

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

41ST LEGISLATIVE DAY

TUESDAY, APRIL 24, 2007

12:00 O'CLOCK NOON

**HOUSE OF REPRESENTATIVES
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The House met pursuant to adjournment.

Speaker of the House Madigan in the chair.

Prayer by Father Al Kemme, who is the Pastor of St. Thomas the Apostle Church in Newton, IL.

Representative Eddy 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:

111 present. (ROLL CALL 1)

By unanimous consent, Representatives Meyer, Molaro, Mulligan, Patterson and Schock were excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative William Davis, should be recorded as present at the hour of 1:00 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Mulligan, should be recorded as present at the hour of 2:30 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Collins, should be recorded as present at the hour of 2:25 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Molaro, should be recorded as present at the hour of 4:00 o'clock p.m.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Lang replaced Representative Turner in the Committee on Rules on April 24, 2007.

Representative Osmond replaced Representative Munson in the Committee on International Trade & Commerce on April 24, 2007.

Representative Mulligan replaced Representative Stephens in the Committee on Insurance on April 24, 2007.

Representative Boland replaced Representative John Bradley in the Committee on Insurance on April 24, 2007.

Representative Harris replaced Representative Turner in the Committee on Revenue on April 24, 2007.

Representative William Davis replaced Representative Hannig in the Committee on Revenue on April 24, 2007.

Representative Harris replaced Representative Smith in the Committee on Environment & Energy on April 24, 2007.

Representative Jefferies replaced Representative Dugan in the Committee on Elementary & Secondary Education on April 24, 2007.

Representative Flowers replaced Representative John Bradley in the Committee on State Government Administration on April 24, 2007.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 24, 2007, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 1877.
Amendment No. 4 to SENATE BILL 377.

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

Y Currie(D), Chairperson	Y Black(R), Republican Spokesperson
Y Hannig(D)	Y Hassert(R)
Y Lang (D) (replacing Turner)	

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 24, 2007, (A) and reported the same back with the following recommendations:

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Electric Utility Oversight: SENATE BILL 1592.

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

Y Currie(D), Chairperson	Y Black(R), Republican Spokesperson
A Hannig(D)	Y Hassert(R)
A Turner(D)	

REPORTS FROM STANDING COMMITTEES

Representative Mautino, Chairperson, from the Committee on Insurance to which the following were referred, action taken on April 24, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 2982.

The committee roll call vote on Amendment No. 1 to House Bill 2982 is as follows:
12, Yeas; 0, Nays; 0, Answering Present.

Y Mautino(D), Chairperson	Y Yarbrough(D), Vice-Chairperson
Y Osmond(R), Republican Spokesperson	A Beaubien(R)
Y Berrios(D)	Y Boland (D) (replacing Bradley, J.)
Y Bradley, Richard(D)	Y Brady(R)
Y Colvin(D)	A Dunkin(D)
A Dunn(R)	A Durkin(R)
Y Feigenholtz(D)	A Granberg(D)
A Lang(D)	A Mitchell, Bill(R)
Y Munson(R)	A Rita(D)
Y Rose(R)	Y Mulligan (R) (replacing Stephens)

Representative Richard Bradley, Chairperson, from the Committee on Personnel and Pensions to which the following were referred, action taken on April 24, 2007, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 233.

The committee roll call vote on House Resolution 233 is as follows:

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

- | | |
|------------------------------------|-------------------------------|
| Y Bradley, Richard(D), Chairperson | Y Colvin(D), Vice-Chairperson |
| Y Poe(R), Republican Spokesperson | Y Brauer(R) |
| Y Burke(D) | |

Representative Holbrook, Chairperson, from the Committee on Environment & Energy to which the following were referred, action taken on April 24, 2007, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 174 and HOUSE JOINT RESOLUTION 13.

The committee roll call vote on House Resolution 174 is as follows:

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

- | | |
|--------------------------------------|--------------------------------|
| Y Holbrook(D), Chairperson | Y Nekritz(D), Vice-Chairperson |
| Y Durkin(R), Republican Spokesperson | Y Bradley, John(D) |
| A Bradley, Richard(D) | Y Cole(R) |
| Y Flider(D) | A Fortner(R) |
| Y Hamos(D) | A Joyce(D) |
| Y Krause(R) | A May(D) |
| A Meyer(R) | A Phelps(D) |
| Y Reboletti(R) | Y Reitz(D) |
| A Rita(D) | A Rose(R) |
| Y Schock(R) | Y Harris (D) (replacing Smith) |
| A Tryon(R) | A Verschoore(D) |
| Y Winters(R) | |

The committee roll call vote on House Joint Resolution 13 is as follows:

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

- | | |
|--------------------------------------|--------------------------------|
| Y Holbrook(D), Chairperson | Y Nekritz(D), Vice-Chairperson |
| Y Durkin(R), Republican Spokesperson | A Bradley, John(D) |
| A Bradley, Richard(D) | A Cole(R) |
| Y Flider(D) | Y Fortner(R) |
| A Hamos(D) | A Joyce(D) |
| A Krause(R) | Y May(D) |
| A Meyer(R) | A Phelps(D) |
| A Reboletti(R) | Y Reitz(D) |
| Y Rita(D) | Y Rose(R) |
| A Schock(R) | Y Harris (D) (replacing Smith) |
| Y Tryon(R) | A Verschoore(D) |
| Y Winters(R) | |

Representative May, Chairperson, from the Committee on Environmental Health to which the following were referred, action taken on April 24, 2007, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 226.

The committee roll call vote on House Resolution 226 is as follows:
7, Yeas; 0, Nays; 0, Answering Present.

Y May(D), Chairperson	A McCarthy(D), Vice-Chairperson
Y Winters(R), Republican Spokesperson	Y Bellock(R)
A Boland(D)	Y Froehlich(R)
A Hamos(D)	A Harris(D)
Y Lindner(R)	Y Nekritz(D)
Y Pritchard(R)	A Riley(D)

Representative John Bradley, Chairperson, from the Committee on Revenue to which the following were referred, action taken on April 24, 2007, reported the same back with the following recommendations:

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

Amendment No. 1 to HOUSE BILL 2307.

The committee roll call vote on Amendment No. 1 to House Bill 2307 is as follows:
8, Yeas; 0, Nays; 0, Answering Present.

A Bradley, John(D), Chairperson	Y Mautino(D), Vice-Chairperson
Y Biggins(R), Republican Spokesperson	A Bassi(R)
Y Beaubien(R)	Y Currie(D)
Y Davis, W. (D) (replacing Hannig)	A Hassert(R)
Y Holbrook(D)	Y McGuire(D)
A Sullivan(R)	Y Harris (D) (replacing Turner)

Representative Smith, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on April 24, 2007, reported the same back with the following recommendations:

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar:
HOUSE JOINT RESOLUTION 40 and HOUSE RESOLUTIONS 162 and 228.

The committee roll call vote on House Joint Resolution 40 is as follows:

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

Y Smith(D), Chairperson	Y Davis, Monique(D), Vice-Chairperson
Y Mitchell, Jerry(R), Republican Spokesperson	Y Bassi(R)
Y Chapa LaVia(D)	Y Crespo(D)
Y Jefferies(D) (replacing Dugan)	Y Eddy(R)
Y Flider(D)	A Golar(D)
Y Joyce(D)	Y Kosel(R)
A Miller(D)	Y Mulligan(R)
Y Munson(R)	A Osterman(D)
A Phelps(D)	Y Pihos(R)
A Pritchard(R)	A Reis(R)
A Watson(R)	A Yarbrough(D)

The committee roll call vote on House Resolution 162 is as follows:
14, Yeas; 0, Nays; 0, Answering Present.

Y Smith(D), Chairperson	Y Davis, Monique(D), Vice-Chairperson
Y Mitchell, Jerry(R), Republican Spokesperson	Y Bassi(R)
Y Chapa LaVia(D)	Y Crespo(D)
Y Dugan(D)	Y Eddy(R)
Y Flider(D)	A Golar(D)
Y Joyce(D)	Y Kosel(R)
A Miller(D)	Y Mulligan(R)
Y Munson(R)	A Osterman(D)

A Phelps(D)	Y Pihos(R)
A Pritchard(R)	A Reis(R)
A Watson(R)	A Yarbrough(D)

The committee roll call vote on House Resolution 228 is as follows:
16, Yeas; 0, Nays; 0, Answering Present.

Y Smith(D), Chairperson	Y Davis, Monique(D), Vice-Chairperson
Y Mitchell, Jerry(R), Republican Spokesperson	Y Bassi(R)
Y Chapa LaVia(D)	Y Crespo(D)
Y Dugan(D)	Y Eddy(R)
Y Flider(D)	A Golar(D)
Y Joyce(D)	Y Kosel(R)
A Miller(D)	Y Mulligan(R)
Y Munson(R)	A Osterman(D)
A Phelps(D)	Y Pihos(R)
Y Pritchard(R)	A Reis(R)
Y Watson(R)	A Yarbrough(D)

Representative Mendoza, Chairperson, from the Committee on International Trade & Commerce to which the following were referred, action taken on April 24, 2007, reported the same back with the following recommendations:

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTIONS 156, 216 and 265.

The committee roll call vote on House Resolution 156 is as follows:
9, Yeas; 0, Nays; 0, Answering Present.

Y Mendoza(D), Chairperson	Y Franks(D), Vice-Chairperson
Y Sommer(R), Republican Spokesperson	Y Arroyo(D)
Y Berrios(D)	Y Coladipietro(R)
Y Davis, William(D)	Y Kosel(R)
Y Osmond (R) (replacing Munson)	

The committee roll call vote on House Resolution 216 is as follows:
8, Yeas; 0, Nays; 0, Answering Present.

Y Mendoza(D), Chairperson	Y Franks(D), Vice-Chairperson
Y Sommer(R), Republican Spokesperson	Y Arroyo(D)
Y Berrios(D)	Y Coladipietro(R)
A Davis, William(D)	Y Kosel(R)
Y Osmond (R) (replacing Munson)	

The committee roll call vote on House Resolution 265 is as follows:
9, Yeas; 0, Nays; 0, Answering Present.

Y Mendoza(D), Chairperson	Y Franks(D), Vice-Chairperson
Y Sommer(R), Republican Spokesperson	Y Arroyo(D)
Y Berrios(D)	Y Coladipietro(R)
Y Davis, William(D)	Y Kosel(R)
Y Munson(R)	

Representative Reitz, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken on April 24, 2007, reported the same back with the following recommendations:

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

Amendments numbered 1 and 2 to HOUSE BILL 2820.

Amendment No. 1 to HOUSE BILL 2106.

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTIONS 163, 208 and 242.

The committee roll call vote on Amendments numbered 1 and 2 to House Bill 2820 and House Resolutions 163, 208 and 242 is as follows:

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

Y Reitz(D), Chairperson	Y Phelps(D), Vice-Chairperson
Y Sacia(R), Republican Spokesperson	Y Cultra(R)
A Dugan(D)	Y Flider(D)
Y Moffitt(R)	Y Myers(R)
Y Reis(R)	Y Verschoore(D)

The committee roll call vote on Amendment No. 1 to House Bill 2106 is as follows:

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

Y Reitz(D), Chairperson	Y Phelps(D), Vice-Chairperson
Y Sacia(R), Republican Spokesperson	Y Cultra(R)
Y Dugan(D)	Y Flider(D)
Y Moffitt(R)	Y Myers(R)
Y Reis(R)	Y Verschoore(D)

Representative Dugan, Chairperson, from the Committee on State Government Administration to which the following were referred, action taken on April 24, 2007, reported the same back with the following recommendations:

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

Amendment No. 1 to HOUSE BILL 1101.

That the resolutions be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTIONS 189, 218, 246 and HOUSE JOINT RESOLUTIONS 36, 37, 42 and 43.

The committee roll call vote on Amendment No. 1 to House Bill 1101 is as follows:

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

Y Franks(D), Chairperson	Y Dugan(D), Vice-Chairperson
Y Froehlich(R), Republican Spokesperson	Y Flowers (D) (replacing Bradley, J)
A Collins(D)	A Davis, Monique(D)
A Gordon(D)	Y Krause(R)
A Myers(R)	Y Pritchard(R)
P Ramey(R)	

The committee roll call vote on House Resolution 246 and House Joint Resolutions 36 and 43 is as follows:

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

Y Franks(D), Chairperson	Y Dugan(D), Vice-Chairperson
Y Froehlich(R), Republican Spokesperson	A Bradley, John(D)
A Collins(D)	A Davis, Monique(D)
A Gordon(D)	Y Krause(R)
A Myers(R)	Y Pritchard(R)
Y Ramey(R)	

The committee roll call vote on House Resolution 189, 218 and House Joint Resolutions 37 and 42 is as follows:

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

Y Franks(D), Chairperson
Y Froehlich(R), Republican Spokesperson
A Collins(D)
A Gordon(D)
A Myers(R)
Y Ramey(R)

Y Dugan(D), Vice-Chairperson
Y Flowers (D) (replacing Bradley, J)
A Davis, Monique(D)
Y Krause(R)
Y Pritchard(R)

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for HOUSE BILLS 147, as amended, 1421, as amended, 1557, as amended, 1560, as amended, and 3397, as amended.

HOME RULE NOTES SUPPLIED

Home Rule Notes have been supplied for HOUSE BILLS 1277, 1460, as amended, and 1503, as amended.

STATE MANDATES FISCAL NOTES SUPPLIED

State Mandates Fiscal Notes have been supplied for HOUSE BILLS 1678, 1798, as amended, 1826, as amended, 1878 and 3453.

REQUEST FOR FISCAL NOTE

Representative Saviano requested that a Fiscal Note be supplied for HOUSE BILL 1622, as amended.

Representative Black requested that a Fiscal Note be supplied for HOUSE BILL 1798, as amended.

REQUEST FOR STATE MANDATES FISCAL NOTE

Representative Black requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 1798, as amended.

REQUEST FOR JUDICIAL NOTE

Representative Black requested that a Judicial Note be supplied for HOUSE BILL 1798, as amended.

MESSAGES FROM THE SENATE

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

SENATE BILL NO. 1619

A bill for AN ACT concerning finance.

SENATE BILL NO. 1621

A bill for AN ACT concerning finance.

SENATE BILL NO. 1625

A bill for AN ACT concerning liquor.

SENATE BILL NO. 1653

A bill for AN ACT concerning public employee benefits.

Passed by the Senate, April 24, 2007.

Deborah Shipley, Secretary of the Senate

The foregoing SENATE BILLS 1619, 1621, 1625 and 1653 were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by

Ms. Shipley, Secretary:

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

SENATE BILL NO. 1617

A bill for AN ACT concerning conservation.

SENATE BILL NO. 1618

A bill for AN ACT concerning public health.

Passed by the Senate, April 24, 2007.

Deborah Shipley, Secretary of the Senate

The foregoing SENATE BILLS 1617 and 1618 were ordered reproduced and placed on the order of Senate Bills - First Reading.

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative May became the new principal sponsor of HOUSE BILL 2163.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Jakobsson became the new principal sponsor of HOUSE BILL 2166.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Rita became the new principal sponsor of HOUSE BILL 2241.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative William Davis became the new principal sponsor of HOUSE BILL 2307.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Gordon became the new principal sponsor of HOUSE BILL 2303.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative McCarthy became the new principal sponsor of HOUSE BILL 2185.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Hernandez became the new principal sponsor of HOUSE BILL 2201.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Jefferies became the new principal sponsor of HOUSE BILL 2563.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Scully became the new principal sponsor of HOUSE BILL 2070.

With the consent of the affected members, Representative Reitz was removed as principal sponsor, and Representative McGuire became the new principal sponsor of HOUSE BILL 3571.

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

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Black became the new principal sponsor of HOUSE BILL 3312.

With the consent of the affected members, Representative Froehlich was removed as principal sponsor, and Representative Dunkin became the new principal sponsor of SENATE BILL 1433.

With the consent of the affected members, Representative Burke was removed as principal sponsor, and Representative Dunn became the new principal sponsor of HOUSE BILL 3388.

With the consent of the affected members, Representative Crespo was removed as principal sponsor, and Representative Saviano became the new principal sponsor of SENATE BILL 360.

With the consent of the affected members, Representative Mathias was removed as principal sponsor, and Representative Soto became the new principal sponsor of SENATE BILL 1293.

With the consent of the affected members, Representative Franks was removed as principal sponsor, and Representative Golar became the new principal sponsor of SENATE BILL 307.

HOUSE RESOLUTIONS

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

HOUSE RESOLUTION 321

Offered by Representative Harris:

WHEREAS, The fight against Terrorism requires the United States to place high priority on the security of our borders; and

WHEREAS, The drafters of the United States Constitution emphasized their commitment to the principles of justice, respect for life and dignity, and fair legal proceedings; and

WHEREAS, One of these principles is Habeas Corpus, the legal proceeding that allows prisoners to challenge the legality of their detention; and

WHEREAS, Thomas Jefferson described the Writ of Habeas Corpus as one of the most essential components of a free nation; and

WHEREAS, Nearly 400 men are currently held without charge at the US Naval Base in Guantanamo Bay without a right to Habeas Corpus; and

WHEREAS, It is contrary to the principles of justice embodied in the Constitution to hold individuals without charge, for an indefinite amount of time, without access to fair trial and right to Habeas Corpus; and

WHEREAS, Not allowing individuals in Guantanamo to challenge the legality and conditions of their detention has undermined the moral authority of the United States as a champion of the rule of law and human rights; and

WHEREAS, It is therefore just that the United States Congress restore Habeas Corpus and respect international law; and

WHEREAS, It is only fitting for the great State of Illinois as a member of the United States to call on Congress to implement justice, respect for human rights, respect for human dignity, and fair legal proceedings and restore Habeas Corpus to non-citizens who have been labeled unlawful enemy combatants; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we call on Congress to restore habeas corpus for anyone in United States custody, and in so doing restore United States moral authority as a leading proponent of human rights and the rule of law; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Human Rights Watch.

HOUSE JOINT RESOLUTION 51

Offered by Representative Colvin:

WHEREAS, For the second year in a row, the national personal savings rate remains below zero; and
 WHEREAS, A negative savings rate in the United States has not occurred since the Great Depression;
 and

WHEREAS, Nationally, one in five families have a negative net worth; about one-third of low-income households and more than one-tenth of moderate-income households report having no financial assets at all; and

WHEREAS, The United States Congress has reintroduced legislation in the 110th Congress creating the Savings for Working Families Act that would ensure that our nation's savings and ownership policies assist working-poor families by enabling them to save, build wealth, and enter the financial mainstream through the use of Individual Development Accounts; and

WHEREAS, Individual Development Accounts help low-income families build assets for buying a first home, receiving post-secondary education, or starting or expanding a small business; and

WHEREAS, The President of the United States included funding for 900,000 Individual Development Accounts in his 2007 budget request, and, meanwhile, the Congress, in a bi-partisan effort, gathered 68 co-sponsors (35 Democrats and 33 Republicans) on the bill; and

WHEREAS, The Savings for Working Families Act creates a tax credit for financial institutions that match the savings of the working poor through Individual Development Accounts; and

WHEREAS, Financial institutions offering Individual Development Accounts will be reimbursed through a federal tax credit for all matching funds, up to \$500 per year for four years, and receive a tax credit of \$50 per account per year for account management; and

WHEREAS, Those who save in an Individual Development Account must complete financial education from a nonprofit organization prior to the asset purchase; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Illinois General Assembly urges the members of the Illinois delegation to the United States Congress to give full consideration to the passage of the Savings for Working Families Act as represented in House Resolution 1514; and be it further

RESOLVED, That a suitable copy of this resolution be sent to each member of the Illinois congressional delegation.

SENATE BILLS ON FIRST READING

Having been reproduced, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 573 (Saviano), 639 (McAuliffe), 1426 (Eddy), 1433 (Dunkin), 1434 (Franks), 1479 (Dugan), 1511 (Colvin), 1514 (McAuliffe), 1559 (Jakobsson), 1566 (Osmond), 1580 (Ryg), 1592 (Mitchell,B.), 1617 (Coulson), 1618 (Coulson), 1619 (Mathias), 1621 (Saviano) and 1625 (May).

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 317

Offered by Representative Flider:

Mourns the death of William "Skip" Dempsey of Decatur.

HOUSE RESOLUTION 318

Offered by Representative Flider:
Mourns the death of G. Dick Wheeler of Mt. Zion.

HOUSE RESOLUTION 319

Offered by Representative Flider:
Honors Horace J. Livingston Jr. of Decatur, publisher of The African American Voice, for his work in the community.

HOUSE RESOLUTION 320

Offered by Representative Cole:
Congratulates the men and women of the Lake County Soil & Water Conservation District on winning an award from the National Association of Conservation Districts.

HOUSE RESOLUTION 322

Offered by Representative Kosel:
Congratulates Thomas Shirey, President and Owner of Frank Shirey Cadillac, for his many years of commitment to Advocate Christ Medical Center and Hope Children's Hospital.

HOUSE RESOLUTION 323

Offered by Representative Kosel:
Congratulates Pat Pappas, M.D., on being honored by the Advocate Christ Medical Center and Hope Children's Hospital for his exceptional professionalism and contributions in his medical field.

HOUSE RESOLUTION 324

Offered by Representative Kosel:
Congratulates Mark Slaughter, M.D. on being honored by the Advocate Christ Medical Center and Hope Children's Hospital for his exceptional professionalism and contributions in his medical field.

HOUSE RESOLUTION 325

Offered by Representative Kosel:
Congratulates Antone Tatoes, M.D. on being honored by the Advocate Christ Medical Center and Hope Children's Hospital for his exceptional professionalism and contributions in his medical field.

HOUSE RESOLUTION 326

Offered by Representative Sommer:
Congratulates the Morton High School girls varsity basketball team, the Lady Potters, on an impressive season.

HOUSE RESOLUTION 327

Offered by Representative Younge:
Mourns the death of Luther Ingram of O'Fallon.

HOUSE RESOLUTION 328

Offered by Representative Brady:
Commends the efforts of the Illinois Coroners and Medical Examiners Association to respect the religious and cultural beliefs of the citizens of the State.

HOUSE RESOLUTION 329

Offered by Representative Biggins:

Congratulates the brave men and women of the Brookfield and LaGrange Park Police and Fire Departments on being honored by the Brookfield-LaGrange Lions Club.

HOUSE RESOLUTION 330

Offered by Representative Madigan:

Congratulates Don and Norma O'Brien on the celebration of their golden anniversary.

RESOLUTION

Having been reported out of the Committee on State Government Administration on March 14, 2007, HOUSE RESOLUTION 71 was taken up for consideration.

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

AMENDMENT NO. 1. Amend House Resolution 71, on page 1, line 15, after "foreign-born citizens", by inserting "who become permanent residents by age one".

Representative Winters moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted, as amended

HOUSE BILL ON SECOND READING

HOUSE BILL 1. Having been recalled on March 2, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Fritchey offered the following amendments and moved their adoption:

AMENDMENT NO. 1. Amend House Bill 1 on page 8, by inserting below line 12 the following:

"(h) Any political committee that has received a contribution in violation of subsection (f) shall pay an amount equal to the value of the contribution to the State no more than 30 days after notice of the violation concerning the contribution appears in the Illinois Register. Payments received by the State pursuant to this subsection shall be deposited into the general revenue fund."

AMENDMENT NO. 2. Amend House Bill 1, by replacing line 26 on page 7 through line 2 on page 8 with the following:

"(f-5) Any business whose aggregate bids and proposals on State contracts total more than \$25,000, or whose aggregate bids and proposals on State contracts combined with the business' aggregate annual total value of State contracts exceed \$25,000, is prohibited from making any contributions to the officeholder responsible for awarding the contract on which the business has submitted a bid or proposal, or to any political committee established to promote the candidacy of that officeholder, during the period beginning on the date the invitation for bids or request for proposals is issued and ending on the day after the date the contract is awarded. This prohibition shall also apply to contributions from any affiliated persons or entities."

"(g) All contracts between State agencies and a business that violates subsection (f) or (f-5) shall be voidable under Section 50-60."

The foregoing motions prevailed and Amendments numbered 1 and 2 were adopted.

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

HOUSE BILL 8. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 8 on page 10, by replacing lines 23 and 24 with the following:

"session, each legislative committee clerk, as assigned, shall ensure that any witness slips proffered for committee"; and

on page 33, by deleting lines 23 and 24.

Representative Fritchey offered the following amendments and moved their adoption:

AMENDMENT NO. 2. Amend House Bill 8 on page 1, by replacing lines 7 through 21 with the following:

"(5 ILCS 430/5-47 new)

Sec. 5-47. Lobbying; revolving door.

(a) No executive branch constitutional officer or executive branch State employee may accept compensation or other employment as a lobbyist representing clients before any State agency over which the officer had jurisdiction or for which the employee worked for one year from the date the officer left office or the employee left that agency.

(b) No employee or member of the legislative branch who leaves that position between August 1 and the next November 30 may work as a registered lobbyist to influence legislative action until after the adjournment of the next spring legislative session, and no employee or member of the legislative branch who leaves that position between December 1 and the next July 31 may work as a registered lobbyist to influence legislative action until after the conclusion of the next veto session.

(c) As used in this Section, "compensation", "lobbyists", and "legislative action" have the same meanings as those terms are defined in Section 2 of the Lobbyist Registration Act.;" and

on page 23, in line 24 by replacing "\$10" with "\$75"; and

on page 25, by replacing lines 23 through 25 with the following:

"amount of the expenditure, the date of the event, and the estimated number of officials in attendance.;" and on page 27, in line 15 by replacing "(e)" with "(c)".

AMENDMENT NO. 3. Amend House Bill 8 on page 1, by replacing lines 7 through 21 with the following:

"(5 ILCS 430/5-47 new)

Sec. 5-47. Lobbying; revolving door.

(a) No executive branch constitutional officer or executive branch State employee may accept compensation or other employment as a lobbyist representing clients before any State agency over which the officer had jurisdiction or for which the employee worked for one year from the date the officer left office or the employee left that agency.

(b) No member of the legislative branch who leaves that position between August 1 and the next November 30 may work as a registered lobbyist to influence legislative action until after the adjournment of the next spring legislative session, and no member of the legislative branch who leaves that position between December 1 and the next July 31 may work as a registered lobbyist to influence legislative action until after the conclusion of the next veto session.

(c) As used in this Section, "compensation", "lobbyists", and "legislative action" have the same meanings as those terms are defined in Section 2 of the Lobbyist Registration Act.;" and

on page 14, by inserting after line 25 the following:

"(1.4) A unit of local government or a school district.

(1.5) An elected or appointed official or an employee of a unit of local government or school district who, in the scope of his or her public office or employment, seeks to influence executive, legislative, or administrative action exclusively on behalf of that unit of local government or school district.;" and

on page 23, in line 24 by replacing "\$10" with "\$75"; and

on page 25, by replacing lines 23 through 25 with the following:

"amount of the expenditure, the date of the event, and the estimated number of officials in attendance.;" and on page 27, in line 15 by replacing "(e)" with "(c)".

The foregoing motions prevailed and Amendments numbered 2 and 3 were adopted.

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

RECALL

At the request of the principal sponsor, Representative Acevedo, HOUSE BILL 1557 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON THIRD READING

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

On motion of Representative Boland, HOUSE BILL 1460 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 111, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 2)

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

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

On motion of Representative John Bradley, HOUSE BILL 734 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: 110, Yeas; 1, Nays; 0, Answering Present.
(ROLL CALL 3)

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

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

On motion of Representative Black, HOUSE BILL 618 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 111, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 4)

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

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

On motion of Representative Cultra, HOUSE BILL 1116 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; 7, Nays; 1, Answering Present.
(ROLL CALL 5)

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

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

RECALL

At the request of the principal sponsor, Representative Feigenholtz, HOUSE BILL 3604 was recalled from the order of Third Reading to the order of Second Reading.

HOUSE BILL ON SECOND READING

HOUSE BILL 3604. Having been recalled on April 24, 2007, the same was again taken up and read by title a second time.

Representative Feigenholtz offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3604 by replacing everything after the enacting clause with the following:

"Section 5. The Hospital Licensing Act is amended by adding Section 6.23 as follows:

(210 ILCS 85/6.23 new)

Sec. 6.23. Time of death; patient's religious beliefs. Every hospital must adopt policies and procedures to allow health care professionals, in documenting a patient's time of death at the hospital, to take into account the patient's religious beliefs concerning the patient's time of death."

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

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

HOUSE BILLS ON THIRD READING

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

On motion of Representative Hamos, HOUSE BILL 1842 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:

74, Yeas; 38, Nays; 0, Answering Present.

(ROLL CALL 6)

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

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

On motion of Representative Howard, HOUSE BILL 3627 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; 7, Nays; 1, Answering Present.

(ROLL CALL 7)

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

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

On motion of Representative Krause, HOUSE BILL 2973 was taken up and read by title a third time.

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

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

(ROLL CALL 8)

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

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

On motion of Representative Joyce, HOUSE BILL 1839 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; 8, Nays; 0, Answering Present.

(ROLL CALL 9)

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

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

On motion of Representative Lyons, HOUSE BILL 2304 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 10)

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

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

On motion of Representative Mendoza, HOUSE BILL 1900 was taken up and read by title a third time.

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

(ROLL CALL 11)

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

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

On motion of Representative John Bradley, HOUSE BILL 1775 was taken up and read by title a third time.

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

(ROLL CALL 12)

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

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

On motion of Representative Bill Mitchell, HOUSE BILL 306 was taken up and read by title a third time.

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

(ROLL CALL 13)

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

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

On motion of Representative Nekritz, HOUSE BILL 680 was taken up and read by title a third time.

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

(ROLL CALL 14)

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

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

On motion of Representative Pritchard, HOUSE BILL 3597 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 15)

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

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

On motion of Representative Reis, HOUSE BILL 3289 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 113, Yeas; 1, Nays; 0, Answering Present.

(ROLL CALL 16)

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

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

On motion of Representative Rita, HOUSE BILL 855 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 113, Yeas; 1, Nays; 0, Answering Present.

(ROLL CALL 17)

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

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

On motion of Representative Smith, HOUSE BILL 1998 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 18)

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

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

On motion of Representative Sommer, HOUSE BILL 1876 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 114, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 19)

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

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

RECALL

At the request of the principal sponsor, Representative Fritchey, HOUSE BILL 8 was recalled from the order of Third Reading to the order of Second Reading.

HOUSE BILL ON SECOND READING

HOUSE BILL 8. Having been recalled on April 24, 2007, the same was again taken up and read by title a second time.

Floor Amendment No. 2 was tabled by Representative Fritchey.

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

RECALL

At the request of the principal sponsor, Representative Verschoore, HOUSE BILL 410 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Crespo, HOUSE BILL 1434 was recalled from the order of Third Reading to the order of Second Reading.

HOUSE BILLS ON SECOND READING

HOUSE BILL 1434. Having been recalled on April 24, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Crespo offered and withdrew Amendment No. 1.

Representative Crespo offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1434 on page 1, immediately below line 11, by inserting the following:

"(1) The public universities in this State have the right of first refusal to offer the baccalaureate degree programs on the community college campus in a manner that is mutually agreeable between the district and the university."; and

on page 1, line 12, by replacing "(1)" with "(2)"; and

on page 1, line 16, by replacing "(2)" with "(3)"; and

on page 1, line 18, by replacing "(3)" with "(4)"; and

on page 1, line 20, by replacing "(4)" with "(5)"; and

on page 1, line 22, by replacing "(5)" with "(6)"; and

on page 2, line 1, by replacing "(6)" with "(7)".

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

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

HOUSE BILL 894. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Electric Utility Oversight, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 894 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by changing Section 16-115 as follows:

(220 ILCS 5/16-115)

Sec. 16-115. Certification of alternative retail electric suppliers.

(a) Any alternative retail electric supplier must obtain a certificate of service authority from the

Commission in accordance with this Section before serving any retail customer or other user located in this State. An alternative retail electric supplier may request, and the Commission may grant, a certificate of service authority for the entire State or for a specified geographic area of the State.

(b) An alternative retail electric supplier seeking a certificate of service authority shall file with the Commission a verified application containing information showing that the applicant meets the requirements of this Section. The alternative retail electric supplier shall publish notice of its application in the official State newspaper within 10 days following the date of its filing. No later than 45 days after the application is properly filed with the Commission, and such notice is published, the Commission shall issue its order granting or denying the application.

(c) An application for a certificate of service authority shall identify the area or areas in which the applicant intends to offer service and the types of services it intends to offer. Applicants that seek to serve residential or small commercial retail customers within a geographic area that is smaller than an electric utility's service area shall submit evidence demonstrating that the designation of this smaller area does not violate Section 16-115A. An applicant that seeks to serve residential or small commercial retail customers may state in its application for certification any limitations that will be imposed on the number of customers or maximum load to be served.

(d) The Commission shall grant the application for a certificate of service authority if it makes the findings set forth in this subsection based on the verified application and such other information as the applicant may submit:

(1) That the applicant possesses sufficient technical, financial and managerial resources and abilities to provide the service for which it seeks a certificate of service authority. In determining the level of technical, financial and managerial resources and abilities which the applicant must demonstrate, the Commission shall consider (i) the characteristics, including the size and financial sophistication, of the customers that the applicant seeks to serve, and (ii) whether the applicant seeks to provide electric power and energy using property, plant and equipment which it owns, controls or operates;

(2) That the applicant will comply with all applicable federal, State, regional and industry rules, policies, practices and procedures for the use, operation, and maintenance of the safety, integrity and reliability, of the interconnected electric transmission system;

(3) That the applicant will only provide service to retail customers in an electric utility's service area that are eligible to take delivery services under this Act;

(4) That the applicant will comply with such informational or reporting requirements as the Commission may by rule establish and provide the information required by Section 16-112. Any data related to contracts for the purchase and sale of electric power and energy shall be made available for review by the Staff of the Commission on a confidential and proprietary basis and only to the extent and for the purposes which the Commission determines are reasonably necessary in order to carry out the purposes of this Act;

(5) ~~(Blank) That if the applicant, its corporate affiliates or the applicant's principal source of electricity (to the extent such source is known at the time of the application) owns or controls facilities, for public use, for the transmission or distribution of electricity to end users within a defined geographic area to which electric power and energy can be physically and economically delivered by the electric utility or utilities in whose service area or areas the proposed service will be offered, the applicant, its corporate affiliates or principal source of electricity, as the case may be, provides delivery services to the electric utility or utilities in whose service area or areas the proposed service will be offered that are reasonably comparable to those offered by the electric utility, and provided further, that the applicant agrees to certify annually to the Commission that it is continuing to provide such delivery services and that it has not knowingly assisted any person or entity to avoid the requirements of this Section. For purposes of this subparagraph, "principal source of electricity" shall mean a single source that supplies at least 65% of the applicant's electric power and energy, and the purchase of transmission and distribution services pursuant to a filed tariff under the jurisdiction of the Federal Energy Regulatory Commission or a state public utility commission shall not constitute control of access to the provider's transmission and distribution facilities;~~

(6) With respect to an applicant that seeks to serve residential or small commercial retail customers, that the area to be served by the applicant and any limitations it proposes on the number of customers or maximum amount of load to be served meet the provisions of Section 16-115A, provided, that the Commission can extend the time for considering such a certificate request by up to 90 days, and can schedule hearings on such a request;

(7) That the applicant meets the requirements of subsection (a) of Section 16-128; and

(8) That the applicant will comply with all other applicable laws and regulations.

(e) A retail customer that owns a cogeneration or self-generation facility and that seeks certification only to provide electric power and energy from such facility to retail customers at separate locations which customers are both (i) owned by, or a subsidiary or other corporate affiliate of, such applicant and (ii) eligible for delivery services, shall be granted a certificate of service authority upon filing an application and notifying the Commission that it has entered into an agreement with the relevant electric utilities pursuant to Section 16-118. Provided, however, that if the retail customer owning such cogeneration or self-generation facility would not be charged a transition charge due to the exemption provided under subsection (f) of Section 16-108 prior to the certification, and the retail customers at separate locations are taking delivery services in conjunction with purchasing power and energy from the facility, the retail customer on whose premises the facility is located shall not thereafter be required to pay transition charges on the power and energy that such retail customer takes from the facility.

(f) The Commission shall have the authority to promulgate rules and regulations to carry out the provisions of this Section. On or before May 1, 1999, the Commission shall adopt a rule or rules applicable to the certification of those alternative retail electric suppliers that seek to serve only nonresidential retail customers with maximum electrical demands of one megawatt or more which shall provide for (i) expedited and streamlined procedures for certification of such alternative retail electric suppliers and (ii) specific criteria which, if met by any such alternative retail electric supplier, shall constitute the demonstration of technical, financial and managerial resources and abilities to provide service required by subsection (d) (1) of this Section, such as a requirement to post a bond or letter of credit, from a responsible surety or financial institution, of sufficient size for the nature and scope of the services to be provided; demonstration of adequate insurance for the scope and nature of the services to be provided; and experience in providing similar services in other jurisdictions.

(Source: P.A. 90-561, eff. 12-16-97; 91-50, eff. 6-30-99)."

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 1798. Having been reproduced, was taken up and read by title a second time. Representative Brosnahan offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1798 by replacing everything after the enacting clause with the following:

"Section 5. The Wrongful Death Act is amended by changing Section 2 as follows:
(740 ILCS 180/2) (from Ch. 70, par. 2)

Sec. 2. Every such action shall be brought by and in the names of the personal representatives of such deceased person, and, except as otherwise hereinafter provided, the amount recovered in every such action shall be for the exclusive benefit of the surviving spouse and next of kin of such deceased person. ~~In and in~~ every such action the jury may give such damages as they shall deem a fair and just compensation with reference to the pecuniary injuries resulting from such death including damages for grief, sorrow, and mental suffering, to the surviving spouse and next of kin of such deceased person.

~~In every such action, the jury shall determine the amount of damages to be recovered without regard to and with no special instruction as to the dollar limits on recovery imposed by this Section. In no event shall the judgment entered upon such verdict exceed \$20,000 where such death occurred prior to July 14, 1955, and not exceeding \$25,000 where such death occurred on or after July 14, 1955 and prior to July 8, 1957, and not exceeding \$30,000 where such death occurs on or after July 8, 1957 and prior to the effective date of this amendatory Act of 1967, and without limitation where such death occurs on or after the effective date of this amendatory Act of 1967.~~

The amount recovered in any such action shall be distributed by the court in which the cause is heard or, in the case of an agreed settlement, by the circuit court, to each of the surviving spouse and next of kin of such deceased person in the proportion, as determined by the court, that the percentage of dependency of each such person upon the deceased person bears to the sum of the percentages of dependency of all such persons upon the deceased person.

Where the deceased person left no surviving spouse or next of kin entitled to recovery, the damages shall, subject to the following limitations inure, to the exclusive benefit of the following persons, or any one or more of them:

(a) to the person or persons furnishing hospitalization or hospital services in connection with the last illness or injury of the deceased person, not exceeding \$450;

(b) to the person or persons furnishing medical or surgical services in connection with such last illness or injury, not exceeding \$450;

(c) to the personal representatives, as such, for the costs and expenses of administering the estate and prosecuting or compromising the action, including a reasonable attorney's fee. In any such case the measure of damages to be recovered shall be the total of the reasonable value of such hospitalization or hospital service, medical and surgical services, funeral expenses, and such costs and expenses of administration, including attorney fees, not exceeding the foregoing limitations for each class of such expenses and not exceeding \$900 plus a reasonable attorney's fee.

Every such action shall be commenced within 2 years after the death of such person but an action against a defendant arising from a crime committed by the defendant in whose name an escrow account was established under the "Criminal Victims' Escrow Account Act" shall be commenced within 2 years after the establishment of such account. For the purposes of this Section 2, next of kin includes an adopting parent and an adopted child, and they shall be treated as a natural parent and a natural child, respectively. However, if a person entitled to recover benefits under this Act, is, at the time the cause of action accrued, within the age of 18 years, he or she may cause such action to be brought within 2 years after attainment of the age of 18.

In any such action to recover damages, it shall not be a defense that the death was caused in whole or in part by the contributory negligence of one or more of the beneficiaries on behalf of whom the action is brought, but the amount of damages given shall be reduced in the following manner.

The trier of fact shall first determine the decedent's contributory fault in accordance with Sections 2-1116 and 2-1107.1 of the Code of Civil Procedure. Recovery of damages shall be barred or diminished accordingly. The trier of fact shall then determine the contributory fault, if any, of each beneficiary on behalf of whom the action was brought:

(1) Where the trier of fact finds that the contributory fault of a beneficiary on whose behalf the action is brought is not more than 50% of the proximate cause of the wrongful death of the decedent, then the damages allowed to that beneficiary shall be diminished in proportion to the contributory fault attributed to that beneficiary. The amount of the reduction shall not be payable by any defendant.

(2) Where the trier of fact finds that the contributory fault of a beneficiary on whose behalf the action is brought is more than 50% of the proximate cause of the wrongful death of the decedent, then the beneficiary shall be barred from recovering damages and the amount of damages which would have been payable to that beneficiary, but for the beneficiary's contributory fault, shall not inure to the benefit of the remaining beneficiaries and shall not be payable by any defendant.

The trial judge shall conduct a hearing to determine the degree of dependency of each beneficiary upon the decedent. The trial judge shall calculate the amount of damages to be awarded each beneficiary, taking into account any reduction arising from either the decedent's or the beneficiary's contributory fault.

This amendatory Act of the 91st General Assembly applies to all actions pending on or filed after the effective date of this amendatory Act.

This amendatory Act of the 95th General Assembly applies to causes of actions accruing on or after its effective date.

(Source: P.A. 91-380, eff. 7-30-99.)

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

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

HOUSE BILL 587. Having been recalled on April 19, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Black offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 587 on page 3, in line 7 by inserting after "in" the following:

"a community college, as defined in the Public Community College Act, or"; and on page 6, in line 24 by inserting after "in" the following:

"a community college, as defined in the Public Community College Act, or".

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

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

HOUSE BILL 261. Having been reproduced, was taken up and read by title a second time.

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

Representative Eddy offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 261 by replacing everything after the enacting clause with the following:

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

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

Sec. 10-20.21. Contracts.

(a) To award all contracts for purchase of supplies, materials or work or contracts with private carriers for transportation of pupils involving an expenditure in excess of \$25,000 or a lower amount as required by board policy ~~\$10,000~~ to the lowest responsible bidder, considering conformity with specifications, terms of delivery, quality and serviceability, after due advertisement, except the following: (i) contracts for the services of individuals or corporations possessing a high degree of professional skill where the ability or fitness of the individual or corporation plays an important part; (ii) contracts for the printing of finance committee reports and departmental reports; (iii) contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness; (iv) contracts for the purchase of perishable foods and perishable beverages, including, but not limited to, food service contracts; (v) contracts for materials and work which have been awarded to the lowest responsible bidder after due advertisement, but due to unforeseen revisions, not the fault of the contractor for materials and work, must be revised causing expenditures not in excess of 10% of the contract price; (vi) contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent; (vii) purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, and services; (viii) contracts for duplicating machines and supplies; (ix) contracts for the purchase of natural gas when the cost is less than that offered by a public utility; (x) purchases of equipment previously owned by some entity other than the district itself; (xi) contracts for repair, maintenance, remodeling, renovation, or construction, or a single project involving an expenditure not to exceed \$50,000 ~~\$20,000~~ and not involving a change or increase in the size, type, or extent of an existing facility; (xii) contracts for goods or services procured from another governmental agency or consortia of agencies; (xiii) contracts for goods or services which are economically procurable from only one source, such as for the purchase of magazines, books, periodicals, pamphlets and reports, and for utility services such as water, light, heat, telephone or telegraph; (xiv) where funds are expended in an emergency and such emergency expenditure is approved by 3/4 of the members of the board; and (xv) State master contracts authorized under Article 28A of this Code. A school board must either award electricity contracts involving an expenditure in excess of \$25,000 to the lowest responsible bidder, considering conformity with specifications, terms of delivery, quality, and serviceability, after due advertisement or procure electricity through a request for proposals process similar to the process set forth in Article 19b of this Code. If a school district joins a utility consortium, then that consortium must either award electricity contracts involving an expenditure in excess of \$25,000 to the lowest responsible bidder, considering conformity with specifications, terms of delivery, quality, and serviceability, after due advertisement or procure electricity through a request for proposals process similar to the process set forth in Article 19b of this Code.

All competitive bids for contracts involving an expenditure in excess of \$25,000 or a lower amount as

required by board policy \$10,000 must be sealed by the bidder and must be opened by a member or employee of the school board at a public bid opening at which the contents of the bids must be announced. Each bidder must receive at least 3 days' notice of the time and place of the bid opening. For purposes of this Section due advertisement includes, but is not limited to, at least one public notice at least 10 days before the bid date in a newspaper published in the district, or if no newspaper is published in the district, in a newspaper of general circulation in the area of the district. State master contracts and certified education purchasing contracts, as defined in Article 28A of this Code, are not subject to the requirements of this paragraph.

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

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

(b-5) To require all contracts and agreements that pertain to goods and services and that are intended to generate additional revenue and other remunerations for the school district in excess of \$1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, to be approved by the school board. The school board shall file as an attachment to its annual budget a report, in a form as determined by the State Board of Education, indicating for the prior year the name of the vendor, the product or service provided, and the actual net revenue and non-monetary remuneration from each of the contracts or agreements. In addition, the report shall indicate for what purpose the revenue was used and how and to whom the non-monetary remuneration was distributed.

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

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

(Source: P.A. 93-25, eff. 6-20-03; 93-1036, eff. 9-14-04; 94-714, eff. 7-1-06.)

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

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

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

HOUSE BILL 736. Having been recalled on April 19, 2007, 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 House Bill 736 on page 2, line 2, immediately after "report", by inserting the following:

", in a manner established by the Commission that is consistent with the Commission's rules regarding ex parte communications."; and

on page 2, by replacing lines 18 through 20 with the following:

"Notwithstanding any other provision of this Section, the Commission's established procedures for accepting testimony from Illinois residents on matters pending before the Commission shall be consistent with the Commission's rules regarding ex parte communications and due process."

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

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

HOUSE BILL 1361. Having been recalled on April 17, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Ford offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1361 by replacing everything after the enacting clause with the following:

"Section 5. The Real Estate License Act of 2000 is amended by changing Section 20-20 as follows:

(225 ILCS 454/20-20)

(Section scheduled to be repealed on January 1, 2010)

Sec. 20-20. Disciplinary actions; causes. OBRE may refuse to issue or renew a license, may place on probation, suspend, or revoke any license, or may censure, reprimand, or otherwise discipline or impose a civil fine not to exceed \$25,000 upon any licensee hereunder for any one or any combination of the following causes:

(a) When the applicant or licensee has, by false or fraudulent representation, obtained or sought to obtain a license.

(b) When the applicant or licensee has been convicted of any crime, an essential element of which is dishonesty or fraud or larceny, embezzlement, or obtaining money, property, or credit by false pretenses or by means of a confidence game, has been convicted in this or another state of a crime that is a felony under the laws of this State, or has been convicted of a felony in a federal court.

(c) When the applicant or licensee has been adjudged to be a person under legal disability or subject to involuntary admission or to meet the standard for judicial admission as provided in the Mental Health and Developmental Disabilities Code.

(d) When the licensee performs or attempts to perform any act as a broker or salesperson in a retail sales establishment from an office, desk, or space that is not separated from the main retail business by a separate and distinct area within the establishment.

(e) Discipline of a licensee by another state, the District of Columbia, a territory, a foreign nation, a governmental agency, or any other entity authorized to impose discipline if at least one of the grounds for that discipline is the same as or the equivalent of one of the grounds for discipline set forth in this Act, in which case the only issue will be whether one of the grounds for that discipline is the same or equivalent to one of the grounds for discipline under this Act.

(f) When the applicant or licensee has engaged in real estate activity without a license or after the licensee's license was expired or while the license was inoperative.

(g) When the applicant or licensee attempts to subvert or cheat on the Real Estate License Exam or continuing education exam or aids and abets an applicant to subvert or cheat on the Real Estate License Exam or continuing education exam administered pursuant to this Act.

(h) When the licensee in performing, attempting to perform, or pretending to perform any act as a broker, salesperson, or leasing agent or when the licensee in handling his or her own property, whether held by deed, option, or otherwise, is found guilty of:

(1) Making any substantial misrepresentation or untruthful advertising.

(2) Making any false promises of a character likely to influence, persuade, or induce.

(3) Pursuing a continued and flagrant course of misrepresentation or the making of false promises through licensees, employees, agents, advertising, or otherwise.

(4) Any misleading or untruthful advertising, or using any trade name or insignia of membership in any real estate organization of which the licensee is not a member.

(5) Acting for more than one party in a transaction without providing written notice to all parties for whom the licensee acts.

- (6) Representing or attempting to represent a broker other than the sponsoring broker.
- (7) Failure to account for or to remit any moneys or documents coming into his or her possession that belong to others.

(8) Failure to maintain and deposit in a special account, separate and apart from personal and other business accounts, all escrow moneys belonging to others entrusted to a licensee while acting as a real estate broker, escrow agent, or temporary custodian of the funds of others or failure to maintain all escrow moneys on deposit in the account until the transactions are consummated or terminated, except to the extent that the moneys, or any part thereof, shall be:

(A) disbursed prior to the consummation or termination (i) in accordance with ~~(i)~~ the written direction of the principals to the transaction or their duly authorized agents, (ii) in accordance with directions providing for the release, payment, or distribution of escrow moneys contained in any written contract signed by the principals to the transaction or their duly authorized agents, or (iii) pursuant to an order of a court of competent jurisdiction; or

(B) deemed abandoned and transferred to the Office of the State Treasurer to be handled as unclaimed property pursuant to the Uniform Disposition of Unclaimed Property Act. Escrow moneys may be deemed abandoned under this subparagraph (B) only: (i) in the absence of disbursement under subparagraph (A); (ii) in the absence of notice of the filing of any claim in a court of competent jurisdiction; and (iii) if 6 months have elapsed after the receipt of a written demand for the escrow moneys from one of the principals to the transaction or the principal's duly authorized agent.

The account shall be noninterest bearing, unless the character of the deposit is such that payment of interest thereon is otherwise required by law or unless the principals to the transaction specifically require, in writing, that the deposit be placed in an interest bearing account.

(9) Failure to make available to the real estate enforcement personnel of OBRE during normal business hours all escrow records and related documents maintained in connection with the practice of real estate within 24 hours of a request for those documents by OBRE personnel.

(10) Failing to furnish copies upon request of all documents relating to a real estate transaction to all parties executing them.

(11) Failure of a sponsoring broker to timely provide information, sponsor cards, or termination of licenses to OBRE.

(12) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(13) Commingling the money or property of others with his or her own.

(14) Employing any person on a purely temporary or single deal basis as a means of evading the law regarding payment of commission to nonlicensees on some contemplated transactions.

(15) Permitting the use of his or her license as a broker to enable a salesperson or unlicensed person to operate a real estate business without actual participation therein and control thereof by the broker.

(16) Any other conduct, whether of the same or a different character from that specified in this Section, that constitutes dishonest dealing.

(17) Displaying a "for rent" or "for sale" sign on any property without the written consent of an owner or his or her duly authorized agent or advertising by any means that any property is for sale or for rent without the written consent of the owner or his or her authorized agent.

(18) Failing to provide information requested by OBRE, within 30 days of the request, either as the result of a formal or informal complaint to OBRE or as a result of a random audit conducted by OBRE, which would indicate a violation of this Act.

(19) Advertising by means of a blind advertisement, except as otherwise permitted in Section 10-30 of this Act.

(20) Offering guaranteed sales plans, as defined in clause (A) of this subdivision

(20), except to the extent hereinafter set forth:

(A) A "guaranteed sales plan" is any real estate purchase or sales plan whereby a licensee enters into a conditional or unconditional written contract with a seller by the terms of which a licensee agrees to purchase a property of the seller within a specified period of time at a specific price in the event the property is not sold in accordance with the terms of a listing contract between the sponsoring broker and the seller or on other terms acceptable to the seller.

(B) A licensee offering a guaranteed sales plan shall provide the details and conditions of the plan in writing to the party to whom the plan is offered.

(C) A licensee offering a guaranteed sales plan shall provide to the party to whom

the plan is offered evidence of sufficient financial resources to satisfy the commitment to purchase undertaken by the broker in the plan.

(D) Any licensee offering a guaranteed sales plan shall undertake to market the property of the seller subject to the plan in the same manner in which the broker would market any other property, unless the agreement with the seller provides otherwise.

(E) Any licensee who fails to perform on a guaranteed sales plan in strict accordance with its terms shall be subject to all the penalties provided in this Act for violations thereof and, in addition, shall be subject to a civil fine payable to the party injured by the default in an amount of up to \$25,000.

(21) Influencing or attempting to influence, by any words or acts, a prospective seller, purchaser, occupant, landlord, or tenant of real estate, in connection with viewing, buying, or leasing real estate, so as to promote or tend to promote the continuance or maintenance of racially and religiously segregated housing or so as to retard, obstruct, or discourage racially integrated housing on or in any street, block, neighborhood, or community.

(22) Engaging in any act that constitutes a violation of any provision of Article 3 of the Illinois Human Rights Act, whether or not a complaint has been filed with or adjudicated by the Human Rights Commission.

(23) Inducing any party to a contract of sale or lease or brokerage agreement to break the contract of sale or lease or brokerage agreement for the purpose of substituting, in lieu thereof, a new contract for sale or lease or brokerage agreement with a third party.

(24) Negotiating a sale, exchange, or lease of real estate directly with any person if the licensee knows that the person has a written exclusive brokerage agreement with another broker, unless specifically authorized by that broker.

(25) When a licensee is also an attorney, acting as the attorney for either the buyer or the seller in the same transaction in which the licensee is acting or has acted as a broker or salesperson.

(26) Advertising or offering merchandise or services as free if any conditions or obligations necessary for receiving the merchandise or services are not disclosed in the same advertisement or offer. These conditions or obligations include without limitation the requirement that the recipient attend a promotional activity or visit a real estate site. As used in this subdivision (26), "free" includes terms such as "award", "prize", "no charge", "free of charge", "without charge", and similar words or phrases that reasonably lead a person to believe that he or she may receive or has been selected to receive something of value, without any conditions or obligations on the part of the recipient.

(27) Disregarding or violating any provision of the Land Sales Registration Act of 1989, the Illinois Real Estate Time-Share Act, or the published rules promulgated by OBRE to enforce those Acts.

(28) Violating the terms of a disciplinary order issued by OBRE.

(29) Paying compensation in violation of Article 10 of this Act.

(30) Requiring a party to a transaction who is not a client of the licensee to allow the licensee to retain a portion of the escrow moneys for payment of the licensee's commission or expenses as a condition for release of the escrow moneys to that party.

(31) Disregarding or violating any provision of this Act or the published rules promulgated by OBRE to enforce this Act or aiding or abetting any individual, partnership, registered limited liability partnership, limited liability company, or corporation in disregarding any provision of this Act or the published rules promulgated by OBRE to enforce this Act.

(32) Failing to provide the minimum services required by Section 15-75 of this Act when acting under an exclusive brokerage agreement.

(Source: P.A. 93-957, eff. 8-19-04.)"

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

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

HOUSE BILL 415. Having been reproduced, was taken up and read by title a second time. Representative Graham offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 415 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Section 3 as follows:

(5 ILCS 375/3) (from Ch. 127, par. 523)

Sec. 3. Definitions. Unless the context otherwise requires, the following words and phrases as used in this Act shall have the following meanings. The Department may define these and other words and phrases separately for the purpose of implementing specific programs providing benefits under this Act.

(a) "Administrative service organization" means any person, firm or corporation experienced in the handling of claims which is fully qualified, financially sound and capable of meeting the service requirements of a contract of administration executed with the Department.

(b) "Annuitant" means (1) an employee who retires, or has retired, on or after January 1, 1966 on an immediate annuity under the provisions of Articles 2, 14 (including an employee who has elected to receive an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code in lieu of an annuity), 15 (including an employee who has retired under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code; (2) any person who was receiving group insurance coverage under this Act as of March 31, 1978 by reason of his status as an annuitant, even though the annuity in relation to which such coverage was provided is a proportional annuity based on less than the minimum period of service required for a retirement annuity in the system involved; (3) any person not otherwise covered by this Act who has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code; (4) the spouse of any person who is receiving a retirement annuity under Article 18 of the Illinois Pension Code and who is covered under a group health insurance program sponsored by a governmental employer other than the State of Illinois and who has irrevocably elected to waive his or her coverage under this Act and to have his or her spouse considered as the "annuitant" under this Act and not as a "dependent"; or (5) an employee who retires, or has retired, from a qualified position, as determined according to rules promulgated by the Director, under a qualified local government, a qualified rehabilitation facility, a qualified domestic violence shelter or service, or a qualified child advocacy center. (For definition of "retired employee", see (p) post).

(b-5) "New SERS annuitant" means a person who, on or after January 1, 1998, becomes an annuitant, as defined in subsection (b), by virtue of beginning to receive a retirement annuity under Article 14 of the Illinois Pension Code (including an employee who has elected to receive an alternative retirement cancellation payment under Section 14-108.5 of that Code in lieu of an annuity), and is eligible to participate in the basic program of group health benefits provided for annuitants under this Act.

(b-6) "New SURS annuitant" means a person who (1) on or after January 1, 1998, becomes an annuitant, as defined in subsection (b), by virtue of beginning to receive a retirement annuity under Article 15 of the Illinois Pension Code, (2) has not made the election authorized under Section 15-135.1 of the Illinois Pension Code, and (3) is eligible to participate in the basic program of group health benefits provided for annuitants under this Act.

(b-7) "New TRS State annuitant" means a person who, on or after July 1, 1998, becomes an annuitant, as defined in subsection (b), by virtue of beginning to receive a retirement annuity under Article 16 of the Illinois Pension Code based on service as a teacher as defined in paragraph (2), (3), or (5) of Section 16-106 of that Code, and is eligible to participate in the basic program of group health benefits provided for annuitants under this Act.

(c) "Carrier" means (1) an insurance company, a corporation organized under the Limited Health Service Organization Act or the Voluntary Health Services Plan Act, a partnership, or other nongovernmental organization, which is authorized to do group life or group health insurance business in Illinois, or (2) the State of Illinois as a self-insurer.

(d) "Compensation" means salary or wages payable on a regular payroll by the State Treasurer on a warrant of the State Comptroller out of any State, trust or federal fund, or by the Governor of the State through a disbursing officer of the State out of a trust or out of federal funds, or by any Department out of State, trust, federal or other funds held by the State Treasurer or the Department, to any person for personal services currently performed, and ordinary or accidental disability benefits under Articles 2, 14, 15 (including ordinary or accidental disability benefits under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code, for disability incurred after January 1, 1966, or benefits payable under the Workers' Compensation or

Occupational Diseases Act or benefits payable under a sick pay plan established in accordance with Section 36 of the State Finance Act. "Compensation" also means salary or wages paid to an employee of any qualified local government, qualified rehabilitation facility, qualified domestic violence shelter or service, or qualified child advocacy center.

(e) "Commission" means the State Employees Group Insurance Advisory Commission authorized by this Act. Commencing July 1, 1984, "Commission" as used in this Act means the Commission on Government Forecasting and Accountability as established by the Legislative Commission Reorganization Act of 1984.

(f) "Contributory", when referred to as contributory coverage, shall mean optional coverages or benefits elected by the member toward the cost of which such member makes contribution, or which are funded in whole or in part through the acceptance of a reduction in earnings or the foregoing of an increase in earnings by an employee, as distinguished from noncontributory coverage or benefits which are paid entirely by the State of Illinois without reduction of the member's salary.

(g) "Department" means any department, institution, board, commission, officer, court or any agency of the State government receiving appropriations and having power to certify payrolls to the Comptroller authorizing payments of salary and wages against such appropriations as are made by the General Assembly from any State fund, or against trust funds held by the State Treasurer and includes boards of trustees of the retirement systems created by Articles 2, 14, 15, 16 and 18 of the Illinois Pension Code. "Department" also includes the Illinois Comprehensive Health Insurance Board, the Board of Examiners established under the Illinois Public Accounting Act, and the Illinois Finance Authority.

(h) "Dependent", when the term is used in the context of the health and life plan, means a member's spouse and any ~~unmarried~~ child (1) from birth to age ~~24~~, ~~19~~ including an adopted child, a child who lives with the member from the time of the filing of a petition for adoption until entry of an order of adoption, a stepchild or recognized child who lives with the member in a parent-child relationship, or a child who lives with the member if such member is a court appointed guardian of the child, or (2) ~~age 19 to 23 enrolled as a full time student in any accredited school, financially dependent upon the member, and eligible to be claimed as a dependent for income tax purposes, or~~ (3) age 19 or over who is mentally or physically handicapped. ~~For the purposes of item (2), an unmarried child age 19 to 23 who is a member of the United States Armed Services, including the Illinois National Guard, and is mobilized to active duty shall qualify as a dependent beyond the age of 23 and until the age of 25 and while a full time student for the amount of time spent on active duty between the ages of 19 and 23. The individual attempting to qualify for this additional time must submit written documentation of active duty service to the Director. The changes made by this amendatory Act of the 94th General Assembly apply only to individuals mobilized to active duty in the United States Armed Services, including the Illinois National Guard, on or after January 1, 2002.~~ For the health plan only, the term "dependent" also includes any person enrolled prior to the effective date of this Section who is dependent upon the member to the extent that the member may claim such person as a dependent for income tax deduction purposes; no other such person may be enrolled. For the health plan only, the term "dependent" also includes any person who has received after June 30, 2000 an organ transplant and who is financially dependent upon the member and eligible to be claimed as a dependent for income tax purposes.

(i) "Director" means the Director of the Illinois Department of Central Management Services.

(j) "Eligibility period" means the period of time a member has to elect enrollment in programs or to select benefits without regard to age, sex or health.

(k) "Employee" means and includes each officer or employee in the service of a department who (1) receives his compensation for service rendered to the department on a warrant issued pursuant to a payroll certified by a department or on a warrant or check issued and drawn by a department upon a trust, federal or other fund or on a warrant issued pursuant to a payroll certified by an elected or duly appointed officer of the State or who receives payment of the performance of personal services on a warrant issued pursuant to a payroll certified by a Department and drawn by the Comptroller upon the State Treasurer against appropriations made by the General Assembly from any fund or against trust funds held by the State Treasurer, and (2) is employed full-time or part-time in a position normally requiring actual performance of duty during not less than 1/2 of a normal work period, as established by the Director in cooperation with each department, except that persons elected by popular vote will be considered employees during the entire term for which they are elected regardless of hours devoted to the service of the State, and (3) except that "employee" does not include any person who is not eligible by reason of such person's employment to participate in one of the State retirement systems under Articles 2, 14, 15 (either the regular Article 15 system or the optional retirement program established under Section 15-158.2) or 18, or under paragraph (2), (3), or (5) of Section 16-106, of the Illinois Pension Code, but such term does include persons who are

employed during the 6 month qualifying period under Article 14 of the Illinois Pension Code. Such term also includes any person who (1) after January 1, 1966, is receiving ordinary or accidental disability benefits under Articles 2, 14, 15 (including ordinary or accidental disability benefits under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code, for disability incurred after January 1, 1966, (2) receives total permanent or total temporary disability under the Workers' Compensation Act or Occupational Disease Act as a result of injuries sustained or illness contracted in the course of employment with the State of Illinois, or (3) is not otherwise covered under this Act and has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code. However, a person who satisfies the criteria of the foregoing definition of "employee" except that such person is made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code is also an "employee" for the purposes of this Act. "Employee" also includes any person receiving or eligible for benefits under a sick pay plan established in accordance with Section 36 of the State Finance Act. "Employee" also includes (i) each officer or employee in the service of a qualified local government, including persons appointed as trustees of sanitary districts regardless of hours devoted to the service of the sanitary district, (ii) each employee in the service of a qualified rehabilitation facility, (iii) each full-time employee in the service of a qualified domestic violence shelter or service, and (iv) each full-time employee in the service of a qualified child advocacy center, as determined according to rules promulgated by the Director.

(l) "Member" means an employee, annuitant, retired employee or survivor.

(m) "Optional coverages or benefits" means those coverages or benefits available to the member on his or her voluntary election, and at his or her own expense.

(n) "Program" means the group life insurance, health benefits and other employee benefits designed and contracted for by the Director under this Act.

(o) "Health plan" means a health benefits program offered by the State of Illinois for persons eligible for the plan.

(p) "Retired employee" means any person who would be an annuitant as that term is defined herein but for the fact that such person retired prior to January 1, 1966. Such term also includes any person formerly employed by the University of Illinois in the Cooperative Extension Service who would be an annuitant but for the fact that such person was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code.

(q) "Survivor" means a person receiving an annuity as a survivor of an employee or of an annuitant. "Survivor" also includes: (1) the surviving dependent of a person who satisfies the definition of "employee" except that such person is made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code; (2) the surviving dependent of any person formerly employed by the University of Illinois in the Cooperative Extension Service who would be an annuitant except for the fact that such person was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code; and (3) the surviving dependent of a person who was an annuitant under this Act by virtue of receiving an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code.

(q-2) "SERS" means the State Employees' Retirement System of Illinois, created under Article 14 of the Illinois Pension Code.

(q-3) "SURS" means the State Universities Retirement System, created under Article 15 of the Illinois Pension Code.

(q-4) "TRS" means the Teachers' Retirement System of the State of Illinois, created under Article 16 of the Illinois Pension Code.

(q-5) "New SERS survivor" means a survivor, as defined in subsection (q), whose annuity is paid under Article 14 of the Illinois Pension Code and is based on the death of (i) an employee whose death occurs on or after January 1, 1998, or (ii) a new SERS annuitant as defined in subsection (b-5). "New SERS survivor" includes the surviving dependent of a person who was an annuitant under this Act by virtue of receiving an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code.

(q-6) "New SURS survivor" means a survivor, as defined in subsection (q), whose annuity is paid under Article 15 of the Illinois Pension Code and is based on the death of (i) an employee whose death occurs on or after January 1, 1998, or (ii) a new SURS annuitant as defined in subsection (b-6).

(q-7) "New TRS State survivor" means a survivor, as defined in subsection (q), whose annuity is paid under Article 16 of the Illinois Pension Code and is based on the death of (i) an employee who is a teacher

as defined in paragraph (2), (3), or (5) of Section 16-106 of that Code and whose death occurs on or after July 1, 1998, or (ii) a new TRS State annuitant as defined in subsection (b-7).

(r) "Medical services" means the services provided within the scope of their licenses by practitioners in all categories licensed under the Medical Practice Act of 1987.

(s) "Unit of local government" means any county, municipality, township, school district (including a combination of school districts under the Intergovernmental Cooperation Act), special district or other unit, designated as a unit of local government by law, which exercises limited governmental powers or powers in respect to limited governmental subjects, any not-for-profit association with a membership that primarily includes townships and township officials, that has duties that include provision of research service, dissemination of information, and other acts for the purpose of improving township government, and that is funded wholly or partly in accordance with Section 85-15 of the Township Code; any not-for-profit corporation or association, with a membership consisting primarily of municipalities, that operates its own utility system, and provides research, training, dissemination of information, or other acts to promote cooperation between and among municipalities that provide utility services and for the advancement of the goals and purposes of its membership; the Southern Illinois Collegiate Common Market, which is a consortium of higher education institutions in Southern Illinois; the Illinois Association of Park Districts; and any hospital provider that is owned by a county that has 100 or fewer hospital beds and has not already joined the program. "Qualified local government" means a unit of local government approved by the Director and participating in a program created under subsection (i) of Section 10 of this Act.

(t) "Qualified rehabilitation facility" means any not-for-profit organization that is accredited by the Commission on Accreditation of Rehabilitation Facilities or certified by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) to provide services to persons with disabilities and which receives funds from the State of Illinois for providing those services, approved by the Director and participating in a program created under subsection (j) of Section 10 of this Act.

(u) "Qualified domestic violence shelter or service" means any Illinois domestic violence shelter or service and its administrative offices funded by the Department of Human Services (as successor to the Illinois Department of Public Aid), approved by the Director and participating in a program created under subsection (k) of Section 10.

(v) "TRS benefit recipient" means a person who:

- (1) is not a "member" as defined in this Section; and
- (2) is receiving a monthly benefit or retirement annuity under Article 16 of the Illinois Pension Code; and

(3) either (i) has at least 8 years of creditable service under Article 16 of the Illinois Pension Code, or (ii) was enrolled in the health insurance program offered under that Article on January 1, 1996, or (iii) is the survivor of a benefit recipient who had at least 8 years of creditable service under Article 16 of the Illinois Pension Code or was enrolled in the health insurance program offered under that Article on the effective date of this amendatory Act of 1995, or (iv) is a recipient or survivor of a recipient of a disability benefit under Article 16 of the Illinois Pension Code.

(w) "TRS dependent beneficiary" means a person who:

- (1) is not a "member" or "dependent" as defined in this Section; and

(2) is a TRS benefit recipient's: (A) spouse, (B) dependent parent who is receiving at least half of his or her support from the TRS benefit recipient, or (C) unmarried natural or adopted child who is (i) under age 19, or (ii) enrolled as a full-time student in an accredited school, financially dependent upon the TRS benefit recipient, eligible to be claimed as a dependent for income tax purposes, and either is under age 24 or was, on January 1, 1996, participating as a dependent beneficiary in the health insurance program offered under Article 16 of the Illinois Pension Code, or (iii) age 19 or over who is mentally or physically handicapped.

(x) "Military leave with pay and benefits" refers to individuals in basic training for reserves, special/advanced training, annual training, emergency call up, or activation by the President of the United States with approved pay and benefits.

(y) "Military leave without pay and benefits" refers to individuals who enlist for active duty in a regular component of the U.S. Armed Forces or other duty not specified or authorized under military leave with pay and benefits.

(z) "Community college benefit recipient" means a person who:

- (1) is not a "member" as defined in this Section; and
- (2) is receiving a monthly survivor's annuity or retirement annuity under Article 15 of

the Illinois Pension Code; and

(3) either (i) was a full-time employee of a community college district or an association of community college boards created under the Public Community College Act (other than an employee whose last employer under Article 15 of the Illinois Pension Code was a community college district subject to Article VII of the Public Community College Act) and was eligible to participate in a group health benefit plan as an employee during the time of employment with a community college district (other than a community college district subject to Article VII of the Public Community College Act) or an association of community college boards, or (ii) is the survivor of a person described in item (i).

(aa) "Community college dependent beneficiary" means a person who:

(1) is not a "member" or "dependent" as defined in this Section; and

(2) is a community college benefit recipient's: (A) spouse, (B) dependent parent who is receiving at least half of his or her support from the community college benefit recipient, or (C) unmarried natural or adopted child who is (i) under age 19, or (ii) enrolled as a full-time student in an accredited school, financially dependent upon the community college benefit recipient, eligible to be claimed as a dependent for income tax purposes and under age 23, or (iii) age 19 or over and mentally or physically handicapped.

(bb) "Qualified child advocacy center" means any Illinois child advocacy center and its administrative offices funded by the Department of Children and Family Services, as defined by the Children's Advocacy Center Act (55 ILCS 80/), approved by the Director and participating in a program created under subsection (n) of Section 10.

(Source: P.A. 93-205, eff. 1-1-04; 93-839, eff. 7-30-04; 93-1067, eff. 1-15-05; 94-32, eff. 6-15-05; 94-82, eff. 1-1-06; 94-860, eff. 6-16-06; revised 8-3-06.)"

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 742. Having been read by title a second time on April 19, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Fritchey offered and withdrew Amendment No. 1.

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

Representative Hamos offered the following amendment and moved its adoption.

AMENDMENT NO. 3. Amend House Bill 742 on page 1, by replacing lines 11 through 21 with the following:

"a political subdivision of the State; a unit of local government; a school district, combination of school districts, or governing body of a joint agreement of any type formed by two or more school districts; a community college district, State college or university, or any State agency whose major function is providing educational services; any authority including a department, division, bureau, board, commission, or other agency of these entities; and any person acting within the scope of his or her authority express or implied on behalf of those entities in dealing with its employees except that "employer" does not include any".

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

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 3490. 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 House Bill 3490 on page 16, in line 7 by replacing "work" with "work identified in Section 30-30 of the Illinois Procurement Code as a subdivision of construction work".

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 161. Having been recalled on April 17, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Lyons offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 161, AS AMENDED, in Section 5, the introductory clause, by replacing "Sections 3-664 and 3-665" with "Sections 3-664, 3-665, and 3-666"; and in Section 5, immediately below the last line of Sec. 3-665, by inserting the following:

"(625 ILCS 5/3-666 new)

Sec. 3-666. Paratrooper license plates.

(a) In addition to any other special license plate, the Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary of State, may issue Paratrooper license plates to residents of Illinois who meet eligibility requirements prescribed by the Secretary of State. The special Paratrooper plate issued under this Section shall be affixed only to passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the staggered multi-year procedure established by Section 3-414.1 of this Code.

(b) The design, color, and format of the plates shall be wholly within the discretion of the Secretary of State. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code. The plates are not required to designate "Land Of Lincoln", as prescribed in subsection (b) of Section 3-412 of this Code. The Secretary shall prescribe the eligibility requirements and, in his or her discretion, shall approve and prescribe stickers or decals as provided under Section 3-412.

(c) An applicant shall be charged a \$15 fee for original issuance in addition to the applicable registration fee. This additional fee shall be deposited into the Secretary of State Special License Plate Fund."

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

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

HOUSE BILL 1719. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 1719 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Sections 3-8013 and 3-8014 as follows:

(55 ILCS 5/3-8013) (from Ch. 34, par. 3-8013)

Sec. 3-8013. Disciplinary measures. Disciplinary measures for actions violating either the rules and regulations of the Commission or the internal procedures of the sheriff's office may be taken by the sheriff. Such disciplinary measures may include suspension of any certified person for reasonable periods, not exceeding a cumulative 30 days in any 12-month period. However, on and after June 1, 2007, in any sheriff's office with a collective bargaining agreement covering the employment of department personnel, such disciplinary measures and the method of review of those measures shall be subject to mandatory bargaining, including, but not limited to, the use of impartial arbitration as an alternative or supplemental form of due process.

(Source: P.A. 86-962.)

(55 ILCS 5/3-8014) (from Ch. 34, par. 3-8014)

Sec. 3-8014. Removal, demotion or suspension. Except as is otherwise provided in this Division, no certified person shall be removed, demoted or suspended except for cause, upon written charges filed with the Merit Commission by the sheriff. Upon the filing of such a petition, the sheriff may suspend the certified person pending the decision of the Commission on the charges. After the charges have been heard, the Commission may direct that the person receive his pay for any part or all of this suspension period, if any.

The charges shall be heard by the Commission upon not less than 14 days' certified notice. At such hearing, the accused certified person shall be afforded full opportunity to be represented by counsel, to be heard in his own defense and to produce proof in his defense. Both the Commission and the sheriff may be represented by counsel. The State's Attorney of the applicable county may advise either the Commission or the sheriff. The other party may engage private counsel to advise it.

The Commission shall have the power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers in support of the charges and for the defense. Each member of the Commission shall have the power to administer oaths.

If the charges against an accused person are established by the preponderance of evidence, the Commission shall make a finding of guilty and order either removal, demotion, loss of seniority, suspension for a period of not more than 180 days, or such other disciplinary punishment as may be prescribed by the rules and regulations of the Commission which, in the opinion of the members thereof, the offense justifies. If the charges against an accused person are not established by the preponderance of evidence, the Commission shall make a finding of not guilty and shall order that the person be reinstated and be paid his compensation for the suspension period, if any, while awaiting the hearing. The sheriff shall take such action as may be ordered by the Commission. However, on and after June 1, 2007, in any sheriff's office with a collective bargaining agreement covering the employment of department personnel, such disciplinary measures and the method of review of those measures shall be subject to mandatory bargaining, including, but not limited to, the use of impartial arbitration as an alternative or supplemental form of due process and any of the procedures laid out in this Section.

The provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of any order of the Commission rendered pursuant to this Section. The plaintiff shall pay the reasonable cost of preparing and certifying the record for judicial review. However, if the plaintiff prevails in the judicial review proceeding, the court shall award to the plaintiff a sum equal to the costs paid by the plaintiff to have the record for judicial review prepared and certified.

(Source: P.A. 86-962.)".

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 1628. Having been reproduced, was taken up and read by title a second time.
Representative Mautino offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1628, in Section 5, in the introductory clause, by replacing "Sections 40 and" with "Section"; and in Section 5, by deleting Sec. 40.

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 3678. Having been reproduced, was taken up and read by title a second time.
The following amendment was offered in the Committee on Human Services, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 3678 on page 1, line 10, by inserting after "neglect" the

following:

"or by any other means or from any mandated reporter under Section 4"; and on page 1, line 12, by replacing "cocaine" with "a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act or a metabolite thereof".

Representative Lindner offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 3678, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 1, line 8, by inserting after "thereof" the following: "with the exception of a controlled substance or metabolite thereof whose presence in the newborn infant is the result of medical treatment administered to the mother or the newborn infant".

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

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

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 2632.

HOUSE BILL 1421. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 1421 by replacing everything after the enacting clause with the following:

"Section 5. The Brominated Fire Retardant Prevention Act is amended by changing Sections 1, 5, 10, and 15 and by adding Sections 17 and 19 as follows:

(410 ILCS 48/1)

Sec. 1. Short title. This Act may be cited as the Toxic Brominated Fire Retardant Prevention Act. (Source: P.A. 94-100, eff. 7-1-05.)

(410 ILCS 48/5)

Sec. 5. Legislative findings.

(a) Chemicals known as brominated flame retardants (BFR's) are widely used in the United States. To meet stringent fire standards, manufacturers add BFR's to a multitude of products, including plastic housing of electronics and computers, circuit boards, and the foam and textiles used in furniture.

(b) Polybrominated diphenyl ether (PBDE), which is a subcategory of BFR's, has increased forty-fold in human breast milk since the 1970s.

(c) PBDE has the potential to disrupt thyroid hormone balance and contribute to a variety of developmental deficits, including low intelligence and learning disabilities. PBDE may also have the potential to cause cancer.

(d) Substantial efforts to eliminate PBDE BFR's from products have been made throughout the world, ~~including private and public sectors~~. These efforts have made available numerous alternative flame retardants that meet alternatives safe to human health while meeting stringent fire standards. To meet market demand, it is in the interest of State manufacturers to eliminate the use of PBDE BFR's.

(e) In order to protect the public health and the environment, the General Assembly believes it is necessary for the State to develop a precautionary approach regarding the production, use, storage, and disposal of products containing brominated fire retardants.

(Source: P.A. 94-100, eff. 7-1-05.)

(410 ILCS 48/10)

Sec. 10. Definitions. In this Act:

"Agency" means the Illinois Environmental Protection Agency.

"Brominated flame retardant" and "BFR" mean any chemical containing the element bromine that may be added to a plastic, foam, or textile to inhibit flame formation.

"DecaBDE" means decabromodiphenyl ether.

"OctaBDE" means octabromodiphenyl ether.
"PBDE" means polybrominated diphenyl ether.
"PentaBDE" means pentabromodiphenyl ether.

(Source: P.A. 94-100, eff. 7-1-05.)

(410 ILCS 48/15)

Sec. 15. Regulation of brominated flame retardant.

(a) Effective January 1, 2006, a person may not manufacture, process, or distribute in commerce a product or a flame-retarded part of a product containing more than one-tenth of 1% of pentaBDE or octaBDE.

(b) Subsection (a) of this Section does not apply to the following:

(1) The sale by a business, charity, or private party of any used product containing PBDE.

(2) The distribution in commerce of original equipment manufacturer replacement service parts manufactured prior to the effective date of this Act.

(3) The processing of recycled material containing pentaBDE or octaBDE in compliance with applicable State and federal laws.

(c) Beginning January 1, 2008, a person may not manufacture, process, or knowingly sell, offer for sale, distribute for sale, or distribute for use a mattress, mattress pad, an article of furniture, or any other product intended for indoor residential use if the product has a textile component containing decaBDE.

(d) Beginning January 1, 2011, a person may not manufacture, process, or knowingly sell, offer for sale, distribute for sale, or distribute for use a television, computer, or other electronic device if the exterior casing of the devices contains decaBDE.

(e) Subsections (c) and (d) of this Section do not apply to the following:

(1) Any sale of any used product that contains decaBDE.

(2) The processing of recycled material containing decaBDE in compliance with applicable State and federal laws.

(3) Vehicles used for transportation or products or parts used in such vehicles.

(4) Medical devices used to help diagnose, care, treat, or prevent a disease or other health concern.

(Source: P.A. 94-100, eff. 7-1-05.)

(410 ILCS 48/17 new)

Sec. 17. Manufacturer responsibilities.

(a) A manufacturer of a product restricted under subsection (c) of Section 15 of this Act must notify persons that sell or distribute the manufacturer's product of the requirements of this Act no later than 90 days prior to the effective date of the restriction.

(b) A manufacturer of a product restricted under subsection (d) of Section 15 of this Act must notify persons that sell or distribute the manufacturer's product of the requirements of this Act no later than January 1, 2008.

(c) Effective January 1, 2010, a person who manufactures a product or product component that contains decaBDE and is not regulated under subsection (d) of Section 15 of this Act must provide written notice to the Agency in accordance with this subsection. A product or a component of a product containing decaBDE may not be knowingly offered for final sale, use, or distribution after the effective date of this subsection unless the notice has been provided to the Agency. A trade association representing manufacturers of products may act to fulfill the responsibilities of individual manufacturers under this subsection. The notice must include the following information on a form provided by the Agency:

(1) a brief description of the product or product component;

(2) the amount of decaBDE in each unit of the product or product component, reported as an exact number, as an average per product or component with an upper or lower limit, or as falling within a range approved by the Agency;

(3) the total amount of decaBDE in all units of the product or product components sold in the United States during the most recent calendar year for which sales figures are available, reported either for the units or components sold by the manufacturer or as aggregated by a manufacturer trade association for all units of the product or components made by the industry; and

(4) the name and address of the manufacturer and the name, address, and phone number of a contact person for the manufacturer.

(d) With the approval of the Agency, the manufacturer may supply the information required in this Section for a product category rather than an individual product. The manufacturer shall update and revise the information in the notification whenever there is significant change in the information or when

requested by the Agency. The information required under item (3) of subsection (c) of this Section must be updated and provided to the Agency every 3 years.

(e) Notwithstanding item (2) of subsection (c) of this Section, the manufacturer of a product containing one or more components containing decaBDE is not required to include information on the amount of decaBDE in the component in the notice to the Agency, if the component manufacturer has provided that information to the Agency and the manufacturer of the product that contains the component identifies the component and component manufacturer in the notice.

(f) An importer of a product or product component from a foreign country may not sell, use, or distribute the product or product component in the State unless the manufacturer of the product or product component is in compliance with this Section, except that this prohibition does not apply to retailers for whom importing is not a primary business.

(410 ILCS 48/19 new)

Sec. 19. Interstate clearinghouse. The Agency may participate in the establishment and implementation of a regional, multistate clearinghouse to assist in carrying out the requirements of this Act and to help coordinate education and outreach activities, review hazard and alternatives assessments, and any other activities related to the administration of this Act. The Agency may provide the interstate clearinghouse with product information submitted to the Agency under Section 17 of this Act and the Agency and the interstate clearinghouse may compile or publish analyses or summaries of the information.

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

Representative Nekritz offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 1421, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 4, line 1, by replacing "2008," with "2011"; and on page 4, line 25, by replacing "subsection" with "subsections"; and on page 5, line 1, after "(c)", by inserting "and (d)"; on page 5, by replacing lines 3 through 8 with the following: "this Act no later than January 1, 2008"; and on page 5, by replacing line 9 with the following: "(b) Effective January 1, 2011, a person who manufactures a"; and on page 6, line 11, by replacing "(d)" with "(c)"; and on page 6, line 17, by replacing "(c)" with "(b)"; and on page 6, by replacing line 19 with the following: "(d) Notwithstanding item (2) of subsection (b) of this"; and on page 7, line 1, by replacing "(f)" with "(e)".

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

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

HOUSE BILL 1805. Having been reproduced, was taken up and read by title a second time.

Representative Osterman offered the following amendments and moved their adoption:

AMENDMENT NO. 1. Amend House Bill 1805 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Comprehensive Lead Education, Reduction, and Window Replacement Program Act.

Section 5. Findings; intent; establishment of program.

(a) The General Assembly finds all of the following:

(1) Lead-based paint poisoning is a potentially devastating, but preventable disease.

It is one of the top environmental threats to children's health in the United States.

(2) The number of lead-poisoned children in Illinois is among the highest in the nation, especially in older, more affordable properties.

(3) Lead poisoning causes irreversible damage to the development of a child's nervous system. Even at low and moderate levels, lead poisoning causes learning disabilities, problems with

speech, shortened attention span, hyperactivity, and behavioral problems. Recent research links low levels of lead exposure to lower IQ scores and to juvenile delinquency.

(4) Older housing is the number one risk factor for childhood lead poisoning. Properties built before 1950 are statistically much more likely to contain lead-based paint hazards than buildings constructed more recently.

(5) The State of Illinois ranks 10th out of the 50 states in the age of its housing stock. More than 50% of the housing units in Chicago and in Rock Island, Peoria, Macon, Madison, and Kankakee counties were built before 1960. More than 43% of the housing units in St. Clair, Winnebago, Sangamon, Kane, and Cook counties were built before 1950.

(6) There are nearly 1.4 million households with lead-based paint hazards in Illinois.

(7) Most children are lead poisoned in their own homes through exposure to lead dust from deteriorated lead paint surfaces, like windows, and when lead paint deteriorates or is disturbed through home renovation and repainting.

(8) Less than 25% of children in Illinois age 6 and under have been tested for lead poisoning. While children are lead poisoned throughout Illinois, counties above the statewide average include: Alexander, Cass, Cook, Fulton, Greene, Kane, Kankakee, Knox, LaSalle, Macon, Mercer, Peoria, Perry, Rock Island, Sangamon, St. Clair, Stephenson, Vermilion, Will, and Winnebago.

(9) The control of lead hazards significantly reduces lead poisoning rates. Other communities, including New York City and Milwaukee, have successfully reduced lead poisoning rates by removing lead-based paint hazards on windows.

(10) Windows are considered a higher lead exposure risk more often than other components in a housing unit. Windows are a major contributor of lead dust in the home, due to both weathering conditions and friction effects on paint.

(11) There is an insufficient pool of licensed lead abatement workers and contractors to address the problem in some areas of the State.

(12) Through grants from the U.S. Department of Housing and Urban Development, some communities in Illinois have begun to reduce lead poisoning of children. While this is an ongoing effort, it only addresses a small number of the low-income children statewide in communities with high levels of lead paint in the housing stock.

(b) It is the intent of the General Assembly to:

- (1) address the problem of lead poisoning of children by eliminating lead hazards in homes;
- (2) provide training within communities to encourage the use of lead-paint safe work practices;
- (3) create job opportunities for community members in the lead abatement industry;
- (4) support the efforts of small business and property owners committed to maintaining lead-safe housing; and
- (5) assist in the maintenance of affordable lead-safe housing stock.

(c) The General Assembly hereby establishes the Comprehensive Lead Education, Reduction, and Window Replacement Program to assist residential property owners through loan and grant programs to reduce lead paint hazards through window replacement in pilot area communities. Where there is a lack of workers trained to remove lead-based paint hazards, job-training programs must be initiated. The General Assembly also recognizes that training, insurance, and licensing costs are prohibitively high and hereby establishes incentives for contractors to do lead abatement work.

Section 10. Definitions. In this Act:

"Advisory Council" refers to the Lead Safe Housing Advisory Council established under Public Act 93-0789.

"CLEAR-WIN Program" refers to the Comprehensive Lead Education, Reduction, and Window Replacement Program created pursuant to this Act to assist property owners of single family homes and multi-unit residential properties in pilot area communities, through loan and grant programs that reduce lead-paint hazards primarily through window replacement and, where necessary, through other lead-based paint hazard control techniques.

"Director" means the Director of Public Health.

"Lead Safe Housing Maintenance Standards" refers to the standards developed by the Lead Safe Housing Advisory Council.

"Low-income" means a household at or below 80% of the median income level for a given county as determined annually by the U.S. Department of Housing and Urban Development.

"Pilot area communities" means the counties or cities selected by the Department, with the advice of the Advisory Council, where properties whose owners are eligible for the assistance provided by this Act are located.

"Window" means the inside, outside, and sides of sashes and mullions and the frames to the outside edge of the frame, including sides, sash guides, and window wells and sills.

Section 15. Grant and loan program.

(a) Subject to appropriation, the Department, in consultation with the Advisory Council, shall establish and operate the CLEAR-WIN Program in pilot area communities selected by the Department with advice from the Advisory Council. Pilot area communities shall be selected based upon the prevalence of low-income families whose children are lead poisoned, the age of the housing stock, and other sources of funding available to the communities to address lead based paint hazards.

(b) The Department shall be responsible for administering the CLEAR-WIN grant program. The grant shall be used to correct lead-based paint hazards throughout the residential buildings in this State. Conditions for receiving a grant shall be developed by the Department based on criteria established by the Advisory Council. Criteria, including but not limited to the following program components, shall include (i) income eligibility for receipt of the grants, with priority given to low-income tenants or owners who rent to low income tenants; (ii) properties to be covered under CLEAR-WIN; and (iii) the number of units to be covered in a property. Prior to making a grant, the Department must provide the grant recipient with a copy of the Lead Safe Housing Maintenance Standards generated by the Advisory Council. The property owner must certify that he or she has received the Standards and intends to comply with them; has provided a copy of the Standards to all tenants in the building; will continue to rent to the same tenant or other low-income tenant for a period of not less than 5 years following completion of the work; and will continue to maintain the property as lead-safe. Failure to comply with the grant conditions may result in repayment of grant funds.

(c) The Advisory Council shall also consider development of a loan program to assist property owners not eligible for grants.

(d) All lead-based paint hazard control work performed with these grant or loan funds shall be conducted in conformance with the Lead Poisoning Prevention Act and the Illinois Lead Poisoning Prevention Code. Before contractors are paid for repair work conducted under the CLEAR-WIN Program, each dwelling unit assisted must be inspected by a lead risk assessor or lead inspector licensed in Illinois, and an appropriate number of dust samples must be collected from in and around the work areas for lead analysis, with results in compliance with levels set by the Lead Poisoning Prevention Act and the Illinois Lead Poisoning Prevention Code. All costs of evaluation shall be the responsibility of the property owner who received the grant or loan, but will be provided for by the Department for grant recipients and may be included in the amount of the loan. Additional repairs and clean-up costs associated with a failed clearance test, including follow-up tests, shall be the responsibility of the contractor.

(e) Within 6 months after the effective date of this Act, the Advisory Council shall recommend to the Department Lead Safe Housing Maintenance Standards for purposes of the CLEAR-WIN Program. Except for properties where all lead-based paint has been removed, the standards shall describe the responsibilities of property owners and tenants in maintaining lead-safe housing, including but not limited to, prescribing special cleaning, repair, and maintenance necessary to reduce the chance that properties will cause lead poisoning in child occupants. Recipients of CLEAR-WIN grants and loans shall be required to continue to maintain their properties in compliance with these Lead Safe Housing Maintenance Standards. Failure to maintain properties in accordance with these Standards, may result in repayment of grant funds or termination of the loan.

Section 20. Lead-abatement training. The Advisory Council shall determine whether a sufficient number of lead abatement training programs exist to serve the pilot sites. If it is determined additional programs are needed, the Advisory Council shall work with the Department to establish the additional training programs for purposes of the CLEAR-WIN Program.

Section 25. Insurance assistance. The Department shall make available, for the portion of a policy related to lead activities, 100% insurance subsidies to licensed lead abatement contractors who primarily target their work to the pilot area communities and employ a significant number of licensed lead abatement workers from the pilot area communities. Receipt of the subsidies shall be reviewed annually by the Department. The Department shall adopt rules for implementation of these insurance subsidies within 6 months after the effective date of this Act.

Section 30. Advisory Council.

The Advisory Council shall submit an annual written report to the Governor and General Assembly

on the operation and effectiveness of the CLEAR-WIN Program. The report must evaluate the program's effectiveness on reducing the prevalence of lead poisoning in children in the pilot area communities and in training and employing persons in the pilot area communities. The report also must describe the numbers of units in which lead-based paint was abated; specify the type of work completed and the types of dwellings and demographics of persons assisted; summarize the cost of lead-based paint hazard control and CLEAR-WIN Program administration; rent increases or decreases in the pilot area communities; rental property ownership changes; and any other CLEAR-WIN actions taken by the Department or the Advisory Council and recommend any necessary legislation or rule-making to improve the effectiveness of the CLEAR-WIN Program."

AMENDMENT NO. 2. Amend House Bill 1805, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 5, line 20, by inserting "two" after "in"; and on page 6, by replacing line 4 with the following:
"lead-based paint hazards in residential buildings."; and
on page 6, line 5, by deleting "in this State."

The foregoing motions prevailed and Amendments numbered 1 and 2 were adopted.

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 1875.

HOUSE BILL 3728. Having been reproduced, was taken up and read by title a second time.

Representative Tryon offered and withdrew Amendment No. 1.

Representative Tryon offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 3728 by replacing everything after the enacting clause with the following:

"Section 5. The Private Sewage Disposal Licensing Act is amended by changing Sections 3 and 7 As follows:

(225 ILCS 225/3) (from Ch. 111 1/2, par. 116.303)

Sec. 3. As used in this Act, unless the context otherwise requires:

(1) "Domestic Sewage" means waste water derived principally from dwellings, business or office buildings, institutions, food service establishments, and similar facilities.

(2) "Director" means Director of the Illinois Department of Public Health.

(3) "Department" means the Illinois Department of Public Health.

(4) "Human Wastes" means undigested food and by-products of metabolism which are passed out of the human body.

(5) "Person" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the State of Illinois or any Department thereof, or any other entity.

(6) "Population Equivalent" means an average waste loading equivalent to that produced by one person which is defined as 100 gallons per day.

(7) "Private Sewage Disposal System" means any sewage handling or treatment facility receiving domestic sewage from less than 15 people or population equivalent and having a ground surface discharge or any sewage handling or treatment facility receiving domestic sewage and having no ground surface discharge.

(8) "Private Sewage Disposal System Installation Contractor" means any person constructing, installing, repairing, modifying, or maintaining private sewage disposal systems.

(9) "Property Owner" means the person in whose name legal title to the real estate is recorded.

(10) "Waste" means either human waste or domestic sewage or both.

(11) "Private Sewage Disposal System Pumping Contractor" means any person who cleans or pumps waste from a private sewage disposal system or hauls or disposes of wastes removed therefrom.

(12) "NPDES" means the National Pollutant Discharge Elimination System.

(13) "Surface Discharging Private Sewage Disposal System" means a sewage disposal system that discharges to waters of the State, as that term is used in subsection (f) of Section 12 of the Environmental Protection Act.

(Source: P.A. 84-670.)

(225 ILCS 225/7) (from Ch. 111 1/2, par. 116.307)

Sec. 7. (a) The Department shall promulgate and publish and may from time to time amend a private sewage disposal code which shall include minimum standards for the design, construction, materials, operation and maintenance of private sewage disposal systems, for the transportation and disposal of wastes removed therefrom and for private sewage disposal system servicing equipment. In the preparation of the private sewage disposal code, the Department may consult with and request technical assistance from other state agencies, and shall consult with other technically qualified persons and with owners and operators of such services. Such technically qualified persons shall include representatives of the real estate, development, and building industries.

(b) The Department is expressly prohibited from amending the private sewage disposal code by rule if there are increases in the land density requirements. Amendments that increase the land density requirements must be approved by the Illinois General Assembly.

(c) Beginning January 1, 2009, a surface discharging private sewage disposal system with a discharge that enters waters of the State, as that term is used in subsection (f) of Section 12 of the Environmental Protection Act, shall not be installed by any person without the issuance of a coverage letter under a NPDES permit issued by the Illinois Environmental Protection Agency, and the private sewage disposal code must be so amended.

(d) Except as provided in subsection (c) of this Section, before ~~Before~~ the adoption or amendment of the private sewage disposal code, the Department shall hold a public hearing with respect thereto. At least 20 days' notice for such public hearing shall be given by the Department in such manner as the Department considers adequate to bring such hearing to the attention of persons interested in such code. Notice of such public hearing shall be given by the Department to those who file a request for a notice of any such hearings.

(Source: P.A. 88-690, eff. 1-24-95.)

Section 10. The Environmental Protection Act is amended by adding Section 3.487 and by changing Section 11 as follows:

(415 ILCS 5/3.487 new)

Sec. 3.487. Surface discharging private sewage disposal system. "Surface discharging private sewage disposal system" means a sewage disposal system that discharges to waters of the State, as that term is used in subsection (f) of Section 12 of this Act.

(415 ILCS 5/11) (from Ch. 111 1/2, par. 1011)

Sec. 11. (a) The General Assembly finds:

(1) that pollution of the waters of this State constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish, and aquatic life, impairs domestic, agricultural, industrial, recreational, and other legitimate beneficial uses of water, depresses property values, and offends the senses;

(2) that the Federal Water Pollution Control Act, as now or hereafter amended, provides for a National Pollutant Discharge Elimination System (NPDES) to regulate the discharge of contaminants to the waters of the United States;

(3) that the Safe Drinking Water Act (P.L. 93-523), as amended, provides for an Underground Injection Control (UIC) program to regulate the underground injection of contaminants;

(4) that it would be inappropriate and misleading for the State of Illinois to issue permits to contaminant sources subject to such federal law, as well as State law, which do not contain such terms and conditions as are required by federal law, or the issuance of which is contrary to federal law;

(5) that the Federal Water Pollution Control Act, as now or hereafter amended, provides that NPDES permits shall be issued by the United States Environmental Protection Agency unless (a) the State is authorized by and under its law to establish and administer its own permit program for discharges into waters within its jurisdiction, and (b) pursuant to such federal Act, the Administrator of the United States Environmental Protection Agency approves such State program to issue permits which will implement the provisions of such federal Act;

(6) that Part C of the Safe Drinking Water Act (P.L. 93-523), as amended, provides that the United States Environmental Protection Agency shall implement the UIC program authorized therein unless (a) the State is authorized by and under its law to establish and administer its own UIC program, and (b) pursuant to such federal Act, the Administrator of the United States Environmental Protection Agency approves such State program which will implement the provisions of such federal Act;

(7) that it is in the interest of the People of the State of Illinois for the State to authorize such NPDES and UIC programs and secure federal approval thereof, and thereby to avoid the existence of duplicative, overlapping or conflicting state and federal statutory permit systems;

(8) that the federal requirements for the securing of such NPDES and UIC permit program approval, as set forth in the Federal Water Pollution Control Act, as now or hereafter amended, and in the Safe Drinking Water Act (P.L. 93-523), as amended, respectively, and in regulations promulgated by the Administrator of the United States Environmental Protection Agency pursuant thereto are complex and detailed, and the General Assembly cannot conveniently or advantageously set forth in this Act all the requirements of such federal Act or all regulations which may be established thereunder; and

(9) compliance with the federal Clean Water Act dictates that the Illinois Environmental Protection Agency require NPDES permits for surface discharging private sewage disposal systems that discharge into waters of the State, as that term is used in subsection (f) of Section 12 of this Act.

(b) It is the purpose of this Title to restore, maintain and enhance the purity of the waters of this State in order to protect health, welfare, property, and the quality of life, and to assure that no contaminants are discharged into the waters of the State, as defined herein, including, but not limited to, waters to any sewage works, or into any well, or from any source within the State of Illinois, without being given the degree of treatment or control necessary to prevent pollution, or without being made subject to such conditions as are required to achieve and maintain compliance with State and federal law; and to authorize, empower, and direct the Board to adopt such regulations and the Agency to adopt such procedures as will enable the State to secure federal approval to issue NPDES permits pursuant to the provisions of the Federal Water Pollution Control Act, as now or hereafter amended, and federal regulations pursuant thereto and to authorize, empower, and direct the Board to adopt such regulations and the Agency to adopt such procedures as will enable the State to secure federal approval of the State UIC program pursuant to the provisions of Part C of the Safe Drinking Water Act (P.L. 93-523), as amended, and federal regulations pursuant thereto.

(c) The provisions of this Act authorizing implementation of the regulations pursuant to an NPDES program shall not be construed to limit, affect, impair, or diminish the authority, duties and responsibilities of the Board, Agency, Department or any other governmental agency or officer, or of any unit of local government, to regulate and control pollution of any kind, to restore, to protect or to enhance the quality of the environment, or to achieve all other purposes, or to enforce provisions, set forth in this Act or other State law or regulation.

(Source: P.A. 86-671.)

Section 99. Effective date. This Act takes effect June 30, 2008."

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

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

HOUSE BILL 1253. Having been reproduced, was taken up and read by title a second time. Representative Watson offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1253, on page 1, lines 16 and 18, by replacing "Article 3, 4, or 7" each time it appears with "Article 3 or 4".

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 3014. Having been reproduced, was taken up and read by title a second time. Representative Watson offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 3014 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 3-2.5 as follows:
(305 ILCS 5/3-2.5)

Sec. 3-2.5. Sheltered care rates. The Department of Human Services shall increase the sheltered care rates in effect on June 30, 2007 ~~2004~~, by 10%.

(Source: P.A. 93-774, eff. 7-21-04.)

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

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

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

HOUSE BILL 1335. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 1335 as follows:
on page 1, line 9, by replacing "6" with "8"; and
on page 1, lines 10 through 12, by deleting "and must occur once in the middle of each morning and once in the middle of each afternoon during which school is in session"; and
on page 2, line 1, by replacing "6" with "8"; and
on page 2, lines 2 through 4, by deleting "and must occur once in the middle of each morning and once in the middle of each afternoon during which school is in session".

Representative Flowers offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 1335, AS AMENDED, in Section 5, in the introductory clause, by replacing "Sections 10-20.40 and" with "Section"; and in Section 5, by deleting Sec. 10-20.40.

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

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

HOUSE BILL 511. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 511 by replacing everything after the enacting clause with the following:

"Section 5. The Freedom of Information Act is amended by changing Section 2 as follows:

(5 ILCS 140/2) (from Ch. 116, par. 202)

Sec. 2. Definitions. As used in this Act:

(a) "Public body" means any legislative, executive, administrative, or advisory bodies of the State, state universities and colleges, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees, or commissions of this State, any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, and a School Finance Authority created under Article 1E of the School Code. "Public body" does not include a child death review team or

the Illinois Child Death Review Teams Executive Council established under the Child Death Review Team Act.

(b) "Person" means any individual, corporation, partnership, firm, organization or association, acting individually or as a group.

(c) "Public records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, recorded information and all other documentary materials, regardless of physical form or characteristics, having been prepared, or having been or being used, received, possessed or under the control of any public body. "Public records" includes, but is expressly not limited to: (i) administrative manuals, procedural rules, and instructions to staff, unless exempted by Section 7(p) of this Act; (ii) final opinions and orders made in the adjudication of cases, except an educational institution's adjudication of student or employee grievance or disciplinary cases; (iii) substantive rules; (iv) statements and interpretations of policy which have been adopted by a public body; (v) final planning policies, recommendations, and decisions; (vi) factual reports, inspection reports, and studies whether prepared by or for the public body; (vii) all information in any account, voucher, or contract dealing with the receipt or expenditure of public or other funds of public bodies; (viii) the names, salaries, titles, and dates of employment of all employees and officers of public bodies; (ix) materials containing opinions concerning the rights of the state, the public, a subdivision of state or a local government, or of any private persons; (x) the name of every official and the final records of voting in all proceedings of public bodies; (xi) applications for any contract, permit, grant, or agreement except as exempted from disclosure by subsection (g) of Section 7 of this Act; (xii) each report, document, study, or publication prepared by independent consultants or other independent contractors for the public body; (xiii) all other information required by law to be made available for public inspection or copying; (xiv) information relating to any grant or contract made by or between a public body and another public body or private organization; (xv) waiver documents filed with the State Superintendent of Education or the president of the University of Illinois under Section 30-12.5 of the School Code, concerning nominees for General Assembly scholarships under Sections 30-9, 30-10, and 30-11 of the School Code; (xvi) complaints, results of complaints, and Department of Children and Family Services staff findings of licensing violations at day care facilities, provided that personal and identifying information is not released; ~~and~~ (xvii) records, reports, forms, writings, letters, memoranda, books, papers, and other documentary information, regardless of physical form or characteristics, having been prepared, or having been or being used, received, possessed, or under the control of the Illinois Sports Facilities Authority dealing with the receipt or expenditure of public funds or other funds of the Authority in connection with the reconstruction, renovation, remodeling, extension, or improvement of all or substantially all of an existing "facility" as that term is defined in the Illinois Sports Facilities Authority Act ; and (xviii) only that portion of settlement agreements entered into by or on behalf of a public body that shows the total amount of any moneys or total financial value of other agreements, that are not otherwise exempt under Section 7 of this Act, that resulted in a financial payment to or financial payout by the public body and the amount of moneys expended by or on behalf of the public body for the prosecution, defense, or settlement of any litigation.

(d) "Copying" means the reproduction of any public record by means of any photographic, electronic, mechanical or other process, device or means.

(e) "Head of the public body" means the president, mayor, chairman, presiding officer, director, superintendent, manager, supervisor or individual otherwise holding primary executive and administrative authority for the public body, or such person's duly authorized designee.

(f) "News media" means a newspaper or other periodical issued at regular intervals whether in print or electronic format, a news service whether in print or electronic format, a radio station, a television station, a television network, a community antenna television service, or a person or corporation engaged in making news reels or other motion picture news for public showing.

(Source: P.A. 91-935, eff. 6-1-01; 92-335, eff. 8-10-01; 92-468, eff. 8-22-01; 92-547, eff. 6-13-02; 92-651, eff. 7-11-02.)

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

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

HOUSE BILL 1517. Having been reproduced, was taken up and read by title a second time. Representative Collins offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1517 on page 6, line 9, by inserting after the period the following:

"If before trial or plea, an information or indictment is filed that includes one or more charges under the criminal laws of this State and additional charges that are classified as misdemeanors that are subject to proceedings under this Act, all of the charges arising out of the same incident shall be prosecuted under the criminal laws of this State. If after trial or plea the court finds that the minor committed an offense that is solely classified as a misdemeanor, the court must proceed under Section 5-705 and 5-710 of this Act."

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

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 3434.

HOUSE BILLS ON THIRD READING

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

On motion of Representative Dugan, HOUSE BILL 1519 was taken up and read by title a third time.

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

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

(ROLL CALL 20)

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

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

On motion of Representative McAuliffe, HOUSE BILL 1514 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:

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

(ROLL CALL 21)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Hernandez, HOUSE BILL 1072 was taken up and read by title a third time.

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

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

(ROLL CALL 22)

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

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

RECALL

At the request of the principal sponsor, Representative Jefferson, HOUSE BILL 3428 was recalled from the order of Third Reading to the order of Second Reading.

HOUSE BILL ON SECOND READING

HOUSE BILL 3428. Having been recalled on April 24, 2007, the same was again taken up again and read by title a second time.

Representative Jefferson offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 3428, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 11, line 11, after "methods." by inserting the following: "The power of the Rail Authority to contract with rail service providers is subject to the approval of the Bureau of Railroads of the Illinois Department of Transportation.".

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

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

HOUSE BILLS ON THIRD READING

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

On motion of Representative Joyce, HOUSE BILL 820 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 113, Yeas; 0, Nays; 1, Answering Present.
(ROLL CALL 23)

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

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

On motion of Representative Turner, HOUSE BILL 1380 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: 62, Yeas; 51, Nays; 1, Answering Present.
(ROLL CALL 24)

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

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

On motion of Representative Tryon, HOUSE BILL 962 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 98, Yeas; 17, Nays; 0, Answering Present.
(ROLL CALL 25)

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

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

HOUSE BILL ON SECOND READING

HOUSE BILL 682. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 682 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by changing Section 20-105 as follows:
(30 ILCS 500/20-105)

Sec. 20-105. State agency printing. All books, pamphlets, documents, and reports published through or by the State of Illinois or any State agency, board, or commission shall have printed thereon "Printed by authority of the State of Illinois", the date of each publication, the number of copies printed, and the printing order number. Each using agency shall be responsible for ascertaining the compliance of printing materials procured by or for it with this Section. No printing or reproduction contract shall be let and no printing or reproduction shall be accomplished when that wording does not appear on the material to be printed or reproduced. No publication may have written, stamped, or printed on it, or attached to it, "Compliments of (naming a person)" or any words of similar import.

This Section does not apply to the printing by a public institution of higher education of material not paid for in any portion from funds appropriated by the General Assembly.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

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

Representative Jakobsson offered and withdrew Amendment No. 2.

Representative Jakobsson offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 682, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by changing Section 20-105 as follows:
(30 ILCS 500/20-105)

Sec. 20-105. State agency printing. All books, pamphlets, documents, and reports published through or by the State of Illinois or any State agency, board, or commission shall have printed thereon "Printed by authority of the State of Illinois", the date of each publication, the number of copies printed, and the printing order number. Each using agency shall be responsible for ascertaining the compliance of printing materials procured by or for it with this Section. No printing or reproduction contract shall be let and no printing or reproduction shall be accomplished when that wording does not appear on the material to be printed or reproduced. No publication may have written, stamped, or printed on it, or attached to it, "Compliments of (naming a person)" or any words of similar import.

This Section does not apply to the printing by a public institution of higher education of material not paid for in any portion from funds appropriated by the General Assembly, printing that is performed by a university unit, or printing that is performed in conjunction with contracts referenced in subsection (b)(1) of Section 1-10.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

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

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

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

HOUSE BILL 1319. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 1319 by replacing everything after the enacting clause

with the following:

"Section 5. The Title Insurance Act is amended by changing Section 3 and by adding Section 18.1 as follows:

(215 ILCS 155/3) (from Ch. 73, par. 1403)

Sec. 3. As used in this Act, the words and phrases following shall have the following meanings unless the context requires otherwise:

(1) "Title insurance business" or "business of title insurance" means:

(A) Issuing as insurer or offering to issue as insurer title insurance; and

(B) Transacting or proposing to transact one or more of the following activities when

conducted or performed in contemplation of or in conjunction with the issuance of title insurance;

(i) soliciting or negotiating the issuance of title insurance;

(ii) guaranteeing, warranting, or otherwise insuring the correctness of title

searches for all instruments affecting titles to real property, any interest in real property, cooperative units and proprietary leases, and for all liens or charges affecting the same;

(iii) handling of escrows, settlements, or closings;

(iv) executing title insurance policies;

(v) effecting contracts of reinsurance;

(vi) abstracting, searching, or examining titles; or

(vii) issuing insured closing letters or closing protection letters;

(C) Guaranteeing, warranting, or insuring searches or examinations of title to real property or any interest in real property, with the exception of preparing an attorney's opinion of title; or

(D) Guaranteeing or warranting the status of title as to ownership of or liens on real property and personal property by any person other than the principals to the transaction; or

(E) Doing or proposing to do any business substantially equivalent to any of the activities listed in this subsection, provided that the preparation of an attorney's opinion of title pursuant to paragraph (1)(C) is not intended to be within the definition of "title insurance business" or "business of title insurance".

(1.5) "Title insurance" means insuring, guaranteeing, warranting, or indemnifying owners of real or personal property or the holders of liens or encumbrances thereon or others interested therein against loss or damage suffered by reason of liens, encumbrances upon, defects in, or the unmarketability of the title to the property; the invalidity or unenforceability of any liens or encumbrances thereon; or doing any business in substance equivalent to any of the foregoing. "Warranting" for purpose of this provision shall not include any warranty contained in instruments of encumbrance or conveyance. Title insurance is a single line form of insurance, also known as monoline. An attorney's opinion of title pursuant to paragraph (1)(C) is not intended to be within the definition of "title insurance".

(2) "Title insurance company" means any domestic company organized under the laws of this State for the purpose of conducting the business of title insurance and any title insurance company organized under the laws of another State, the District of Columbia or foreign government and authorized to transact the business of title insurance in this State.

(3) "Title insurance agent" means a person, firm, partnership, association, corporation or other legal entity registered by a title insurance company and authorized by such company to determine insurability of title in accordance with generally acceptable underwriting rules and standards in reliance on either the public records or a search package prepared from a title plant, or both, and authorized in addition to do any of the following: act as an escrow agent, solicit title insurance, collect premiums, issue title reports, binders or commitments to insure and policies in its behalf, provided, however, the term "title insurance agent" shall not include officers and salaried employees of any title insurance company.

(4) "Producer of title business" is any person, firm, partnership, association, corporation or other legal entity engaged in this State in the trade, business, occupation or profession of (i) buying or selling interests in real property, (ii) making loans secured by interests in real property, or (iii) acting as broker, agent, attorney, or representative of natural persons or other legal entities that buy or sell interests in real property or that lend money with such interests as security.

(5) "Associate" is any firm, association, partnership, corporation or other legal entity organized for profit in which a producer of title business is a director, officer, or partner thereof, or owner of a financial interest, as defined herein, in such entity; any legal entity that controls, is controlled by, or is under common control with a producer of title business; and any natural person or legal entity with whom a producer of title business has any agreement, arrangement, or understanding or pursues any course of conduct the purpose of which is to evade the provisions of this Act.

(6) "Financial interest" is any ownership interest, legal or beneficial, except ownership of publicly traded stock.

(7) "Refer" means to place or cause to be placed, or to exercise any power or influence over the placing of title business, whether or not the consent or approval of any other person is sought or obtained with respect to the referral.

(8) "Escrow Agent" means any title insurance company or any title insurance agent, including independent contractors of either, acting on behalf of a title insurance company which receives deposits, in trust, of funds or documents, or both, for the purpose of effecting the sale, transfer, encumbrance or lease of real property to be held by such escrow agent until title to the real property that is the subject of the escrow is in a prescribed condition. An escrow agent conducting closings shall be subject to the provisions of paragraphs (1) through (4) of subsection (e) of Section 16 of this Act.

(9) "Independent Escrowee" means any firm, person, partnership, association, corporation or other legal entity, other than a title insurance company or a title insurance agent, which receives deposits, in trust, of funds or documents, or both, for the purpose of effecting the sale, transfer, encumbrance or lease of real property to be held by such escrowee until title to the real property that is the subject of the escrow is in a prescribed condition. Federal and State chartered banks, savings and loan associations, credit unions, mortgage bankers, banks or trust companies authorized to do business under the Illinois Corporate Fiduciary Act, licensees under the Consumer Installment Loan Act, real estate brokers licensed pursuant to the Real Estate License Act of 2000, as such Acts are now or hereafter amended, and licensed attorneys when engaged in the attorney-client relationship are exempt from the escrow provisions of this Act. "Independent Escrowee" does not include employees or independent contractors of a title insurance company or title insurance agent authorized by a title insurance company to perform closing, escrow, or settlement services.

(10) "Single risk" means the insured amount of any title insurance policy, except that where 2 or more title insurance policies are issued simultaneously covering different estates in the same real property, "single risk" means the sum of the insured amounts of all such title insurance policies. Any title insurance policy insuring a mortgage interest, a claim payment under which reduces the insured amount of a fee or leasehold title insurance policy, shall be excluded in computing the amount of a single risk to the extent that the insured amount of the mortgage title insurance policy does not exceed the insured amount of the fee or leasehold title insurance policy.

(11) "Department" means the Department of Financial and Professional Regulation.

(12) "Secretary" means the Secretary of Financial and Professional Regulation.

(13) "Insured closing letter" or "closing protection letter" means an indemnification or undertaking to a party to a real estate transaction, from a principal such as a title insurance company or similar entity, setting forth in writing the extent of the principal's responsibility for intentional misconduct or errors in closing the real estate transaction on the part of a settlement agent, such as a title insurance agent or other settlement service provider.

(14) "Residential real property" means a building or buildings consisting of one to 4 residential units or a residential condominium unit where at least one of the residential units or condominium units is occupied or intended to be occupied as a residence by the purchaser or borrower, or in the event that the purchaser or borrower is the trustee of a trust, by a beneficiary of that trust.

(Source: P.A. 94-893, eff. 6-20-06.)

(215 ILCS 155/18.1 new)

Sec. 18.1. Choice of title insurance company. It is declared to be the public policy of this State that a party to a contract for the sale of residential real property who is obligated by the contract to pay for title insurance has the right to choose the title insurance company and title insurance agent that will provide the title insurance. No provider of title insurance shall, as a condition of making a loan, providing services of any kind, including, but not limited to, services as a broker, agent, lender, or otherwise, require a party to a contract for the sale of residential real property who is obligated by that contract to pay for title insurance to procure title insurance from a title insurance company or title insurance agent other than a title insurance company or title insurance agent that is chosen by the party paying for the title insurance.

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

Representative Molaro offered and withdrew Amendment No. 2.

Representative Molaro offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 1319, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 8, line 2, by deleting "provider of"; and on page 8, line 3, by replacing "title insurance" with "lender or producer of title business"; and on page 8, line 5, after "lender", by inserting "attorney"; and on page 8, by replacing line 7 with the following:
"who is obligated by that contract to furnish and pay for title insurance at their expense, to".

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

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

RECALL

At the request of the principal sponsor, Representative Molaro, SENATE BILL 377 was recalled from the order of Third Reading to the order of Second Reading.

SENATE BILL ON SECOND READING

SENATE BILL 377. Having been recalled on April 24, 2007, the same was again taken up again and read by title a second time.

Representative Molaro offered and withdrew Amendment No. 2.

Floor Amendment No. 3 remained in the Committee on Rules.

Representative Molaro offered the following amendment and moved its adoption.

AMENDMENT NO. 4. Amend Senate Bill 377, AS AMENDED, by replacing the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 9-121.6, 9-133, 9-133.1, 9-166, 9-169, 9-179.3, 9-182, 9-199, 9-204, 15-106, and 15-107 and by adding 9-134.5 and 10-104.5 as follows:
(40 ILCS 5/9-121.6) (from Ch. 108 1/2, par. 9-121.6)

Sec. 9-121.6. Alternative annuity for county officers. (a) Any county officer elected by vote of the people may elect to establish alternative credits for an alternative annuity by electing in writing to make additional optional contributions in accordance with this Section and procedures established by the board. Such elected county officer may discontinue making the additional optional contributions by notifying the Fund in writing in accordance with this Section and procedures established by the board.

Additional optional contributions for the alternative annuity shall be as follows:

(1) For service after the option is elected, an additional contribution of 3% of salary shall be contributed to the Fund on the same basis and under the same conditions as contributions required under Sections 9-170 and 9-176.

(2) For service before the option is elected, an additional contribution of 3% of the salary for the applicable period of service, plus interest at the effective rate from the date of service to the date of payment. All payments for past service must be paid in full before credit is given. No additional optional contributions may be made for any period of service for which credit has been previously forfeited by acceptance of a refund, unless the refund is repaid in full with interest at the effective rate from the date of refund to the date of repayment.

(b) In lieu of the retirement annuity otherwise payable under this Article, any county officer elected by vote of the people who (1) has elected to participate in the Fund and make additional optional contributions in accordance with this Section, and (2) has attained age 60 with at least 10 years of service credit, or has attained age 65 with at least 8 years of service credit, may elect to have his retirement annuity computed as follows: 3% of the participant's salary at the time of termination of service for each of the first 8 years of service credit, plus 4% of such salary for each of the next 4 years of service credit, plus 5% of such salary for each year of service credit in excess of 12 years, subject to a maximum of 80% of such salary. To the

extent such elected county officer has made additional optional contributions with respect to only a portion of his years of service credit, his retirement annuity will first be determined in accordance with this Section to the extent such additional optional contributions were made, and then in accordance with the remaining Sections of this Article to the extent of years of service credit with respect to which additional optional contributions were not made.

(c) In lieu of the disability benefits otherwise payable under this Article, any county officer elected by vote of the people who (1) has elected to participate in the Fund, and (2) has become permanently disabled and as a consequence is unable to perform the duties of his office, and (3) was making optional contributions in accordance with this Section at the time the disability was incurred, may elect to receive a disability annuity calculated in accordance with the formula in subsection (b). For the purposes of this subsection, such elected county officer shall be considered permanently disabled only if: (i) disability occurs while in service as an elected county officer and is of such a nature as to prevent him from reasonably performing the duties of his office at the time; and (ii) the board has received a written certification by at least 2 licensed physicians appointed by it stating that such officer is disabled and that the disability is likely to be permanent.

(d) Refunds of additional optional contributions shall be made on the same basis and under the same conditions as provided under Section 9-164, 9-166 and 9-167. Interest shall be credited at the effective rate on the same basis and under the same conditions as for other contributions. ~~Optional contributions shall be accounted for in a separate Elected County Officer Optional Contribution Reserve.~~ Optional contributions under this Section shall be included in the amount of employee contributions used to compute the tax levy under Section 9-169.

(e) The effective date of this plan of optional alternative benefits and contributions shall be January 1, 1988, or the date upon which approval is received from the U.S. Internal Revenue Service, whichever is later. The plan of optional alternative benefits and contributions shall not be available to any former county officer or employee receiving an annuity from the Fund on the effective date of the plan, unless he re-enters service as an elected county officer and renders at least 3 years of additional service after the date of re-entry.

(Source: P.A. 85-964.)

(40 ILCS 5/9-133) (from Ch. 108 1/2, par. 9-133)

Sec. 9-133. Automatic increase in annuity.

(a) An employee who retired or retires from service after December 31, 1959, having attained age 60 or more or, beginning January 1, 1991, having attained 30 or more years of creditable service, shall, in the month of January of the year following the year in which the first anniversary of retirement occurs, have his then fixed and payable monthly annuity increased by 1 1/2%, and such first fixed annuity as granted at retirement increased by a further 1 1/2% in January of each year thereafter. Beginning with January of the year 1972, such increases shall be at the rate of 2% in lieu of the aforesaid specified 1 1/2%. Beginning with January of the year 1982, such increases shall be at the rate of 3% in lieu of the aforesaid specified 2%. Beginning January 1, 1998, these increases shall be at the rate of 3% of the current amount of the annuity, including any previous increases received under this Article, without regard to whether the annuitant is in service on or after the effective date of this amendatory Act of 1997.

An employee who retires on annuity before age 60 and, beginning January 1, 1991, with less than 30 years of creditable service shall receive such increases beginning with January of the year immediately following the year in which he attains the age of 60 years. An employee who retires on annuity before age 60 and before January 1, 1991, with at least 30 years of creditable service, shall be entitled to receive the first increase under this subsection no later than January 1, 1993.

For an employee who, in accordance with the provisions of Section 9-108.1 of this Act, shall have become a member of the State System established under Article 14 on February 1, 1974, the first such automatic increase shall begin in January of 1975.

(b) Subsection (a) is not applicable to an employee retiring and receiving a term annuity, as defined in this Act, nor to any otherwise qualified employee who retires before he makes employee contributions (at the 1/2 of 1% rate as provided in this Section) for this additional annuity for not less than the equivalent of one full year. Such employee, however, shall make arrangement to pay to the fund a balance of such contributions, based on his final salary, as will bring such 1/2 of 1% contributions, computed without interest, to the equivalent of one year's contributions.

Beginning with the month of January, 1960, each employee shall contribute by means of salary deductions 1/2 of 1% of each salary payment, concurrently with and in addition to the employee contributions otherwise provided for annuity purposes.

Each such additional contribution shall be ~~credited to an account in the prior service annuity reserve, to be used, together with county contributions, to defray the cost of the specified annuity increments. Any balance in such account as of the beginning of each calendar year shall be credited with interest at the rate of 3% per annum.~~

Such additional employee contributions are not refundable, except to an employee who withdraws and applies for refund under this Article, or applies for annuity, and also in cases where a term annuity becomes payable. In such cases his contributions shall be refunded, without interest, ~~and charged to the prior service annuity reserve.~~

(Source: P.A. 90-32, eff. 6-27-97.)

(40 ILCS 5/9-133.1) (from Ch. 108 1/2, par. 9-133.1)

Sec. 9-133.1. Automatic increases in annuity for certain heretofore retired participants. A retired employee retired at age 55 or over and who (a) is receiving annuity based on a service credit of 20 or more years, and (b) does not qualify for the automatic increases in annuity provided for in Sec. 9-133 of this Article, and (c) elects to make a contribution to the Fund at a time and manner prescribed by the Retirement Board, of a sum equal to 1% of the final average monthly salary forming the basis of the calculation of their annuity multiplied by years of credited service, or 1% of their final monthly salary multiplied by years of credited service in any case where the final average salary is not used in the calculation, shall have his original fixed and payable monthly amount of annuity increased in January of the year following the year in which he attains the age of 65 years, if such age of 65 years is attained in the year 1969 or later, by an amount equal to 1 1/2%, and by an equal additional 1 1/2% in January of each year thereafter. Beginning with January of the year 1972, such increases shall be at the rate of 2% in lieu of the aforesaid specified 1 1/2%. Beginning with January of the year 1982, such increases shall be at the rate of 3% in lieu of the aforesaid specified 2%. Beginning January 1, 1998, these increases shall be at the rate of 3% of the current amount of the annuity, including any previous increases received under this Article, without regard to whether the annuitant is in service on or after the effective date of this amendatory Act of 1997.

In those cases in which the retired employee receiving annuity has attained the age of 66 or more years in the year 1969, he shall have such annuity increased in January of the year 1970 by an amount equal to 1 1/2% multiplied by the number equal to the number of months of January elapsing from and including January of the year immediately following the year he attained the age of 65 years if retired at or prior to age 65, or from and including January of the year immediately following the year of retirement if retired at an age greater than 65 years, to and including January of the year 1970, and by an equal additional 1 1/2% in January of each year thereafter. Beginning with January of the year 1972, such increases shall be at the rate of 2% in lieu of the aforesaid specified 1 1/2%. Beginning with January of the year 1982, such increases shall be at the rate of 3% in lieu of the aforesaid specified 2%. Beginning January 1, 1998, these increases shall be at the rate of 3% of the current amount of the annuity, including any previous increases received under this Article, without regard to whether the annuitant is in service on or after the effective date of this amendatory Act of 1997.

To defray the annual cost of such increases, the annual interest income of the Fund, accruing from investments held by the Fund, exclusive of gains or losses on sales or exchanges of assets during the year, over and above 4% a year, shall be used to the extent necessary and available to finance the cost of such increases for the following year, ~~and such amount shall be transferred as of the end of each year, beginning with the year 1969, to a Fund account designated as the Supplementary Payment Reserve from the Investment and Interest Reserve set forth in Sec. 9-214. The sums contributed by annuitants as provided for in this Section shall also be placed in the aforesaid Supplementary Payment Reserve and shall be applied for and used for the purposes of such Fund account, together with the aforesaid interest.~~

~~In the event the monies in the Supplementary Payment Reserve in any year arising from: (1) the available interest income as defined hereinbefore and accruing in the preceding year above 4% a year and (2) the contributions by retired persons, as set forth hereinbefore, are insufficient to make the total payments to all persons estimated to be entitled to the annuity increases specified hereinbefore, then (3) any interest earnings over 4% a year beginning with the year 1969 which were not previously used to finance such increases and which were transferred to the Prior Service Annuity Reserve may be used to the extent necessary and available to provide sufficient funds to finance such increases for the current year, and such sums shall be transferred from the Prior Service Annuity Reserve.~~

~~In the event the total monies available in the Supplementary Payment Reserve from the preceding indicated sources are insufficient to make the total payments to all persons entitled to such increases for the year, a proportionate amount computed as the ratio of the monies available to the total of the total payments for that year shall be paid to each person for that year.~~

~~The Fund shall be obligated for the payment of the increases in annuity as provided for in this Section only to the extent that the assets for such purpose, as specified herein, are available.~~

(Source: P.A. 90-32, eff. 6-27-97.)

(40 ILCS 5/9-134.5 new)

Sec. 9-134.5. Alternative retirement cancellation payment.

(a) To be eligible for the alternative retirement cancellation payment provided in this Section, a person must:

(1) be a member of this Fund who, on December 31, 2006, was (i) in active payroll status as an employee and continuously employed in a position on and after the effective date of this Section and (ii) an active contributor to this Fund with respect to that employment;

(2) have not previously received any retirement annuity under this Article;

(3) file with the Board on or before 45 days after the effective date of this Section, a written application requesting the alternative retirement cancellation payment provided in this Section; (4) terminate employment under this Article no later than 60 days after the effective date of this Section.

(4) if there is a QILDRO in effect against the person, file with the Board the written consent of all alternate payees under the QILDRO to the election of an alternative retirement cancellation payment under this Section; and

(b) In lieu of any retirement annuity or other benefit provided under this Article, a person who qualifies for and elects to receive the alternative retirement cancellation payment under this Section shall be entitled to receive a one-time lump sum retirement cancellation payment equal to the amount of his or her contributions to the Fund (including any employee contributions for optional service credit and including any employee contributions paid by the employer or credited to the employee during disability) on the date of termination, with regular interest, multiplied by 1.5.

(c) Notwithstanding any other provision of this Article, a person who receives an alternative retirement cancellation payment under this Section thereby forfeits the right to any other retirement or disability benefit or refund under this Article, and no widow's, survivor's, or death benefit deriving from that person shall be payable under this Article. Upon accepting an alternative retirement cancellation payment under this Section, the person's creditable service and all other rights in the Fund are terminated for all purposes.

(d) To the extent permitted by federal law, a person who receives an alternative retirement cancellation payment under this Section may direct the Fund to pay all or a portion of that payment as a rollover into another retirement plan or account qualified under the Internal Revenue Code of 1986, as amended.

(e) Notwithstanding any other provision of this Article, a person who has received an alternative retirement cancellation payment under this Section and who reenters service under this Article must first repay to the Fund the amount by which that alternative retirement cancellation payment exceeded the amount of his or her refundable employee contributions with interest at 6% per annum. For the purposes of re-establishing creditable service that was terminated upon election of the alternative retirement cancellation payment, the portion of the alternative retirement cancellation payment representing refundable employee contributions shall be deemed a refund repayable in accordance with Section 9-163.

(f) No individual who receives an alternative retirement cancellation payment under this Section may return to active payroll status within 365 days after separation from service to the employer.

(40 ILCS 5/9-166) (from Ch. 108 1/2, par. 9-166)

Sec. 9-166. Refunds - When paid to beneficiary, children or estate. Whenever the total amount accumulated to the account of a deceased employee from employee contributions for annuity purposes, and from employee contributions applied to any county pension fund superseded by this fund, have not been paid to him, and in the case of a married male employee to the employee and his widow together, in form of annuity or refund before the death of the last of such persons, a refund shall be payable as follows:

An amount equal to the excess of such amounts over the amounts paid on any annuity or annuities or refund, without interest upon either of such amounts, shall be refunded to a beneficiary theretofore designated by the employee in writing, signed by him before an officer authorized to administer oaths, and filed with the board before the employee's death.

If there is no designated beneficiary or the beneficiary does not survive the employee, the amount shall be refunded to the employee's children, in equal parts with the children of a deceased child taking the share of their parent. If there is no designated beneficiary or children, the refund shall be paid to the administrator or executor of the employee's estate.

If an administrator or executor of the estate has not been appointed within 90 days from the date the refund became payable the refund may be applied in the discretion of the board toward the payment of the employee's burial expenses. Any remaining balance shall be paid to the heirs of the employee according to

the law of descent and distribution of this state but assuming for the purpose of such payment of refund and determination of heirs that the deceased male employee left no widow surviving in those cases where a widow eligible for widow's annuity as his widow survived him and subsequently died; provided,

(a) that if any child or children of the employee are less than age 18, such part or all of any such amount necessary to pay annuities to them shall not be refunded as hereinbefore stated ~~but shall be transferred to the child's annuity reserve and used therein for the payment of such annuities~~; and provided further,

(b) that if a reversionary annuity becomes payable as provided in Section 9-135 such refund shall not be paid until the death of the reversionary annuitant, and the refund otherwise payable under this section shall then first further be reduced by the total amount of the reversionary annuity paid.

(Source: P.A. 81-1536.)

(40 ILCS 5/9-169) (from Ch. 108 1/2, par. 9-169)

Sec. 9-169. Financing - Tax levy. (a) The county board shall levy a tax annually upon all taxable property in the county at the rate that will produce a sum which, when added to the amounts deducted from the salaries of the employees or otherwise contributed by them is sufficient for the requirements of this Article.

For the years before 1962 the tax rate shall be as provided in "The 1925 Act". For the years 1962 and 1963 the tax rate shall be not more than .0200 per cent; for the years 1964 and 1965 the tax rate shall be not more than .0202 per cent; for the years 1966 and 1967 the tax rate shall be not more than .0207 per cent; for the year 1968 the tax rate shall be not more than .0220 per cent; for the year 1969 the tax rate shall be not more than .0233 per cent; for the year 1970 the tax rate shall be not more than .0255 per cent; for the year 1971 the tax rate shall be not more than .0268 per cent of the value, as equalized or assessed by the Department of Revenue upon all taxable property in the county. Beginning with the year 1972 and for each year thereafter the county shall levy a tax annually at a rate on the dollar of the value, as equalized or assessed by the Department of Revenue of all taxable property within the county that will produce, when extended, not to exceed an amount equal to the total amount of contributions made by the employees to the fund in the calendar year 2 years prior to the year for which the annual applicable tax is levied multiplied by .8 for the years 1972 through 1976; by .8 for the year 1977; by .87 for the year 1978; by .94 for the year 1979; by 1.02 for the year 1980 and by 1.10 for the year 1981 and by 1.18 for the year 1982 and by 1.36 for the year 1983 and by 1.54 for the year 1984 and for each year thereafter.

This tax shall be levied and collected in like manner with the general taxes of the county, and shall be in addition to all other taxes which the county is authorized to levy upon the aggregate valuation of all taxable property within the county and shall be exclusive of and in addition to the amount of tax the county is authorized to levy for general purposes under any laws which may limit the amount of tax which the county may levy for general purposes. The county clerk, in reducing tax levies under any Act concerning the levy and extension of taxes, shall not consider this tax as a part of the general tax levy for county purposes, and shall not include it within any limitation of the per cent of the assessed valuation upon which taxes are required to be extended for the county. It is lawful to extend this tax in addition to the general county rate fixed by statute, without being authorized as additional by a vote of the people of the county.

Revenues derived from this tax shall be paid to the treasurer of the county and held by him for the benefit of the fund.

If the payments on account of taxes are insufficient during any year to meet the requirements of this Article, the county may issue tax anticipation warrants against the current tax levy.

(b) By January 10, annually, the board shall notify the county board of the requirement of this Article that this tax shall be levied. The board ~~shall compute the amounts necessary for the purposes of the fund for that current year to be credited to the reserves established and maintained as provided in this Act~~, shall make an annual determination of the required county contributions, and shall certify the results thereof to the county board.

(c) The various sums to be contributed by the county board and allocated for the purposes of this Article and any interest to be contributed by the county shall be taken from the revenue derived from this tax and no money of the county derived from any source other than the levy and collection of this tax or the sale of tax anticipation warrants, except state or federal funds contributed for annuity and benefit purposes for employees of a county department of public aid under "The Illinois Public Aid Code", approved April 11, 1967, as now or hereafter amended, may be used to provide revenue for the fund.

If it is not possible or practicable for the county to make contributions for age and service annuity and widow's annuity concurrently with the employee contributions made for such purposes, such county shall make such contributions as soon as possible and practicable thereafter with interest thereon at the effective

rate until the time it shall be made.

(d) With respect to employees whose wages are funded as participants under the Comprehensive Employment and Training Act of 1973, as amended (P.L. 93-203, 87 Stat. 839, P.L. 93-567, 88 Stat. 1845), hereinafter referred to as CETA, subsequent to October 1, 1978, and in instances where the board has elected to establish a manpower program reserve, the board shall compute the amounts necessary to be credited to the manpower program reserves established and maintained as herein provided, and shall make a periodic determination of the amount of required contributions from the County to the reserve to be reimbursed by the federal government in accordance with rules and regulations established by the Secretary of the United States Department of Labor or his designee, and certify the results thereof to the County Board. Any such amounts shall become a credit to the County and will be used to reduce the amount which the County would otherwise contribute during succeeding years for all employees.

(e) In lieu of establishing a manpower program reserve with respect to employees whose wages are funded as participants under the Comprehensive Employment and Training Act of 1973, as authorized by subsection (d), the board may elect to establish a special County contribution rate for all such employees. If this option is elected, the County shall contribute to the Fund from federal funds provided under the Comprehensive Employment and Training Act program at the special rate so established and such contributions shall become a credit to the County and be used to reduce the amount which the County would otherwise contribute during succeeding years for all employees.

(Source: P.A. 83-1362.)

(40 ILCS 5/9-179.3) (from Ch. 108 1/2, par. 9-179.3)

Sec. 9-179.3. Optional plan of additional benefits and contributions.

(a) While this plan is in effect, an employee may establish additional optional credit for additional optional benefits by electing in writing at any time to make additional optional contributions. The employee may discontinue making the additional optional contributions at any time by notifying the fund in writing.

(b) Additional optional contributions for the additional optional benefits shall be as follows:

(1) For service after the option is elected, an additional contribution of 3% of salary shall be contributed to the fund on the same basis and under the same conditions as contributions required under Sections 9-170 and 9-176.

(2) For service before the option is elected, an additional contribution of 3% of the salary for the applicable period of service, plus interest at the effective rate from the date of service to the date of payment. All payments for past service must be paid in full before credit is given. No additional optional contributions may be made for any period of service for which credit has been previously forfeited by acceptance of a refund, unless the refund is repaid in full with interest at the effective rate from the date of refund to the date of repayment.

(c) Additional optional benefits shall accrue for all periods of eligible service for which additional contributions are paid in full. The additional benefit shall consist of an additional 1% for each year of service for which optional contributions have been paid, based on the highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal, to be added to the employee retirement annuity benefits as otherwise computed under this Article. The calculation of these additional benefits shall be subject to the same terms and conditions as are used in the calculation of retirement annuity under Section 9-134. The additional benefit shall be included in the calculation of the automatic annual increase in annuity, and in the calculation of widow's annuity, where applicable. However no additional benefits will be granted which produce a total annuity greater than the applicable maximum established for that type of annuity in this Article, and additional benefits shall not apply to any benefit computed under Section 9-128.1.

(d) Refunds of additional optional contributions shall be made on the same basis and under the same conditions as provided under Sections 9-164, 9-166 and 9-167. Interest shall be credited at the effective rate on the same basis and under the same conditions as for other contributions.

(e) ~~(Blank) Optional contributions shall be accounted for in a separate Optional Contribution Reserve.~~

(f) The tax levy, computed under Section 9-169, shall be based on employee contributions including the amount of optional additional employee contributions.

(g) Service eligible under this Section may include only service as an employee of the County as defined in Section 9-108, and subject to Sections 9-219 and 9-220. No service granted under Section 9-121.1, 9-121.4 or 9-179.2 shall be eligible for optional service credit. No optional service credit may be established for any military service, or for any service under any other Article of this Code. Optional service credit may be established for any period of disability paid from this fund, if the employee makes additional optional contributions for such periods of disability.

(h) This plan of optional benefits and contributions shall not apply to any former county employee receiving an annuity from the fund, who re-enters service as a County employee, unless he renders at least 3 years of additional service after the date of re-entry.

(i) The effective date of the optional plan of additional benefits and contributions shall be July 1, 1985, or the date upon which approval is received from the Internal Revenue Service, whichever is later.

(j) This plan of additional benefits and contributions shall expire July 1, 2005. No additional contributions may be made after that date, and no additional benefits will accrue after that date.

(Source: P.A. 92-599, eff. 6-28-02.)

(40 ILCS 5/9-182) (from Ch. 108 1/2, par. 9-182)

Sec. 9-182. Contributions by county for prior service annuities and pensions under former acts.

(a) The county, State or federal contributions authorized in Section 9-169 shall be applied first for the purposes of this Article 9 other than those stated in this Section.

The balance of the sum produced from such contributions shall be applied for the following purposes:

1. "An Act to provide for the formation and disbursement of a pension fund in counties having a population of 150,000 or more inhabitants, for the benefit of officers and employees in the service of such counties", approved June 29, 1915, as amended;

2. Section 9-225 of this Article;

3. To meet such part of any minimum annuity as shall be in excess of the age and service annuity and prior service annuity, and to meet such part of any minimum widow's annuity in excess of the amount of widow's annuity and widow's prior service annuity also for the purpose of providing the county cost of automatic increases in annuity after retirement in accordance with Section 9-133 and for any other purpose for which moneys are not otherwise provided in this Article;

4. ~~(Blank) To provide a sufficient balance in the investment and interest reserve to permit a transfer from that reserve to other reserves of the fund;~~

5. ~~(Blank) To credit to the county contribution reserve such amounts required from the county but not contributed by it for age and service and prior service annuities, and widows' and widows' prior service annuities.~~

~~(b) (Blank) All such contributions shall be credited to the prior service annuity reserve. When the balance of this reserve equals its liabilities (including in addition to all other liabilities, the present values of all annuities, present or prospective, according to the applicable mortality tables and rates of interest), the county shall cease to contribute the sum stated in this Section. Whenever the balance of the investment and interest reserve is not sufficient to permit a transfer from that reserve to any other reserve, the county shall contribute sums sufficient to make possible such transfer; provided, that if annexation of territory and the employment by the county of any county employee of any such territory at the time of annexation, after the county has ceased to contribute as herein provided results in additional liabilities for prior service annuity and widow's prior service annuity for any such employee, contributions by the county for such purposes shall be resumed.~~

(Source: P.A. 90-655, eff. 7-30-98.)

(40 ILCS 5/9-199) (from Ch. 108 1/2, par. 9-199)

Sec. 9-199. To submit an annual report.

To submit a report in July of each year to the county board of the county as of the close of business on December 31st of the preceding year. The report shall contain a detailed statement of the affairs of the fund, its income and expenditures, and assets and liabilities, ~~and the status of the several reserves.~~ The county board shall have power to require and compel the board to prepare and submit such reports.

(Source: Laws 1963, p. 161.)

(40 ILCS 5/9-204) (from Ch. 108 1/2, par. 9-204)

Sec. 9-204. Accounting.

An adequate system of accounts and records shall be established to give effect to the requirements of this Article and to report the financial condition of the fund. Such additional data as is necessary for required calculations, actuarial valuations, and operation of the fund shall be maintained. ~~The reserves designated in Sections 9-205 to 9-214, inclusive, shall be maintained. At the end of each year and at any other time when necessary the amounts in such reserves shall be improved by proper interest accretions.~~

(Source: Laws 1963, p. 161.)

(40 ILCS 5/10-104.5 new)

Sec. 10-104.5. Alternative retirement cancellation payment.

(a) To be eligible for the alternative retirement cancellation payment provided in this Section, a person must:

(1) be a member of this Fund who, on December 31, 2006, was (i) in active payroll status as an employee and continuously employed in a position on and after the effective date of this Section and (ii) an active contributor to this Fund with respect to that employment;

(2) have not previously received any retirement annuity under this Article;

(3) file with the Board on or before 45 days after the effective date of this Section, a written application requesting the alternative retirement cancellation payment provided in this Section; (4) terminate employment under this Article no later than 60 days after the effective date of this Section.

(4) if there is a QILDRO in effect against the person, file with the Board the written consent of all alternate payees under the QILDRO to the election of an alternative retirement cancellation payment under this Section; and

(b) In lieu of any retirement annuity or other benefit provided under this Article, a person who qualifies for and elects to receive the alternative retirement cancellation payment under this Section shall be entitled to receive a one-time lump sum retirement cancellation payment equal to the amount of his or her contributions to the Fund (including any employee contributions for optional service credit and including any employee contributions paid by the employer or credited to the employee during disability) on the date of termination, with regular interest, multiplied by 1.5.

(c) Notwithstanding any other provision of this Article, a person who receives an alternative retirement cancellation payment under this Section thereby forfeits the right to any other retirement or disability benefit or refund under this Article, and no widow's, survivor's, or death benefit deriving from that person shall be payable under this Article. Upon accepting an alternative retirement cancellation payment under this Section, the person's creditable service and all other rights in the Fund are terminated for all purposes.

(d) To the extent permitted by federal law, a person who receives an alternative retirement cancellation payment under this Section may direct the Fund to pay all or a portion of that payment as a rollover into another retirement plan or account qualified under the Internal Revenue Code of 1986, as amended.

(e) Notwithstanding any other provision of this Article, a person who has received an alternative retirement cancellation payment under this Section and who reenters service under this Article must first repay to the Fund the amount by which that alternative retirement cancellation payment exceeded the amount of his or her refundable employee contributions with interest of 6% per annum. For the purposes of re-establishing creditable service that was terminated upon election of the alternative retirement cancellation payment, the portion of the alternative retirement cancellation payment representing refundable employee contributions shall be deemed a refund repayable together with interest at the effective rate from the application date of such refund to the date of repayment.

(f) No individual who receives an alternative retirement cancellation payment under this Section may return to active payroll status within 365 days after separation from service to the employer.

(40 ILCS 5/15-106) (from Ch. 108 1/2, par. 15-106)

Sec. 15-106. Employer. "Employer": The University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the State Board of Higher Education, the Illinois Mathematics and Science Academy, the State Geological Survey Division of the Department of Natural Resources, the State Natural History Survey Division of the Department of Natural Resources, the State Water Survey Division of the Department of Natural Resources, the Waste Management and Research Center of the Department of Natural Resources, the University Civil Service Merit Board, the Board of Trustees of the State Universities Retirement System, the Illinois Community College Board, community college boards, any association of community college boards organized under Section 3-55 of the Public Community College Act, the Board of Examiners established under the Illinois Public Accounting Act, and, only during the period for which employer contributions required under Section 15-155 are paid, the following organizations: the alumni associations, the foundations and the athletic associations which are affiliated with the universities and colleges included in this Section as employers.

A department as defined in Section 14-103.04 is an employer for any person appointed by the Governor under the Civil Administrative Code of Illinois who is a participating employee as defined in Section 15-109. The Department of Central Management Services is an employer with respect to persons employed by the State Board of Higher Education in positions with the Illinois Century Network as of June 30, 2004 who remain continuously employed after that date by the Department of Central Management Services in positions with the Illinois Century Network, the Bureau of Communication and Computer Services, or, if applicable, any successor bureau.

The cities of Champaign and Urbana shall be considered employers, but only during the period for which

contributions are required to be made under subsection (b-1) of Section 15-155 and only with respect to individuals described in subsection (h) of Section 15-107.

(Source: P.A. 93-839, eff. 7-30-04.)

(40 ILCS 5/15-107) (from Ch. 108 1/2, par. 15-107)

Sec. 15-107. Employee.

(a) "Employee" means any member of the educational, administrative, secretarial, clerical, mechanical, labor or other staff of an employer whose employment is permanent and continuous or who is employed in a position in which services are expected to be rendered on a continuous basis for at least 4 months or one academic term, whichever is less, who (A) receives payment for personal services on a warrant issued pursuant to a payroll voucher certified by an employer and drawn by the State Comptroller upon the State Treasurer or by an employer upon trust, federal or other funds, or (B) is on a leave of absence without pay. Employment which is irregular, intermittent or temporary shall not be considered continuous for purposes of this paragraph.

However, a person is not an "employee" if he or she:

- (1) is a student enrolled in and regularly attending classes in a college or university which is an employer, and is employed on a temporary basis at less than full time;
- (2) is currently receiving a retirement annuity or a disability retirement annuity under Section 15-153.2 from this System;
- (3) is on a military leave of absence;
- (4) is eligible to participate in the Federal Civil Service Retirement System and is currently making contributions to that system based upon earnings paid by an employer;
- (5) is on leave of absence without pay for more than 60 days immediately following termination of disability benefits under this Article;
- (6) is hired after June 30, 1979 as a public service employment program participant under the Federal Comprehensive Employment and Training Act and receives earnings in whole or in part from funds provided under that Act; or
- (7) is employed on or after July 1, 1991 to perform services that are excluded by subdivision (a)(7)(f) or (a)(19) of Section 210 of the federal Social Security Act from the definition of employment given in that Section (42 U.S.C. 410).

(b) Any employer may, by filing a written notice with the board, exclude from the definition of "employee" all persons employed pursuant to a federally funded contract entered into after July 1, 1982 with a federal military department in a program providing training in military courses to federal military personnel on a military site owned by the United States Government, if this exclusion is not prohibited by the federally funded contract or federal laws or rules governing the administration of the contract.

(c) Any person appointed by the Governor under the Civil Administrative Code of the State is an employee, if he or she is a participant in this system on the effective date of the appointment.

(d) A participant on lay-off status under civil service rules is considered an employee for not more than 120 days from the date of the lay-off.

(e) A participant is considered an employee during (1) the first 60 days of disability leave, (2) the period, not to exceed one year, in which his or her eligibility for disability benefits is being considered by the board or reviewed by the courts, and (3) the period he or she receives disability benefits under the provisions of Section 15-152, workers' compensation or occupational disease benefits, or disability income under an insurance contract financed wholly or partially by the employer.

(f) Absences without pay, other than formal leaves of absence, of less than 30 calendar days, are not considered as an interruption of a person's status as an employee. If such absences during any period of 12 months exceed 30 work days, the employee status of the person is considered as interrupted as of the 31st work day.

(g) A staff member whose employment contract requires services during an academic term is to be considered an employee during the summer and other vacation periods, unless he or she declines an employment contract for the succeeding academic term or his or her employment status is otherwise terminated, and he or she receives no earnings during these periods.

(h) An individual who was a participating employee employed in the fire department of the University of Illinois's Champaign-Urbana campus immediately prior to the elimination of that fire department and who immediately after the elimination of that fire department became employed by the fire department of the City of Urbana or the City of Champaign shall continue to be considered as an employee for purposes of this Article for so long as the individual remains employed as a firefighter by the City of Urbana or the City of Champaign. The individual shall cease to be considered an employee under this subsection (h) upon the

first termination of the individual's employment as a firefighter by the City of Urbana or the City of Champaign.

(i) An individual who is employed on a full-time basis as an officer or employee of a statewide teacher organization that serves System participants or an officer of a national teacher organization that serves System participants may participate in the System and shall be deemed an employee, provided that (1) the individual has previously earned creditable service under this Article, (2) the individual files with the System an irrevocable election to become a participant, and (3) the individual does not receive credit for that employment under any other Article of this Code. An employee under this subsection (i) is responsible for paying to the System both (A) employee contributions based on the actual compensation received for service with the teacher organization and (B) employer contributions equal to the normal costs (as defined in Section 15-155) resulting from that service; all or any part of these contributions may be paid on the employee's behalf or picked up for tax purposes (if authorized under federal law) by the teacher organization.

A person who is an employee as defined in this subsection (i) may establish service credit for similar employment prior to becoming an employee under this subsection by paying to the System for that employment the contributions specified in this subsection, plus interest at the effective rate from the date of service to the date of payment. However, credit shall not be granted under this subsection for any such prior employment for which the applicant received credit under any other provision of this Code, or during which the applicant was on a leave of absence under Section 15-113.2.

(j) A person employed by the State Board of Higher Education in a position with the Illinois Century Network as of June 30, 2004 shall be considered to be an employee for so long as he or she remains continuously employed after that date by the Department of Central Management Services in a position with the Illinois Century Network, the Bureau of Communication and Computer Services, or, if applicable, any successor bureau and meets the requirements of subsection (a).

(Source: P.A. 93-347, eff. 7-24-03; 93-839, eff. 7-30-04.)

(40 ILCS 5/9-168 rep.) (40 ILCS 5/9-205 rep.) (40 ILCS 5/9-206 rep.) (40 ILCS 5/9-207 rep.)
 (40 ILCS 5/9-208 rep.) (40 ILCS 5/9-209 rep.) (40 ILCS 5/9-210 rep.) (40 ILCS 5/9-211 rep.)
 (40 ILCS 5/9-212 rep.) (40 ILCS 5/9-213 rep.) (40 ILCS 5/9-214 rep.) (40 ILCS 5/9-215 rep.)

Section 10. The Illinois Pension Code is amended by repealing Sections 9-168, 9-205, 9-206, 9-207, 9-208, 9-209, 9-210, 9-211, 9-212, 9-213, 9-214, and 9-215.

Section 90. The State Mandates Act is amended by adding Section 8.31 as follows:

(30 ILCS 805/8.31 new)

Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 95th General Assembly.

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

The foregoing motion prevailed and the amendment was adopted and ordered reproduced.

There being no further amendments, the foregoing Amendment No. 4 was adopted and the bill, as amended, was again advanced to the order of Third Reading.

RECALL

At the request of the principal sponsor, Representative Crespo, HOUSE BILL 876 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

RESOLUTION

Having been reported out of the Committee on State Government Administration on March 7, 2007, HOUSE JOINT RESOLUTION 11 was taken up for consideration.

Representative Howard moved the adoption of the resolution.

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

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

(ROLL CALL 26)

The motion prevailed and the Resolution was adopted.
Ordered that the Clerk inform the Senate and ask their concurrence.

SUSPEND POSTING REQUIREMENTS

Pursuant to the motion submitted previously, Representative Black moved to suspend the posting requirements in Rule 25 in relation to Senate Bill 1592.

The motion prevailed.

Pursuant to the motion submitted previously, Representative Howard moved to suspend the posting requirements in Rule 25 in relation to House Bill 2184.

The motion prevailed.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 317, 318, 319, 320, 322, 323, 324, 325, 326, 327, 328, 329 and 330 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the Agreed Resolutions were adopted.

At the hour of 6:09 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, April 25, 2007, at 11:00 o'clock a.m.

The motion prevailed.

And the House stood adjourned.

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

April 24, 2007

0 YEAS

0 NAYS

115 PRESENT

P Acevedo	P Dugan	P Krause	P Reboletti
P Arroyo	P Dunkin	P Lang	P Reis
P Bassi	P Dunn	P Leitch	P Reitz
P Beaubien	P Durkin	P Lindner	P Riley
P Beiser	P Eddy	P Lyons	P Rita
P Bellock	P Feigenholtz	P Mathias	P Rose
P Berrios	P Flider	P Mautino	P Ryg
P Biggins	P Flowers	P May	P Sacia
P Black	P Ford	P McAuliffe	P Saviano
P Boland	P Fortner	P McCarthy	P Schmitz
P Bost	P Franks	P McGuire	E Schock
P Bradley, John	P Fritchey	P Mendoza	P Scully
P Bradley, Richard	P Froehlich	E Meyer	P Smith
P Brady	P Golar	P Miller	P Sommer
P Brauer	P Gordon	P Mitchell, Bill	P Soto
P Brosnahan	P Graham	P Mitchell, Jerry	P Stephens
P Burke	P Granberg	P Moffitt	P Sullivan
P Chapa LaVia	P Hamos	P Molaro (ADDED)	P Tracy
P Coladipietro	P Hannig	P Mulligan (ADDED)	P Tryon
P Cole	P Harris	P Munson	P Turner
P Collins (ADDED)	P Hassert	P Myers	P Verschoore
P Colvin	P Hernandez	P Nekritz	P Wait
P Coulson	P Hoffman	P Osmond	P Washington
P Crespo	P Holbrook	P Osterman	P Watson
P Cross	P Howard	E Patterson	P Winters
P Cultra	P Jakobsson	P Phelps	P Yarbrough
P Currie	P Jefferies	P Pihos	P Younge
P D'Amico	P Jefferson	P Poe	P Mr. Speaker
P Davis, Monique	P Joyce	P Pritchard	
P Davis, W. (ADDED)	P Kosel	P Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1460
BUILDINGS-FLUORESCENT LIGHTING
THIRD READING
PASSED

April 24, 2007

111 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 734
 ELDER ABUSE-REPORT-RESPONSE
 THIRD READING
 PASSED

April 24, 2007

110 YEAS

1 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 618
MEDICAID-PERSONAL NEED-TOBACCO
THIRD READING
PASSED

April 24, 2007

111 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1116
 VEH CD-FIRE DEPARTMENT PLATES
 THIRD READING
 PASSED

April 24, 2007

103 YEAS

7 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1842
ENERGY EFFICIENT BUILDINGS
THIRD READING
PASSED

April 24, 2007

74 YEAS

38 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3627
 CHARITABLE TRUST STABILIZATION
 THIRD READING
 PASSED

April 24, 2007

104 YEAS

7 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2973
REGULATION-TECH
THIRD READING
PASSED

April 24, 2007

111 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1839
 SCH CD-LIMIT PE MANDATE WAIVER
 THIRD READING
 PASSED

April 24, 2007

104 YEAS

8 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2304
LOCAL GOVERNMENT-TECH
THIRD READING
PASSED

April 24, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1900
 HWY CD-DUI ROADSIDE MARKERS
 THIRD READING
 PASSED

April 24, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1775
IDPH-ASSISTED LIVNG-CONSTRUCTN
THIRD READING
PASSED

April 24, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 306
 CRIM CD-UNAUTHORIZED RECORDING
 THIRD READING
 PASSED

April 24, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 680
PUB HEALTH-BIOMONITORING
THIRD READING
PASSED

April 24, 2007

113 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3597
 LOGGOV-ANNEXATION
 THIRD READING
 PASSED

April 24, 2007

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3289
EDUCATION-TECH
THIRD READING
PASSED

April 24, 2007

113 YEAS

1 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 855
CD CORR-PAROLE REVOCATION
THIRD READING
PASSED

April 24, 2007

113 YEAS

1 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1998
SEX OFFENDER COMMUNITY NOTIF
THIRD READING
PASSED

April 24, 2007

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1876
 ELECTIONS-HOME RULE REFERENDA
 THIRD READING
 PASSED

April 24, 2007

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1519
TIF EXTEND-MANTENO
THIRD READING
PASSED

April 24, 2007

111 YEAS

3 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1514
 TIF EXTEND-MT ZION
 THIRD READING
 PASSED

April 24, 2007

110 YEAS

4 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1072
HLTH FACILITY-LANGUAGE ASSIST
THIRD READING
PASSED

April 24, 2007

114 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 820
 CARNIVAL WORKER REG ACT
 THIRD READING
 PASSED

April 24, 2007

113 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1380
JUV CT-MINORS-COUNSEL
THIRD READING
PASSED

April 24, 2007

62 YEAS

51 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 962
MUNICIPAL OFFICE VACANCIES
THIRD READING
PASSED

April 24, 2007

98 YEAS

17 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE JOINT RESOLUTION 11
LINCOLN DOUGLAS DEBATES
ADOPTED

April 24, 2007

115 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence