, occupation and excise taxes which apply to the sale of food and beverages in this State and all taxes imposed on the sale or use of tangible personal property apply to such sales aboard the riverboat.

(j) The Board may issue or re-issue a license authorizing a riverboat to dock in a municipality or approve a relocation under Section 11.2 only if, prior to the issuance or re-issuance of the license or approval, the governing body of the municipality in which the riverboat will dock has by a majority vote approved the docking of riverboats in the municipality. The Board may issue or re-issue a license authorizing a riverboat to dock in areas of a county outside any municipality or approve a relocation under Section 11.2 only if, prior to the issuance or re-issuance of the license or approval, the governing body of the county has by a majority vote approved of the docking of riverboats within such areas.

(Source: P.A. 93-28, eff. 6-20-03; 93-453, eff. 8-7-03; 94-667, eff. 8-23-05.)

(230 ILCS 10/13) (from Ch. 120, par. 2413)

Sec. 13. Wagering tax; rate; distribution.

(a) Until January 1, 1998, a tax is imposed on the adjusted gross receipts received from gambling games authorized under this Act at the rate of 20%.

(a-1) From January 1, 1998 until July 1, 2002, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including \$25,000,000;

20% of annual adjusted gross receipts in excess of \$25,000,000 but not exceeding \$50,000,000;

25% of annual adjusted gross receipts in excess of \$50,000,000 but not exceeding \$75,000,000;

30% of annual adjusted gross receipts in excess of \$75,000,000 but not exceeding

\$100,000,000;

35% of annual adjusted gross receipts in excess of \$100,000,000.

(a-2) From July 1, 2002 until July 1, 2003, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including \$25,000,000;

22.5% of annual adjusted gross receipts in excess of \$25,000,000 but not exceeding \$50,000,000;

27.5% of annual adjusted gross receipts in excess of \$50,000,000 but not exceeding \$75,000,000;

32.5% of annual adjusted gross receipts in excess of \$75,000,000 but not exceeding \$100,000,000;

37.5% of annual adjusted gross receipts in excess of \$100,000,000 but not exceeding \$150,000,000;

45% of annual adjusted gross receipts in excess of \$150,000,000 but not exceeding \$200,000,000;

50% of annual adjusted gross receipts in excess of \$200,000,000.

(a-3) Beginning July 1, 2003, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including \$25,000,000;

27.5% of annual adjusted gross receipts in excess of \$25,000,000 but not exceeding \$37,500,000;

32.5% of annual adjusted gross receipts in excess of \$37,500,000 but not exceeding \$50,000,000;

37.5% of annual adjusted gross receipts in excess of \$50,000,000 but not exceeding \$75,000,000;

45% of annual adjusted gross receipts in excess of \$75,000,000 but not exceeding \$100,000,000;

50% of annual adjusted gross receipts in excess of \$100,000,000 but not exceeding \$250,000,000;

70% of annual adjusted gross receipts in excess of \$250,000,000.

An amount equal to the amount of wagering taxes collected under this subsection (a-3) that are in addition to the amount of wagering taxes that would have been collected if the wagering tax rates under subsection (a-2) were in effect shall be paid into the Common School Fund.

The privilege tax imposed under this subsection (a-3) shall no longer be imposed beginning on the earlier of (i) July 1, 2005; (ii) the first date after June 20, 2003 that riverboat gambling operations are conducted pursuant to a dormant license; or (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under this Act. For the purposes of this subsection (a-3), the term "dormant license" means an owners license that is authorized by this Act under which no riverboat gambling operations are being conducted on June 20, 2003.

(a-4) Beginning on the first day on which the tax imposed under subsection (a-3) is no longer imposed, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including \$25,000,000;

22.5% of annual adjusted gross receipts in excess of \$25,000,000 but not exceeding \$50,000,000;

27.5% of annual adjusted gross receipts in excess of \$50,000,000 but not exceeding \$75,000,000;

32.5% of annual adjusted gross receipts in excess of \$75,000,000 but not exceeding \$100,000,000;

37.5% of annual adjusted gross receipts in excess of \$100,000,000 but not exceeding

\$150,000,000;

45% of annual adjusted gross receipts in excess of \$150,000,000 but not exceeding \$200,000,000;

50% of annual adjusted gross receipts in excess of \$200,000,000.

(a-8) Riverboat gambling operations conducted by a licensed manager on behalf of the State are not subject to the tax imposed under this Section.

(a-10) The taxes imposed by this Section shall be paid by the licensed owner to the Board not later than 3:00 o'clock p.m. of the day after the day when the wagers were made.

(a-15) If the privilege tax imposed under subsection (a-3) is no longer imposed pursuant to item (i) of the last paragraph of subsection (a-3), then by June 15 of each year, each owners licensee, other than an owners licensee that admitted 1,000,000 persons or fewer in calendar year 2004, must, in addition to the payment of all amounts otherwise due under this Section, pay to the Board the amount, if any, by which the base amount for the licensed owner exceeds the amount of tax paid under this Section by the licensed owner in the then current State fiscal year. The obligation imposed by this subsection (a-15) is binding on any person, firm, corporation, or other entity that acquires an ownership interest in any such owners license. The obligation imposed under this subsection (a-15) terminates on the earliest of: (i) July 1, 2007, (ii) the first day after the effective date of this amendatory Act of the 94th General Assembly that riverboat gambling operations are conducted pursuant to a dormant license, (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under this Act, or (iv) the first day that a licensee under the Illinois Horse Racing Act of 1975 conducts gaming operations with slot machines or other electronic gaming devices. The Board must reduce the obligation imposed under this subsection (a-15) by an amount the Board deems reasonable for any of the following reasons: (A) an act or acts of God, (B) an act of bioterrorism or terrorism or a bioterrorism or terrorism threat that was investigated by a law enforcement agency, or (C) a condition beyond the control of the owners licensee that does not result from any act or omission by the owners licensee or any of its agents and that poses a hazardous threat to the health and safety of patrons. If an owners licensee pays an amount in excess of its liability under this Section, the Board shall apply the overpayment to future payments required under this Section.

For purposes of this subsection (a-15):

"Act of God" means an incident caused by the operation of an extraordinary force that cannot be foreseen, that cannot be avoided by the exercise of due care, and for which no person can be held liable.

"Base amount" means the following:

For a riverboat in Alton, \$31,000,000.

For a riverboat in East Peoria, \$43,000,000.

For the Empress riverboat in Joliet, \$86,000,000.

For a riverboat in Metropolis, \$45,000,000.

For the Harrah's riverboat in Joliet, \$114,000,000.

For a riverboat in Aurora, \$86,000,000.

For a riverboat in East St. Louis, \$48,500,000.

For a riverboat in Elgin, \$198,000,000.

"Dormant license" has the meaning ascribed to it in subsection (a-3).

(b) Until January 1, 1998, 25% of the tax revenue deposited in the State Gaming Fund under this Section shall be paid, subject to appropriation by the General Assembly, to the unit of local government which is designated as the home dock of the riverboat. Beginning January 1, 1998, from the tax revenue deposited in the State Gaming Fund under this Section, an amount equal to 5% of adjusted gross receipts generated by a riverboat shall be paid monthly, subject to appropriation by the General Assembly, to the unit of local government that is designated as the home dock of the riverboat. From the tax revenue deposited in the State Gaming Fund pursuant to riverboat gambling operations conducted by a licensed manager on behalf of the State, an amount equal to 5% of adjusted gross receipts generated pursuant to those riverboat gambling operations shall be paid monthly, subject to appropriation by the General Assembly, to the unit of local government that is designated as the home dock of the riverboat upon which those riverboat gambling operations are conducted.

(c) Appropriations, as approved by the General Assembly, may be made from the State Gaming Fund to the Department of Revenue and the Department of State Police for the administration and enforcement of this Act, or to the Department of Human Services for the administration of programs to treat problem gambling.

(c-5) ~~(Blank). After the payments required under subsections (b) and (c) have been made, an amount~~

equal to 15% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section 7.3, whichever comes first, shall be paid from the State Gaming Fund into the Horse Racing Equity Fund.

(c-10) (Blank). Each year the General Assembly shall appropriate from the General Revenue Fund to the Education Assistance Fund an amount equal to the amount paid into the Horse Racing Equity Fund pursuant to subsection (c-5) in the prior calendar year.

(c-15) After the payments required under subsections (b), (c), and (c-5) have been made, an amount equal to 2% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section 7.3, whichever comes first, shall be paid, subject to appropriation from the General Assembly, from the State Gaming Fund to each home rule county with a population of over 3,000,000 inhabitants for the purpose of enhancing the county's criminal justice system.

(c-20) Each year the General Assembly shall appropriate from the General Revenue Fund to the Education Assistance Fund an amount equal to the amount paid to each home rule county with a population of over 3,000,000 inhabitants pursuant to subsection (c-15) in the prior calendar year.

(c-25) After the payments required under subsections (b), (c), (c-5) and (c-15) have been made, an amount equal to 2% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section 7.3, whichever comes first, shall be paid from the State Gaming Fund to Chicago State University.

(d) From time to time, the Board shall transfer the remainder of the funds generated by this Act into the Education Assistance Fund, created by Public Act 86-0018, of the State of Illinois.

(e) Nothing in this Act shall prohibit the unit of local government designated as the home dock of the riverboat from entering into agreements with other units of local government in this State or in other states to share its portion of the tax revenue.

(f) To the extent practicable, the Board shall administer and collect the wagering taxes imposed by this Section in a manner consistent with the provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act.

(Source: P.A. 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; 94-673, eff. 8-23-05.)

(230 ILCS 10/23) (from Ch. 120, par. 2423)

Sec. 23. The State Gaming Fund. On or after the effective date of this Act, except as provided for payments into the Horse Racing Equity Trust Fund under subsection (a) of Section 7, all of the fees and taxes collected pursuant to ~~subsections~~ of this Act shall be deposited into the State Gaming Fund, a special fund in the State Treasury, which is hereby created. The adjusted gross receipts of any riverboat gambling operations conducted by a licensed manager on behalf of the State remaining after the payment of the fees and expenses of the licensed manager shall be deposited into the State Gaming Fund. Fines and penalties collected pursuant to this Act shall be deposited into the Education Assistance Fund, created by Public Act 86-0018, of the State of Illinois.

(Source: P.A. 93-28, eff. 6-20-03.)

(30 ILCS 105/5.490 rep.)

Section 20. The State Finance Act is amended by repealing Section 5.490.

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

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

And on that motion, a vote was taken resulting as follows:

70, Yeas; 30, Nays; 3, Answering Present.

(ROLL CALL 7)

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



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

### HOUSE BILL ON THIRD READING

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

On motion of Representative Madigan, HOUSE BILL 1918 was taken up and read by title a third time.

The Chair placed this bill on unlimited debate.

Pending discussion, Representative Jerry Mitchell moved the previous question.

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

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

70, Yeas; 32, Nays; 2, Answering Present.

(ROLL CALL 8)

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

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

### SENATE BILLS ON SECOND READING

SENATE BILL 2049. 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 2049 by replacing everything after the enacting clause with the following:

"Section 5. The Public Building Commission Act is amended by changing Section 20 and by adding Section 20.1 as follows:

(50 ILCS 20/20) (from Ch. 85, par. 1050)

Sec. 20. Contracts let to lowest responsible bidder; competitive bidding; advertisement for bids; design-build contracts. All contracts to be let for the construction, alteration, improvement, repair, enlargement, demolition or removal of any buildings or other facilities, or for materials or supplies to be furnished, where the amount thereof is in excess of \$5,000, shall be let to the lowest responsible bidder, or bidders, except in the case of an offeror for a design-build contract, on open competitive bidding after public advertisement published at least once in each week for three consecutive weeks prior to the opening of bids, in a daily newspaper of general circulation in the county where the commission is located. Nothing contained in this Section shall be construed to prohibit the Board of Commissioners from placing additional advertisements in recognized trade journals. Advertisements for bids shall describe the character of the proposed contract in sufficient detail to enable the bidders or offerors thereon to know what their obligation will be, either in the advertisement itself, or by reference to detailed plans and specifications, or a design-build scope of work statement that includes criteria and preliminary design, budget parameters or guaranteed maximum price, schedule, and delivery requirements, on file in the office of the Public Building Commission at the time of the publication of the first announcement. Such advertisement shall also state the date, time, and place assigned for the opening of bids or offers. ~~No and no bids or offers~~ shall be received at any time subsequent to the time indicated in said advertisement. The Board of Commissioners may reject any and all bids or offers received and readvertise for bids or offers. All bids shall be open to public inspection in the office of the Public Building Commission for a period of at least forty-eight (48) hours before award is made. The successful bidder or offeror for such work shall enter into contracts furnished and prescribed by the Board of Commissioners and in addition to any other bonds required under this Act the successful bidder shall execute and give bond, payable to and to be approved by the Commission, with a corporate surety authorized to do business under the laws of the State of Illinois, in an amount to be determined by the Board of Commissioners, conditioned upon the payment of all labor furnished and materials supplied in the prosecution of the contracted work. If the bidder or offeror whose

bid has been accepted shall neglect or refuse to accept the contract within five (5) days after written notice that the same has been awarded to him, or if he accepts but does not execute the contract and give the proper security, the Commission may accept the next lowest bidder or offeror, or readvertise and relet in manner above provided. In case any work shall be abandoned by any contractor or design-builder, the Commission may, if the best interests of the Commission be thereby served, adopt on behalf of the Commission all subcontracts made by such contractor or design-builder for such work and all such sub-contractors shall be bound by such adoption if made; and the Commission shall, in the manner provided herein, readvertise and relet the work specified in the original contract exclusive of so much thereof as shall be accepted. Every contract when made and entered into, as herein provided for, shall be executed in duplicate, one copy of which shall be held by the Commission, and filed in its records, and one copy of which shall be given to the contractor or design-builder.

(Source: P.A. 84-249.)

(50 ILCS 20/20.1 new)

Sec. 20.1. Design-build; criteria and evaluation factors. Notwithstanding any provision to the contrary in Section 20 of this Act, any contract with a design-build company or firm to furnish the architectural or engineering and related design services as well as labor, material, and construction services for a building or improvement shall be let based upon criteria and evaluation factors determined by the Commission, which may include, without limitation, specialized experience and technical competence, capability to perform, past performance of the offeror's team, and other appropriate technical and qualifications factors."

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

SENATE BILL 2654. Having been printed, was taken up and read by title a second time.

Committee Amendment No. 1 was tabled in the Committee on Local Government.

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

### **SENATE BILL 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 Osterman, SENATE BILL 2871 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:  
91, Yeas; 13, Nays; 0, Answering Present.

(ROLL CALL 9)

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

Ordered that the Clerk inform the Senate.

### **SENATE BILLS ON SECOND READING**

SENATE BILL 585. Having been recalled on April 19, 2006, and held on the order of Second Reading, the same was again taken up.

Representative Flider offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 585 on page 2, by replacing lines 9 through 30 with the following:

"A quorum of members of a public body must be physically present at the location of an open meeting. If, however, an open meeting of a public body (except one with jurisdiction limited to a specific geographic area that is less than statewide) is held simultaneously at one of its offices and one or more other locations

in a public building, which may include other of its offices, through an interactive video conference and the public body provides public notice and public access as required under this Act for all locations, then members physically present in those locations all count towards determining a quorum. "Public building", as used in this Section, means any building or portion thereof owned or leased by any public body. The requirement that a quorum be physically present at the location of an open meeting shall not apply, however, to State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action.

A quorum of members of a public body that is not a public body with statewide jurisdiction must be physically present at the location of a closed meeting. Other members who are not physically present at a closed meeting of such a public body may participate in the meeting by means of a video or audio conference."

The foregoing motion prevailed and the amendment was adopted.

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

SENATE BILL 861. Having been recalled on April 25, 2006, and held on the order of Second Reading, the same was again taken up.

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

AMENDMENT NO. 1. Amend Senate Bill 861 by replacing everything after the enacting clause with the following:

"Section 5. The Private Business and Vocational Schools Act is amended by changing Sections 6 and 11 as follows:

(105 ILCS 425/6) (from Ch. 144, par. 141)

Sec. 6. Application for certificate - Contents. Every person, partnership or corporation doing business in Illinois desiring to obtain a certificate of approval shall make a signed and verified application to the Superintendent upon forms prepared and furnished by the Superintendent, which forms shall include the following information:

1. The legal title and name of the school, together with ownership and controlling officers, members, and managing employees; ÷

2. The specific courses of instruction which will be offered, and the specific purposes of such instruction; ÷

3. The place or places where such instruction will be given and a description of the physical and sanitary facilities thereof; ÷

4. A written inspection report of approval by the State Fire Marshal or his designee for use of the premises as a school; ÷

5. A specific listing of the equipment available for instruction in each course of instruction, with the maximum enrollment that such equipment will accommodate; ÷

6. The names, addresses and current status of all schools of which each applicant has previously owned any interest, and a declaration as to whether any of these schools were ever denied accreditation or licensing, or, lost accreditation or licensing from any governmental body or accrediting agency; ÷

7. The educational and teaching qualifications of instructors in each course and subject of instruction, and the teacher to student ratio established by rule by the superintendent pursuant to industry standards and after soliciting and receiving comments by the schools in each industry; ÷

7.1. The qualifications of administrators; ÷

8. The financial resources available to establish and maintain the school, documented by a current balance sheet and income statement prepared and certified by an accountant or any such similar evidence as required by the Superintendent; ÷

9. A continuous surety company bond, written by a company authorized to do business in this State, for the protection of the contractual rights including faithful performance of all contracts and agreements for students, their parents, guardians, or sponsors in a sum of up to \$100,000, except that when the unearned prepaid tuition for Illinois students in the possession of the school, as annually determined by the Superintendent, exceeds \$100,000 the bond shall be in an amount equal to the greatest amount of prepaid tuition in the school's possession. In lieu of a surety bond, an applicant may, with the advanced approval of

the State Board of Education prior to January 1, 2007, deposit with the State Board of Education as security a certificate of deposit of any bank organized or transacting business in the United States in an amount equal to or greater than the amount of the required bond. The applicant must first satisfy the State Board of Education that the certificate of deposit is free and clear of all liens, pledges, security interests, and other encumbrances. The State Board of Education shall perfect a first priority security interest in the certificate of deposit to provide the protection required under this item 9. The certificate of deposit must be held and made payable in accordance with terms and provisions approved in advance by the State Board of Education and must be replaced by a bond meeting the requirements set forth in this item 9 within 180 days after the issuance of the certificate of approval to the applicant. Failure to replace the certificate of deposit with a continuous surety company bond shall result in revocation of the certificate of approval. ;

10. Annual reports reflecting teacher, equipment and curriculum evaluations. ;

11. Copies of enrollment agreements and retail installment contracts to be used in Illinois. ;

12. Methods used to collect tuition and procedures for collecting delinquent payments. ;

13. Copies of all brochures, films, promotional material and written scripts, and media advertising and promotional literature that may be used to induce students to enroll in courses of instruction. ;

14. Evidence of liability insurance, in such form and amount as the Board shall from time to time prescribe pursuant to rules and regulations promulgated hereunder, to protect its students and employees at its places of business and at all classroom extensions including any work experience locations. ;

15. Each application for a certificate of approval shall be signed and certified under oath by the school's chief managing employee and also by its individual owner or owners; provided, that if the applicant is a partnership or a corporation, then such application shall be signed and certified under oath by the school's chief managing employee and also by each member of the partnership or each officer of the corporation, as the case may be. ;

16. If the evaluation of a particular course or facility requires the services of an expert not employed by the State Board of Education or if in the interest of expediting the approval, a school requests the State Board of Education to employ such an expert, the school shall reimburse the State Board of Education for the reasonable cost of such services.

(Source: P.A. 85-1382.)

(105 ILCS 425/11) (from Ch. 144, par. 146)

Sec. 11. Sales representative permits - Application - Contents - Fees - Separate permits.) Every sales representative representing a school, whether located in the State of Illinois or without, shall make application for a Sales Representative Permit to the Superintendent in writing upon forms prepared and furnished by the Superintendent. The sales representative shall be approved by the Superintendent prior to solicitation of students. Each application shall state the name of the school which the applicant will represent, contain evidence of the honesty, truthfulness, and integrity of the applicant and shall be accompanied by the recommendation of two reputable persons, neither of whom shall be in the employ of the school or members of the applicant's immediate family, certifying that the applicant is truthful, honest, and of good reputation, and recommending that a permit as a sales representative be granted. The fee for an original permit as a sales representative shall be \$100. The annual renewal fee shall be \$50. A separate permit shall be obtained for each school represented by a sales representative.

In determining honesty, truthfulness and integrity under this Section, the Superintendent may take into consideration any felony conviction of the applicant, but such a conviction shall not operate as a bar to approval unless a court or parole authority has determined that the applicant is not rehabilitated sufficiently to serve as a sales representative.

Each sales representative shall provide a continuous surety company bond for the protection of the contractual rights, including loss resulting from any fraud or misrepresentation used by the sales representative, of students, their parents, guardians or sponsors, in the penal sum of \$2,000, except under exceptional circumstances up to \$10,000, upon the order of the Superintendent. The surety company bond shall be written by a company authorized to do business in this State. In lieu of a surety bond, an applicant may, with the advanced approval of the State Board of Education prior to January 1, 2007, deposit with the State Board of Education as security a certificate of deposit of any bank organized or transacting business in the United States in an amount equal to or greater than the amount of the required bond. The applicant must first satisfy the State Board of Education that the certificate of deposit is free and clear of all liens, pledges, security interests, and other encumbrances. The State Board of Education shall perfect a first priority security interest in the certificate of deposit to provide the protection required under this paragraph. The certificate of deposit must be held and made payable in accordance with terms and provisions approved in advance by the State Board of Education and must be replaced by a bond meeting the

requirements set forth in this paragraph within 180 days after the issuance of the Sales Representative Permit to the applicant. Failure to replace the certificate of deposit with a continuous surety company bond shall result in revocation of the Sales Representative Permit.

(Source: P.A. 83-1484.)

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

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

### SENATE BILL 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 Parke, SENATE BILL 861 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; 1, Nay; 0, Answering Present.

(ROLL CALL 10)

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

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

### SENATE BILLS ON SECOND READING

SENATE BILL 998. Having been read by title a second time on October 27, 2005, and held on the order of Second Reading, the same was again taken up.

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

AMENDMENT NO. 1. Amend Senate Bill 998 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Health Facilities Planning Act is amended by changing Section 1 as follows:

(20 ILCS 3960/1) (from Ch. 111 1/2, par. 1151)

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

Sec. 1. This ~~This~~ Act shall be known and may be cited as the Illinois Health Facilities Planning Act.

(Source: P.A. 78-1156.)"

Representative Reitz offered and withdrew Amendment No. 2.

Representative Reitz offered the following amendments and moved their adoption:

AMENDMENT NO. 3. Amend Senate Bill 998, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Mental Health and Developmental Disabilities Code is amended by changing Sections 2-107, 2-107.1, and 3-209 and by adding Section 2-107.3 as follows:

(405 ILCS 5/2-107) (from Ch. 91 1/2, par. 2-107)

Sec. 2-107. Refusal of services; informing of risks.

(a) An adult recipient of services or the recipient's guardian, if the recipient is under guardianship, and the recipient's substitute decision maker, if any, must be informed of the recipient's right to refuse medication. The recipient and the recipient's guardian or substitute decision maker shall be given the opportunity to refuse generally accepted mental health or developmental disability services, including but not limited to medication. If such services are refused, they shall not be given unless such services are necessary to prevent the recipient from causing serious and imminent physical harm to the recipient or others and no less restrictive alternative is available. The facility director shall inform a recipient, guardian, or substitute decision maker, if any, who refuses such services of alternate services available and the risks

of such alternate services, as well as the possible consequences to the recipient of refusal of such services.

(b) Authorized involuntary treatment may be given under this Section for up to 24 hours only if the circumstances leading up to the need for emergency treatment are set forth in writing in the recipient's record.

(c) Authorized involuntary treatment may not be continued unless the need for such treatment is redetermined at least every 24 hours based upon a personal examination of the recipient by a physician or a nurse under the supervision of a physician and the circumstances demonstrating that need are set forth in writing in the recipient's record.

(d) Authorized involuntary treatment may not be administered under this Section for a period in excess of 72 hours, excluding Saturdays, Sundays, and holidays, unless a petition is filed under Section 2-107.1 and the treatment continues to be necessary under subsection (a) of this Section. Once the petition has been filed, treatment may continue in compliance with subsections (a), (b), and (c) of this Section until the final outcome of the hearing on the petition.

(e) The Department shall issue rules designed to insure that in State-operated mental health facilities authorized involuntary treatment is administered in accordance with this Section and only when appropriately authorized and monitored by a physician or a nurse under the supervision of a physician in accordance with accepted medical practice. The facility director of each mental health facility not operated by the State shall issue rules designed to insure that in that facility authorized involuntary treatment is administered in accordance with this Section and only when appropriately authorized and monitored by a physician or a nurse under the supervision of a physician in accordance with accepted medical practice. Such rules shall be available for public inspection and copying during normal business hours.

(f) The provisions of this Section with respect to the emergency administration of authorized involuntary treatment do not apply to facilities licensed under the Nursing Home Care Act.

(g) Under no circumstances may long-acting psychotropic medications be administered under this Section.

(h) Whenever services are refused pursuant to subsection (a) of this Section, the physician shall determine and state in writing the reasons why the recipient did not meet the criteria for involuntary treatment under subsection (a) and whether the recipient meets the standard for authorized involuntary treatment under Section 2-107.1 of this Code. If the physician determines that the recipient meets the standard for authorized involuntary treatment under Section 2-107.1, the facility director shall petition the court for authorized involuntary treatment pursuant to that Section unless the facility director states in writing in the recipient's record why the filing of such a petition is not warranted.

(i) The Department shall conduct annual trainings for all clinical personnel on the appropriate use of emergency authorized involuntary treatment, standards for its use, and the methods of authorization under this Section.

(Source: P.A. 90-538, eff. 12-1-97; 91-726, eff. 6-2-00.)

(405 ILCS 5/2-107.1) (from Ch. 91 1/2, par. 2-107.1)

Sec. 2-107.1. Administration of authorized involuntary treatment upon application to a court.

(a) An adult recipient of services and the recipient's guardian, if the recipient is under guardianship, and the substitute decision maker, if any, shall be informed of the recipient's right to refuse medication. The recipient and the recipient's guardian or substitute decision maker shall be given the opportunity to refuse generally accepted mental health or developmental disability services, including but not limited to medication.

(a-5) Notwithstanding the provisions of Section 2-107 of this Code, authorized involuntary treatment may be administered to an adult recipient of services without the informed consent of the recipient under the following standards:

(1) Any person 18 years of age or older, including any guardian, may petition the circuit court for an order authorizing the administration of authorized involuntary treatment to a recipient of services. The petition shall state that the petitioner has made a good faith attempt to determine whether the recipient has executed a power of attorney for health care under the Powers of Attorney for Health Care Law or a declaration for mental health treatment under the Mental Health Treatment Preference Declaration Act and to obtain copies of these instruments if they exist. If either of the above-named instruments is available to the petitioner, the instrument or a copy of the instrument shall be attached to the petition as an exhibit. The petitioner shall deliver a copy of the petition, and notice of the time and place of the hearing, to the respondent, his or her attorney, any known agent or attorney-in-fact, if any, and the guardian, if any, no later than 3 days prior to the date of the hearing. Service of the petition and notice of the time and place of the hearing may be made by transmitting them

via facsimile machine to the respondent or other party. Upon receipt of the petition and notice, the party served, or the person delivering the petition and notice to the party served, shall acknowledge service. If the party sending the petition and notice does not receive acknowledgement of service within 24 hours, service must be made by personal service.

The petition may include a request that the court authorize such testing and procedures as may be essential for the safe and effective administration of the authorized involuntary treatment sought to be administered, but only where the petition sets forth the specific testing and procedures sought to be administered.

If a hearing is requested to be held immediately following the hearing on a petition for involuntary admission, then the notice requirement shall be the same as that for the hearing on the petition for involuntary admission, and the petition filed pursuant to this Section shall be filed with the petition for involuntary admission.

(2) The court shall hold a hearing within 7 days of the filing of the petition. The People, the petitioner, or the respondent shall be entitled to a continuance of up to 7 days as of right. An additional continuance of not more than 7 days may be granted to any party (i) upon a showing that the continuance is needed in order to adequately prepare for or present evidence in a hearing under this Section or (ii) under exceptional circumstances. The court may grant an additional continuance not to exceed 21 days when, in its discretion, the court determines that such a continuance is necessary in order to provide the recipient with an examination pursuant to Section 3-803 or 3-804 of this Act, to provide the recipient with a trial by jury as provided in Section 3-802 of this Act, or to arrange for the substitution of counsel as provided for by the Illinois Supreme Court Rules. The hearing shall be separate from a judicial proceeding held to determine whether a person is subject to involuntary admission but may be heard immediately preceding or following such a judicial proceeding and may be heard by the same trier of fact or law as in that judicial proceeding.

(3) Unless otherwise provided herein, the procedures set forth in Article VIII of Chapter 3 of this Act, including the provisions regarding appointment of counsel, shall govern hearings held under this subsection (a-5).

(4) Authorized involuntary treatment shall not be administered to the recipient unless it has been determined by clear and convincing evidence that all of the following factors are present. In determining whether a person meets the criteria specified in the following paragraphs (A) through (G), the court may consider evidence of the person's history of serious violence, repeated past pattern of specific behavior, actions related to the person's illness, or past outcomes of various treatment options. ÷

(A) That the recipient has a serious mental illness or developmental disability.

(B) That because of said mental illness or developmental disability, the recipient currently exhibits any one of the following: (i) deterioration of his or her ability to function, as compared to the recipient's ability to function prior to the current onset of symptoms of the mental illness or disability for which treatment is presently sought, (ii) suffering, or (iii) threatening behavior.

(C) That the illness or disability has existed for a period marked by the continuing presence of the symptoms set forth in item (B) of this subdivision (4) or the repeated episodic occurrence of these symptoms.

(D) That the benefits of the treatment outweigh the harm.

(E) That the recipient lacks the capacity to make a reasoned decision about the treatment.

(F) That other less restrictive services have been explored and found inappropriate.

(G) If the petition seeks authorization for testing and other procedures, that such testing and procedures are essential for the safe and effective administration of the treatment.

(5) In no event shall an order issued under this Section be effective for more than 90 days. A second 90-day period of involuntary treatment may be authorized pursuant to a hearing that complies with the standards and procedures of this subsection (a-5). Thereafter, additional 180-day periods of involuntary treatment may be authorized pursuant to the standards and procedures of this Section without limit. If a new petition to authorize the administration of authorized involuntary treatment is filed at least 15 days prior to the expiration of the prior order, and if any continuance of the hearing is agreed to by the recipient, the administration of the treatment may continue in accordance with the prior order pending the completion of a hearing under this Section.

(6) An order issued under this subsection (a-5) shall designate the persons authorized to administer the authorized involuntary treatment under the standards and procedures of this subsection (a-5). Those persons shall have complete discretion not to administer any treatment authorized under this

Section. The order shall also specify the medications and the anticipated range of dosages that have been authorized and may include a list of any alternative medications and range of dosages deemed necessary.

(b) A guardian may be authorized to consent to the administration of authorized involuntary treatment to an objecting recipient only under the standards and procedures of subsection (a-5).

(c) Notwithstanding any other provision of this Section, a guardian may consent to the administration of authorized involuntary treatment to a non-objecting recipient under Article XIa of the Probate Act of 1975.

(d) Nothing in this Section shall prevent the administration of authorized involuntary treatment to recipients in an emergency under Section 2-107 of this Act.

(e) Notwithstanding any of the provisions of this Section, authorized involuntary treatment may be administered pursuant to a power of attorney for health care under the Powers of Attorney for Health Care Law or a declaration for mental health treatment under the Mental Health Treatment Preference Declaration Act.

(f) The Department shall conduct annual trainings for clinical personnel on the appropriate use of authorized involuntary treatment, standards for its use, and the preparation of court petitions under this Section.

(Source: P.A. 92-16, eff. 6-28-01; 93-573, eff. 8-21-03.)

(405 ILCS 5/2-107.3 new)

Sec. 2-107.3. Reports. Each facility director of a State-operated mental health facility shall prepare a quarterly report stating the number of persons who were determined to meet the standard for authorized involuntary treatment but for whom it was determined that the filing of such a petition was not warranted as provided for in subsection (h) of Section 2-107 of this Code and the reasons for each such determination. The Department shall prepare and publish an annual report summarizing the information received under this Section. The Department's report shall include the data from each facility filing such a report and shall separately report the data from each such facility, identified by facility.

(405 ILCS 5/3-209) (from Ch. 91 1/2, par. 3-209)

Sec. 3-209. Within three days of admission under this Chapter, a treatment plan shall be prepared for each recipient of service and entered into his or her record. The plan shall include an assessment of the recipient's treatment needs, a description of the services recommended for treatment, the goals of each type of element of service, an anticipated timetable for the accomplishment of the goals, and a designation of the qualified professional responsible for the implementation of the plan. The plan shall include a written assessment of whether or not the recipient is in need of psychotropic medications. The plan shall be reviewed and updated as the clinical condition warrants, but not less than every 30 days.

(Source: P.A. 81-920.)

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

AMENDMENT NO. 4. Amend Senate Bill 998, AS AMENDED, with reference to page and line numbers of House Amendment No. 3, on page 3, line 6, by replacing "services are" with "psychotropic medication is"; and

on page 3, line 7, after "Section", by inserting "at least once that day"; and

on page 3, lines 14 and 15, after "director" each time it appears, by inserting "or his or her designee"; and

on page 3, line 17, after the period, by inserting "This subsection (h) applies only to State-operated mental health facilities."; and

on page 3, line 19, by replacing "clinical personnel" with "physicians and registered nurses working in State-operated mental health facilities"; and

on page 8, line 10, by replacing "clinical personnel" with "physicians and registered nurses working in State-operated mental health facilities".

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 2328. Having been recalled on April 25, 2006, and held on the order of Second Reading, the same was again taken up.

Representative Delgado offered the following amendment and moved its adoption.



AMENDMENT NO. 3. Amend Senate Bill 2328, AS AMENDED, by inserting the following between the enacting clause and the introductory clause of Section 5:

"Section 2. The Department of Human Services Act is amended by adding Section 10-50 as follows:  
(20 ILCS 1305/10-50 new)

Sec. 10-50. Illinois Steps for Attaining Higher Education through Academic Development Program established. The Illinois Steps for Attaining Higher Education through Academic Development ("Illinois Steps AHEAD") program is established in the Illinois Department of Human Services. Illinois Steps AHEAD shall provide educational services and post-secondary educational scholarships for low-income middle and high school students. Program components shall include increased parent involvement, creative and engaging academic support for students, career exploration programs, college preparation, and increased collaboration with local schools. The Illinois Department of Human Services shall administer the program. The Department shall implement the program only if federal funding is made available for that purpose. All moneys received pursuant to the federal Gaining Early Awareness and Readiness for Undergraduate Programs shall be deposited into the Gaining Early Awareness and Readiness for Undergraduate Programs Fund, a special fund hereby created in the State treasury. Moneys in this fund shall be appropriated to the Department of Human Services and expended for the purposes and activities specified by the federal agency making the grant. All interest earnings on amounts in the Gaining Early Awareness and Readiness for Undergraduate Programs Fund shall accrue to the Gaining Awareness and Readiness for Undergraduate Programs Fund and be used in accordance with 34 C.F.R. 75.703.

Section 3. The State Finance Act is amended by adding Section 5.663 as follows:  
(30 ILCS 105/5.663 new)

Sec. 5.663. The Gaining Early Awareness and Readiness for Undergraduate Programs Fund."

The foregoing motion prevailed and the amendment was adopted.

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

SENATE BILL 2339. Having been read by title a second time on April 7, 2006, and held on the order of Second Reading, the same was again taken up.

Representative Delgado offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 2339 by replacing lines 11 through 35 on page 4 and lines 1 through 33 on page 5 with the following:

"(820 ILCS 105/12) (from Ch. 48, par. 1012)

Sec. 12. (a) If any employee is paid by his employer less than the wage to which he is entitled under the provisions of this Act, the employee may recover in a civil action the amount of any such underpayments together with costs and such reasonable attorney's fees as may be allowed by the Court, and damages of 2% of the amount of any such underpayments for each month following the date of payment during which such underpayments remain unpaid. Any ~~any~~ agreement between the employee ~~him~~ and the ~~his~~ employer to work for less than such wage is no defense to such action. At the request of the employee or on motion of the Director of Labor, the Department of Labor may make an assignment of such wage claim in trust for the assigning employee and may bring any legal action necessary to collect such claim, and the employer shall be required to pay the costs incurred in collecting such claim. Every such action shall be brought within 3 years from the date of the underpayment. Such employer shall be liable to the Department of Labor for up to 20% of the total employer's underpayment where the employer's conduct is proven by a preponderance of the evidence to be willful, repeated, or with reckless disregard of this Act or any rule adopted under this Act. Such employer ~~and~~ shall be additionally liable to the employee for ~~punitive~~ damages in the amount of 2% of the amount of any such underpayments for each month following the date of payment during which such underpayments remain unpaid. ~~These penalties and damages. The Director may promulgate rules for the collection of these penalties. The amount of a penalty may be determined, and the penalty may be assessed, through an administrative hearing. The penalty may be recovered in a civil action brought by the Director of Labor in any circuit court. The penalty shall be imposed in cases in which an employer's conduct is proven by a preponderance of the evidence to be willful.~~ In any such action, the Director of Labor shall be represented by the Attorney General.

If an employee collects damages of 2% of the amount of underpayments as a result of an action brought

by the Director of Labor, the employee may not also collect those damages in a private action brought by the employee for the same violation. If an employee collects damages of 2% of the amount of underpayments in a private action brought by the employee, the employee may not also collect those damages as a result of an action brought by the Director of Labor for the same violation.

(b) If an employee has not collected damages under subsection (a) for the same violation, the ~~The~~ Director is authorized to supervise the payment of the unpaid minimum wages and the unpaid overtime compensation owing to any employee or employees under Sections 4 and 4a of this Act and may bring any legal action necessary to recover the amount of the unpaid minimum wages and unpaid overtime compensation and an equal additional amount as ~~punitive~~ damages, and the employer shall be required to pay the costs incurred in collecting such claim. Such ~~and the employer shall be additionally liable to the Department of Labor for up to 20% of the total employer's underpayment where the employer's conduct is proven by a preponderance of the evidence to be willful, repeated, or with reckless disregard of this Act or any rule adopted under this Act. be required to pay the costs.~~ The action shall be brought within 5 years from the date of the failure to pay the wages or compensation. Any sums thus recovered by the Director on behalf of an employee pursuant to this subsection shall be paid to the employee or employees affected. Any sums which, more than one year after being thus recovered, the Director is unable to pay to an employee shall be deposited into the General Revenue Fund.  
(Source: P.A. 92-392, eff. 1-1-02.)".

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 read by title a second time on April 7, 2006 and held, the following bill was taken up and held on the order of Second Reading: SENATE BILL 2664.

SENATE BILL 3018. Having been read by title a second time on April 7, 2006, and held on the order of Second Reading, the same was again taken up.

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

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

AMENDMENT NO. 2. Amend Senate Bill 3018 on page 3, by deleting lines 21 through 26; and on page 3, line 27, by replacing "(ii)" with "(i)"; and on page 3, line 30, by replacing "(iii)" with "(ii)"; and on page 4, line 6, by inserting "residential" after "providing"; and on page 5, by replacing lines 2 and 3 with the following:

"person with a disability who is in a residential program operated or supervised by a community agency."; and

on page 5, by replacing lines 12 and 13 with the following:

"in a residential program operated or supervised by a community agency."

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.

SENATE BILL 2664. Having been read by title a second time earlier today, and held on the order of Second Reading, the same was again taken up.

Floor Amendments numbered 1 and 2 were tabled in the Committee on Rules.

Representative Scully offered and withdrew Amendment No. 3.

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

Representative Flider offered the following amendment and moved its adoption.

AMENDMENT NO. 5. Amend Senate Bill 2664, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 11-147-1 as follows:

(65 ILCS 5/11-147-1) (from Ch. 24, par. 11-147-1)

Sec. 11-147-1. Whenever a municipality, drainage district, sanitary district, or other municipal corporation is adjacent to any other municipality, drainage district, sanitary district, or other municipal corporation the adjacent municipal corporations have the power to contract with each other, upon such terms as may be agreed upon between them, for the perpetual or temporary use and benefit by one of them of any sewer or drain, or of any system of sewerage or drainage or part thereof, or of any sewage disposal or sewage treatment plants and works, heretofore or hereafter constructed by the other. Any such sewer or drain, or system of sewerage or drainage or part thereof, or sewage disposal or sewage treatment plants and work, heretofore or hereafter constructed by one such municipal corporation may be extended or furnished to the inhabitants of the other. Such municipal corporations may by contract with each other provide for the joint construction of any sewer or drain or sewage disposal or sewage treatment plants and works by the municipal corporations so contracting, and for the common use thereof by the inhabitants of the contracting municipal corporations. In addition, whenever a sanitary district has acquired an easement granting the sanitary district the right to construct or operate a sanitary sewer system or part of a sanitary sewer system over property that connects the sanitary district to a municipality, the municipality and the sanitary district may enter into a contract for the use of the sanitary sewer system regardless of whether the sanitary district is adjacent to the municipality.

(Source: Laws 1961, p. 576.)

Section 10. The Sanitary District Act of 1917 is amended by changing Sections 8, 23.5, and 23.7 as follows:

(70 ILCS 2405/8) (from Ch. 42, par. 307)

Sec. 8.

(a) The sanitary district may acquire by purchase, condemnation, or otherwise all real and personal property, right of way and privilege, either within or without its corporate limits that may be required for its corporate purposes. If real property is acquired by condemnation, the sanitary district may not sell or lease any portion of the property for a period of 10 years after acquisition by condemnation is completed. If, after such 10-year period, the sanitary district decides to sell or lease the property, it must first offer the property for sale or lease to the previous owner of the land from whom the sanitary district acquired the property. If the sanitary district and such previous owner do not execute a contract for purchase or lease of the property within 60 days from the initial offer, the sanitary district then may offer the property for sale or lease to any other person. If any district formed under this Act is unable to agree with any other sanitary district upon the terms whereby it shall be permitted to use the drains, channels or ditches of such other sanitary district, the right to such use may be acquired by condemnation in any circuit court by proceedings as provided in Section 4-17 of the Illinois Drainage Code. The compensation to be paid for such use may be a gross sum, or it may be in the form of an annual rental, to be paid in yearly installments as provided by the judgment of the court wherein such proceedings may be had. However, when such compensation is fixed at a gross sum all moneys for the purchase and condemnation of any property shall be paid before possession is taken or any work done on the premises damaged by the construction of such channel or outlet, and in case of an appeal from the circuit court taken by either party whereby the amount of damages is not finally determined, then possession may be taken, if the amount of judgment in such court is deposited at some bank or savings and loan association to be designated by the court, subject to the payment of such damages on orders signed by the circuit court, whenever the amount of damages is finally determined. The sanitary district may sell, convey, vacate and release the real or personal property, right of way and privileges acquired by it when no longer required for the purposes of the district.

(b) A sanitary district may exercise its powers of eminent domain to acquire a public utility only if the Illinois Commerce Commission, following petition by the sanitary district, has granted approval for the sanitary district to proceed in accordance with Article VII of the Code of Civil Procedure. The following procedures must be followed when a sanitary district exercises its power of eminent domain to acquire a

public utility.

(1) The sanitary district shall petition the Commission for approval of the acquisition of a public utility by the exercise of eminent domain powers. The petition filed by the sanitary district shall state the following:

(A) the caption of the case;

(B) the date of the filing of the application;

(C) the name and address of the condemnee;

(D) the name and address of the condemnor;

(E) a specific reference to the statute under which the condemnation action is authorized;

(F) a specific reference to the action, whether by ordinance, resolution, or otherwise, by which the declaration of taking was authorized, including the date when such action was taken, and the place where the record may be examined;

(G) a description of the purpose of the condemnation;

(H) a reasonable description of the property to be condemned;

(I) a statement of how just compensation will be made;

(J) a statement that, if the condemnee wishes to challenge the proceeding, the condemnee shall file objections within 45 days after its receipt of the notice.

(2) Within 30 days after the filing of a petition by the sanitary district of its intent to acquire by eminent domain all real and personal property, rights of way, and privileges of a public utility, the sanitary district shall serve a copy of the petition on the public utility and shall publish a notice of the filing of the petition in a newspaper of general circulation in the area served by the sanitary district. The sanitary district shall file a certificate of publication with the Commission as proof of publication.

(3) Within 45 days after being served with the notice required by this Section, the condemnee may file objections to the petition with the Commission. All objections shall state specifically the grounds relied upon. All objections shall be raised at one time and in one document. The condemnee shall serve a copy of the objections upon the condemnor within 72 hours after the objections are filed with the Commission.

(4) The Commission shall make a determination regarding the petition and any objections to the petition and shall make such orders and decrees as justice and law shall require. The Commission may take evidence by deposition or otherwise and shall entertain oral argument on all objections. The Commission shall make its determination within 105 days after its receipt of the objections of the condemnee, unless the Commission, in its discretion, extends the determination period for a further period not exceeding 6 months.

(c) The Illinois Commerce Commission shall approve the taking of any property by a sanitary district under subsection (b), within or outside its boundaries, if it is in the public interest. The taking shall be considered to be in the public interest if the sanitary district establishes by a preponderance of the evidence:

(1) that the sanitary district has been in existence as the operator of a wastewater system for at least 20 years;

(2) that it will provide wastewater treatment service within the proposed area subject to condemnation at the same level of wastewater treatment service provided throughout the district;

(3) that it will provide the wastewater collection, treatment, and disposal at the same or less operational and maintenance volumetric or bulk rate as the public utility whose property is subject to condemnation; and

(4) that it is not financially impractical for the public utility to serve its remaining customers who are not in the area subject to condemnation.

(Source: P.A. 90-558, eff. 12-12-97.)

(70 ILCS 2405/23.5) (from Ch. 42, par. 317e.5)

Sec. 23.5. Any sanitary district may annex any territory which is not within the corporate limits of the sanitary district but which is contiguous to it and is served by the sanitary district or by a municipality with sanitary sewers that are connected and served by the sanitary district by the passage of an ordinance to that effect by the board of trustees, describing the territory to be annexed. A copy of the ordinance with an accurate map of the annexed territory, certified as correct by the clerk of the district shall be filed with the county clerk of the county in which the annexed territory is located. For purposes of this Act, a property is served by a sanitary district if a sewer that is part of the sanitary district's sewer system, part of the sewer system of a municipality that is connected to the sanitary district, or part of any other sewer system that connects to and is served by the sanitary district has been extended to, across, or along the property, whether or not the buildings on the property are physically connected to the sewer.

~~Territory that is not contiguous to a sanitary district but is separated from the sanitary district by only a~~

~~forest preserve district may be annexed to the sanitary district under this Section. The territory included within the forest preserve district shall not be annexed to the sanitary district and shall not be subject to rights of way for access or services between the parts of the sanitary district separated by the forest preserve district without the approval of the governing body of the forest preserve district.~~

(Source: P.A. 90-697, eff. 8-7-98.)

(70 ILCS 2405/23.7) (from Ch. 42, par. 317e.7)

Sec. 23.7. For purposes of this Act, territory to be organized as a sanitary district shall be considered to be contiguous territory, and territory to be annexed to a sanitary district shall be considered to be contiguous to the sanitary district notwithstanding that the territory to be so organized is divided by ~~one or more railroad rights of ways, public easements, or property owned by a public utility~~ or that the territory to be so annexed is separated from the sanitary district by ~~one or more railroad rights-of-ways, public easements, or property owned by a public utility~~ or property owned by a forest preserve district or any public agency or not-for-profit corporation, provided that the property does not require sanitary sewer service. However, upon such organization or annexation, the area included within any such right-of-way, public easement, ~~or property owned by a public utility~~ or property owned by a forest preserve district or any public agency or not-for-profit corporation shall not be considered a part of or annexed to the sanitary district and shall not be subject to rights-of-way for access or services without the approval of the legal owner of the property.

(Source: P.A. 89-558, eff. 7-26-96.)

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

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.

#### **ADJOURNMENT RESOLUTION HOUSE JOINT RESOLUTION 126**

Representative Currie offered the following resolution:

**RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN**, that when the House of Representatives adjourns on Wednesday, April 26, 2006, it stands adjourned until Monday, May 01, 2006 at 4:00 o'clock p.m.; and when the Senate adjourned on Thursday, April 13, 2006, it stands adjourned until Tuesday, May 02, 2006 at 12:00 o'clock noon.

HOUSE JOINT RESOLUTION 126 was taken up for consideration.

Representative Currie moved the adoption of the resolution.

The motion prevailed and the resolution was adopted.

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

#### **AGREED RESOLUTIONS**

HOUSE RESOLUTIONS 1237, 1238, 1239, 1240, 1241, 1242 and 1243 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 3:22 o'clock p.m., Representative Currie moved that the House do now adjourn, allowing perfunctory time for the Clerk.

The motion prevailed.

And in accordance therewith and pursuant to HOUSE JOINT RESOLUTION 126, the House stood adjourned until Monday, May 1, 2006, at 4:00 o'clock p.m.

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

April 26, 2006

0 YEAS

0 NAYS

105 PRESENT

P Acevedo	P Dugan	P Krause	P Pritchard
P Bassi	P Dunkin	P Lang	P Ramey
P Beaubien	E Dunn	P Leitch	P Reis
P Beiser	P Durkin	E Lindner	P Reitz
P Bellock	P Eddy	P Lyons	E 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
E Bradley, Richard	P Giles	P McKeon	P Scully
P Brady	P Golar	P Mendoza	P Smith
P Brauer	P Gordon	P Meyer	P Sommer
P Brosnahan	P Graham	P Miller	P Soto
P Burke	P Granberg	P Mitchell, Bill	P Stephens
P Chapa LaVia	P Hamos	P Mitchell, Jerry	P Sullivan
P Chavez	P Hannig	P Moffitt	P Tenhouse
P Churchill	P Hassert	P Molaro	P Tryon
P Collins	P Hoffman	P Mulligan	P Turner
E Colvin	P Holbrook	P Munson	P Verschoore
E Coulson	P Howard	P Myers	P Wait
P Cross	P Hultgren	P Nekritz	P Washington
P Cultra	P Jakobsson	E Osmond	P Watson
P Currie	E Jefferson	P Osterman	P Winters
P D'Amico	P Jenisch	P Parke	E Yarbrough
E Daniels	E Jones	E Patterson	P Younge
P Davis, Monique	P Joyce	P Phelps	P Mr. Speaker
P Davis, William	P Kelly	E Pihos	
P Delgado	P Kosel	P Poe	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE JOINT RESOLUTION 82  
 SCHL CD WAIVER RPT-DISAPPROVE  
 ADOPTED

April 26, 2006

99 YEAS

5 NAYS

0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Pritchard
Y Bassi	Y Dunkin	Y Lang	Y Ramey
Y Beaubien	E Dunn	Y Leitch	Y Reis
Y Beiser	Y Durkin	E Lindner	Y Reitz
Y Bellock	Y Eddy	Y Lyons	E 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	N McCarthy	Y Schmitz
Y Bradley, John	Y Froehlich	Y McGuire	Y Schock
E Bradley, Richard	Y Giles	Y McKeon	Y Scully
Y Brady	Y Golar	Y Mendoza	Y Smith
Y Brauer	Y Gordon	Y Meyer	N 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	A Sullivan
Y Chavez	Y Hannig	Y Moffitt	N Tenhouse
Y Churchill	Y Hassert	Y Molaro	Y Tryon
Y Collins	Y Hoffman	Y Mulligan	Y Turner
E Colvin	Y Holbrook	Y Munson	Y Verschoore
E Coulson	Y Howard	N Myers	N Wait
Y Cross	Y Hultgren	Y Nekritz	Y Washington
Y Cultra	Y Jakobsson	E Osmond	Y Watson
Y Currie	E Jefferson	Y Osterman	Y Winters
Y D'Amico	Y Jenisch	Y Parke	E Yarbrough
E Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y Mr. Speaker
Y Davis, William	Y Kelly	E Pihos	
Y Delgado	Y Kosel	Y Poe	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 279  
DENTAL PRACTICE-SUNSET-LICENSE  
THIRD READING  
PASSED

April 26, 2006

103 YEAS

0 NAYS

2 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Pritchard
Y Bassi	Y Dunkin	Y Lang	Y Ramey
Y Beaubien	E Dunn	Y Leitch	Y Reis
Y Beiser	Y Durkin	E Lindner	Y Reitz
Y Bellock	Y Eddy	Y Lyons	E 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
E Bradley, Richard	Y Giles	Y McKeon	Y Scully
Y Brady	Y Golar	Y Mendoza	Y Smith
Y Brauer	Y Gordon	Y Meyer	Y Sommer
Y Brosnahan	Y Graham	P Miller	Y Soto
Y Burke	Y Granberg	Y Mitchell, Bill	Y Stephens
Y Chapa LaVia	Y Hamos	Y Mitchell, Jerry	Y Sullivan
Y Chavez	Y Hannig	Y Moffitt	Y Tenhouse
Y Churchill	Y Hassert	Y Molaro	Y Tryon
Y Collins	Y Hoffman	Y Mulligan	Y Turner
E Colvin	Y Holbrook	Y Munson	Y Verschoore
E Coulson	Y Howard	Y Myers	Y Wait
Y Cross	Y Hultgren	Y Nekritz	Y Washington
Y Cultra	Y Jakobsson	E Osmond	Y Watson
Y Currie	E Jefferson	Y Osterman	Y Winters
Y D'Amico	Y Jenisch	Y Parke	E Yarbrough
E Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y Mr. Speaker
Y Davis, William	Y Kelly	E Pihos	
Y Delgado	P Kosel	Y Poe	

E - Denotes Excused Absence



STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 859  
 EDUCATION-TECH  
 THIRD READING  
 PASSED

April 26, 2006

105 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Pritchard
Y Bassi	Y Dunkin	Y Lang	Y Ramey
Y Beaubien	E Dunn	Y Leitch	Y Reis
Y Beiser	Y Durkin	E Lindner	Y Reitz
Y Bellock	Y Eddy	Y Lyons	E 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
E Bradley, Richard	Y Giles	Y McKeon	Y Scully
Y Brady	Y Golar	Y Mendoza	Y Smith
Y Brauer	Y Gordon	Y Meyer	Y Sommer
Y Brosnahan	Y Graham	Y Miller	Y Soto
Y Burke	Y Granberg	Y Mitchell, Bill	Y Stephens
Y Chapa LaVia	Y Hamos	Y Mitchell, Jerry	Y Sullivan
Y Chavez	Y Hannig	Y Moffitt	Y Tenhouse
Y Churchill	Y Hassert	Y Molaro	Y Tryon
Y Collins	Y Hoffman	Y Mulligan	Y Turner
E Colvin	Y Holbrook	Y Munson	Y Verschoore
E Coulson	Y Howard	Y Myers	Y Wait
Y Cross	Y Hultgren	Y Nekritz	Y Washington
Y Cultra	Y Jakobsson	E Osmond	Y Watson
Y Currie	E Jefferson	Y Osterman	Y Winters
Y D'Amico	Y Jenisch	Y Parke	E Yarbrough
E Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y Mr. Speaker
Y Davis, William	Y Kelly	E Pihos	
Y Delgado	Y Kosel	Y Poe	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 946  
LIQUOR-TECH  
THIRD READING  
PASSED

April 26, 2006

88 YEAS

17 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2795  
 CONVERT/FORM SCHOOL DISTRICT  
 THIRD READING  
 PASSED

April 26, 2006

104 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 1918  
 GAMING-TECH  
 FLOOR AMENDMENT NO. 1- MOLARO  
 ADOPTED

April 26, 2006

70 YEAS

30 NAYS

3 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 1918  
 GAMING-TECH  
 THIRD READING  
 PASSED

April 26, 2006

70 YEAS

32 NAYS

2 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 2871  
 CHGO PARK ABOLISH WORKING CASH  
 THIRD READING  
 PASSED

April 26, 2006

91 YEAS

13 NAYS

0 PRESENT

Y Acevedo	A Dugan	Y Krause	Y Pritchard
Y Bassi	Y Dunkin	Y Lang	Y Ramey
Y Beaubien	E Dunn	Y Leitch	N Reis
Y Beiser	Y Durkin	E Lindner	Y Reitz
Y Bellock	Y Eddy	Y Lyons	E Rita
Y Berrios	Y Feigenholtz	Y Mathias	N 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
N Bost	Y Fritchey	Y McCarthy	Y Schmitz
Y Bradley, John	N Froehlich	Y McGuire	Y Schock
E Bradley, Richard	Y Giles	Y McKeon	Y Scully
Y Brady	Y Golar	Y Mendoza	Y Smith
Y Brauer	Y Gordon	N 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	N Tenhouse
Y Churchill	Y Hassert	Y Molaro	Y Tryon
Y Collins	Y Hoffman	Y Mulligan	Y Turner
E Colvin	Y Holbrook	Y Munson	Y Verschoore
E Coulson	Y Howard	Y Myers	Y Wait
Y Cross	Y Hultgren	Y Nekritz	Y Washington
N Cultra	Y Jakobsson	E Osmond	N Watson
Y Currie	E Jefferson	Y Osterman	N Winters
Y D'Amico	N Jenisch	Y Parke	E Yarbrough
E Daniels	E Jones	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y Mr. Speaker
Y Davis, William	Y Kelly	E Pihos	
Y Delgado	N Kosel	Y Poe	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 861  
 EDUCATION-TECH  
 THIRD READING  
 PASSED

April 26, 2006

102 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

**124TH LEGISLATIVE DAY**

**Perfunctory Session**

**WEDNESDAY, APRIL 26, 2006**

At the hour of 4:24 o'clock p.m., the House convened perfunctory session.

**SENATE BILL ON SECOND READING**

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: SENATE BILL 2350.

**INTRODUCTION AND FIRST READING OF BILL**

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

HOUSE BILL 5785. Introduced by Representatives Black - Wait - Parke - Sullivan - Munson, Brady, Hassert, Pritchard, Schock, Moffitt, Krause, Sacia, Eddy and Reis, AN ACT concerning revenue.

**REPORT FROM STANDING COMMITTEE**

Representative Reitz, Chairperson, from the Committee on Revenue to which the following were referred, action taken on April 26, 2006, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2350.

The committee roll call vote on Senate Bill 2350 is as follows:

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

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

At the hour of 4:25 o'clock p.m., the House Perfunctory Session adjourned.