

**STATE OF ILLINOIS**



**HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-FIFTH GENERAL ASSEMBLY**

**232ND LEGISLATIVE DAY**

**REGULAR SESSION**

**THURSDAY, FEBRUARY 28, 2008**

**12:11 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES**  
**Daily Journal Index**  
**232nd Legislative Day**

<b>Action</b>	<b>Page(s)</b>
Adjournment .....	56
Adjournment Resolution .....	15, 56
Agreed Resolutions .....	14
Change of Sponsorship.....	13
Fiscal Note Supplied .....	12
Legislative Measures Approved for Floor Consideration.....	6
Legislative Measures Assigned to Committee .....	6
Legislative Measures Reassigned to Committee .....	6
Messages From The Senate.....	12
Quorum Roll Call.....	5
Reports From Standing Committees .....	7
Resolutions.....	13
Temporary Committee Assignments.....	5

<b>Bill Number</b>	<b>Legislative Action</b>	<b>Page(s)</b>
HB 0796	Committee Report .....	6
HB 0842	Committee Report .....	11
HB 4158	Committee Report .....	9
HB 4167	Second Reading.....	16
HB 4174	Second Reading – Amendment/s .....	16
HB 4179	Committee Report .....	11
HB 4180	Second Reading.....	28
HB 4183	Second Reading.....	28
HB 4190	Second Reading.....	28
HB 4193	Committee Report .....	9
HB 4201	Second Reading.....	28
HB 4212	Second Reading – Amendment/s .....	28
HB 4215	Second Reading.....	29
HB 4219	Second Reading – Amendment/s .....	29
HB 4226	Second Reading – Amendment/s .....	32
HB 4294	Second Reading – Amendment/s .....	32
HB 4297	Committee Report .....	7
HB 4309	Second Reading – Amendment/s .....	33
HB 4314	Second Reading.....	37
HB 4352	Committee Report .....	8
HB 4357	Second Reading.....	34
HB 4378	Second Reading.....	37
HB 4379	Second Reading – Amendment/s .....	34
HB 4390	Second Reading.....	56
HB 4428	Second Reading – Amendment/s .....	37
HB 4434	Second Reading – Amendment/s .....	37
HB 4450	Second Reading – Amendment/s .....	37
HB 4454	Second Reading – Amendment/s .....	38
HB 4455	Second Reading.....	38
HB 4457	Second Reading – Amendment/s .....	38
HB 4470	Committee Report .....	7
HB 4513	Second Reading – Amendment/s .....	39
HB 4518	Committee Report .....	10
HB 4574	Second Reading – Amendment/s .....	39
HB 4585	Committee Report .....	12

HB 4588	Second Reading – Amendment/s .....	40
HB 4590	Second Reading.....	41
HB 4603	Second Reading – Amendment/s .....	41
HB 4627	Second Reading – Amendment/s .....	47
HB 4628	Second Reading.....	48
HB 4641	Second Reading – Amendment/s .....	48
HB 4644	Committee Report .....	12
HB 4648	Second Reading.....	48
HB 4653	Second Reading – Amendment/s .....	49
HB 4664	Second Reading – Amendment/s .....	49
HB 4665	Committee Report .....	7
HB 4700	Committee Report .....	10
HB 4702	Second Reading – Amendment/s .....	49
HB 4710	Committee Report .....	8
HB 4720	Committee Report .....	7
HB 4724	Committee Report .....	7
HB 4727	Second Reading – Amendment/s .....	49
HB 4730	Second Reading.....	50
HB 4736	Committee Report .....	7
HB 4746	Committee Report .....	11
HB 4747	Committee Report .....	8
HB 4757	Second Reading – Amendment/s .....	50
HB 4765	Committee Report .....	7
HB 4767	Committee Report .....	7
HB 4768	Committee Report .....	10
HB 4779	Committee Report .....	7
HB 4838	Second Reading.....	50
HB 4839	Second Reading.....	50
HB 4867	Committee Report .....	9
HB 4920	Committee Report .....	7
HB 4956	Committee Report .....	10
HB 4992	Committee Report .....	10
HB 5017	Second Reading.....	50
HB 5095	Committee Report .....	11
HB 5111	Second Reading – Amendment/s .....	50
HB 5215	Committee Report .....	11
HB 5226	Second Reading – Amendment/s .....	55
HB 5256	Committee Report .....	8
HB 5276	Committee Report .....	11
HB 5308	Committee Report .....	12
HB 5310	Committee Report .....	7
HB 5505	Committee Report .....	10
HB 5511	Second Reading – Amendment/s .....	55
HB 5699	Committee Report .....	12
HJR 0081	Committee Report .....	10
HJR 0109	Adoption .....	16
HJR 0109	Resolution.....	15
HJR 0110	Adoption .....	15
HJR 0111	Resolution.....	14
HR 0850	Committee Report .....	7
HR 0929	Committee Report .....	7
HR 1032	Resolution .....	14
HR 1032	Adoption .....	16
HR 1033	Resolution .....	15
HR 1033	Adoption .....	16
HR 1034	Resolution .....	15
HR 1034	Adoption .....	16

HR 1035	Resolution .....	15
HR 1035	Adoption .....	16
HR 1036	Resolution .....	15
HR 1036	Adoption .....	16
HR 1037	Resolution .....	13
HR 1038	Resolution .....	15
HR 1038	Adoption .....	16
HR 1039	Resolution .....	15
HR 1039	Adoption .....	16
HR 1040	Resolution .....	15
HR 1040	Adoption .....	16
HR 1041	Resolution .....	15
HR 1041	Adoption .....	16
SB 0782	Committee Report.....	11
SB 1863	Senate Message – Passage of Senate Bill .....	13
SB 1874	Senate Message – Passage of Senate Bill .....	13
SB 1927	Senate Message – Passage of Senate Bill .....	13
SB 1990	Senate Message – Passage of Senate Bill .....	13

The House met pursuant to adjournment.

Representative Turner in the chair.

Prayer by Assistant Doorkeeper of the House Wayne Padgett.

Representative McAuliffe 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:

108 present. (ROLL CALL 1)

By unanimous consent, Representatives Richard Bradley, Collins, Hoffman, Leitch, Jerry Mitchell, Molaro, Schmitz, Washington and Watson were excused from attendance.

### TEMPORARY COMMITTEE ASSIGNMENTS

Representative Kosel replaced Representative Watson in the Committee on State Government Administration on February 27, 2008.

Representative Black replaced Representative Pritchard in the Committee on State Government Administration on February 27, 2008.

Representative Jakobsson replaced Representative Washington in the Committee on Housing and Urban Development on February 27, 2008.

Representative Harris replaced Representative Younger in the Committee on Housing and Urban Development on February 27, 2008.

Representative Hannig replaced Representative Howard in the Committee on Labor on February 27, 2008.

Representative Stephens replaced Representative Schmitz in the Committee on Labor on February 27, 2008.

Representative Crespo replaced Representative Washington in the Committee on Labor on February 27, 2008.

Representative McGuire replaced Representative Richard Bradley in the Committee on Environment & Energy on February 27, 2008.

Representative Hannig replaced Representative Patterson in the Committee on Appropriations-Human Services on February 28, 2008.

Representative Krause replaced Representative Schock in the Committee on Appropriations-Human Services on February 28, 2008.

Representative Lang replaced Representative Washington in the Committee on Appropriations-Human Services on February 28, 2008.

Representative Harris replaced Representative Patterson in the Committee on Computer Technology on February 28, 2008.

Representative Bellock replaced Representative Watson in the Committee on Veterans Affairs on February 28, 2008.

Representative Nekritz replaced Representative D'Amico in the Committee on Aging on February 28, 2008.

Representative William Davis replaced Representative Jefferson in the Committee on Aging on February 28, 2008.

Representative Winters replaced Representative Jerry Mitchell in the Committee on Aging on February 28, 2008.

Representative Eddy replaced Representative Saviano in the Committee on Aging on February 28, 2008.

Representative McGuire replaced Representative Richard Bradley in the Committee on Personnel and Pensions on February 28, 2008.

**REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on February 28, 2008, reported the same back with the following recommendations:

**LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:**

That the bill be reported “approved for consideration” and be placed on the order of Third Reading—Consideration Postponed: HOUSE BILL 796.

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Executive: HOUSE BILL 4160.

**LEGISLATIVE MEASURES REASSIGNED TO COMMITTEE:**

HOUSE BILL 796 was recalled from the Committee on Executive and reassigned to the Committee on Rules.

HOUSE BILL 4881 was recalled from the Committee on International Trade & Commerce and reassigned to the Committee on Bio-Technology.

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

3, Yeas; 1, Nay; 0, Answering Present.

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

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

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on February 28, 2008, (A) reported the same back with the following recommendations:

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Executive: HOUSE JOINT RESOLUTION 111.

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

3, Yeas; 1, Nay; 0, Answering Present.

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

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

### REPORTS FROM STANDING COMMITTEES

Representative Franks, Chairperson, from the Committee on State Government Administration to which the following were referred, action taken on February 27, 2008, 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 850 and 929.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4297, 4765, 4779, 4920 and 5310.

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4665, 4720, 4736 and 4767.

The committee roll call vote on House Bills 4297, 4665, 4720, 4736, 4767, 4779, 4920, 5310 and House Resolutions 850 and 929 is as follows:

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

Y Franks(D), Chairperson	Y Dugan(D), Vice-Chairperson
Y Black(R) (replacing Pritchard)	Y Bradley, John(D)
Y Collins(D)	Y Davis, Monique(D)
Y Froehlich(D)	Y Gordon(D)
Y Krause(R)	Y Myers(R)
Y Poe(R)	Y Ramey(R)
Y Kosel(R) (replacing Watson)	

The committee roll call vote on House Bill 4765 is as follows:

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

Y Franks(D), Chairperson	Y Dugan(D), Vice-Chairperson
Y Black(R) (replacing Pritchard)	Y Bradley, John(D)
Y Collins(D)	Y Davis, Monique(D)
P Froehlich(D)	Y Gordon(D)
Y Krause(R)	Y Myers(R)
Y Poe(R)	Y Ramey(R)
Y Kosel(R) (replacing Watson)	

Representative Osterman, Chairperson, from the Committee on Labor to which the following were referred, action taken on February 27, 2008, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4470 and 4724.

The committee roll call vote on House Bill 4470 is as follows:

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

Y Osterman(D), Chairperson	Y Soto(D), Vice-Chairperson
Y Winters(R), Republican Spokesperson	A Arroyo(D)
Y Beaubien(R)	Y Bellock(R)
Y Boland(D)	Y Colvin(D)
Y Cultra(R)	Y D'Amico(D)
A Eddy(R)	Y Davis, William(D)
Y Graham(D)	A Hassert(R)
Y Hernandez(D)	Y Hoffman(D)
A Hannig(D) (replacing Howard)	Y Jefferson(D)
A Lindner(R)	A Reis(R)
Y Sacia(R)	Y Stephens(R) (replacing Schmitz)
Y Crespo(D) (replacing Washington)	

The committee roll call vote on House Bill 4724 is as follows:  
20, Yeas; 1, Nay; 0, Answering Present.

Y Osterman(D), Chairperson	Y Soto(D), Vice-Chairperson
Y Winters(R), Republican Spokesperson	Y Arroyo(D)
Y Beaubien(R)	Y Bellock(R)
Y Boland(D)	Y Colvin(D)
N Cultra(R)	Y D'Amico(D)
Y Eddy(R)	Y Davis, William(D)
Y Graham(D)	A Hassert(R)
Y Hernandez(D)	Y Hoffinan(D)
Y Hannig(D) (replacing Howard)	Y Jefferson(D)
Y Lindner(R)	A Reis(R)
Y Sacia(R)	Y Stephens(R) (replacing Schmitz)
Y Crespo(D) (replacing Washington)	

Representative Yarbrough, Chairperson, from the Committee on Housing and Urban Development to which the following were referred, action taken on February 27, 2008, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4352 and 4747.

The committee roll call vote on House Bills 4352 and 4747 is as follows:  
8, Yeas; 0, Nays; 0, Answering Present.

Y Jakobsson(D) (replacing Washington)	Y Yarbrough(D), Vice-Chairperson
Y Leitch(R), Republican Spokesperson	Y Graham(D)
Y Hamos(D)	Y Kosel(R)
A Mitchell, Bill(R)	Y Poe(R)
Y Harris(D) (replacing Younge)	

Representative Holbrook, Chairperson, from the Committee on Environment & Energy to which the following were referred, action taken on February 27, 2008, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4710 and 5256.

The committee roll call vote on House Bill 4710 is as follows:  
20, Yeas; 0, Nays; 0, Answering Present.

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

The committee roll call vote on House Bill 5256 is as follows:  
18, 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 McGuire(D) (replacing Bradley, R)	Y Cole(R)
Y Flider(D)	Y Fortner(R)
Y Hamos(D)	A Joyce(D)
Y Krause(R)	Y May(D)
Y Meyer(R)	Y Phelps(D)
Y Reboletti(R)	Y Reitz(D)
A Rita(D)	A Rose(R)
Y Schock(R)	A Smith(D)
Y Tryon(R)	Y Verschoore(D)
Y Winters(R)	

Representative Ryg, Chairperson, from the Committee on Disability Services to which the following were referred, action taken on February 27, 2008, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4867.

The committee roll call vote on House Bill 4867 is as follows:

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

Y Ryg(D), Chairperson	Y Golar(D), Vice-Chairperson
Y Leitch(R), Republican Spokesperson	Y Bellock(R)
Y Chapa LaVia(D)	Y Crespo(D)
Y Hernandez(D)	Y Pihos(R)
Y Ramey(R)	

Representative McCarthy, Chairperson, from the Committee on Higher Education to which the following were referred, action taken on February 27, 2008, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4193.

The committee roll call vote on House Bill 4193 is as follows:

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

Y McCarthy(D), Chairperson	Y Jakobsson(D), Vice-Chairperson
Y Bost(R), Republican Spokesperson	Y Beiser(D)
A Black(R)	A Brady(R)
Y Brosnahan(D)	Y D'Amico(D)
Y Eddy(R)	A Flowers(D)
Y Howard(D)	Y Miller(D)
Y Myers(R)	Y Pritchard(R)
Y Tracy(R)	

Representative Monique Davis, Chairperson, from the Committee on Appropriations-General Services to which the following were referred, action taken on February 27, 2008, reported the same back with the following recommendations:

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4158.

The committee roll call vote on House Bill 4158 is as follows:

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

Y Davis, Monique(D), Chairperson	Y Hannig(D), Vice-Chairperson
Y Biggins(R), Republican Spokesperson	A Brauer(R)

Y Collins(D)  
Y Riley(D)

Y Cultra(R)

Representative Chapa LaVia, Chairperson, from the Committee on Local Government to which the following were referred, action taken on February 27, 2008, reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4518, 4700, 4768, 4956, 4992 and 5505.

The committee roll call vote on House Bills 4518, 4700 and 4768 is as follows:  
10, Yeas; 0, Nays; 0, Answering Present.

Y Chapa LaVia(D), Chairperson	Y Flider(D), Vice-Chairperson
Y Mathias(R), Republican Spokesperson	Y Ford(D)
Y Fortner(R)	Y Mautino(D)
Y Riley(D)	Y Ryg(D)
Y Sommer(R)	Y Tracy(R)
A Tryon(R)	

The committee roll call vote on House Bills 4992 and 5505 is as follows:  
9, Yeas; 0, Nays; 0, Answering Present.

Y Chapa LaVia(D), Chairperson	Y Flider(D), Vice-Chairperson
Y Mathias(R), Republican Spokesperson	Y Ford(D)
Y Fortner(R)	Y Mautino(D)
Y Riley(D)	Y Ryg(D)
Y Sommer(R)	A Tracy(R)
A Tryon(R)	

The committee roll call vote on House Bill 4956 is as follows:  
6, Yeas; 4, Nays; 0, Answering Present.

N Chapa LaVia(D), Chairperson	N Flider(D), Vice-Chairperson
Y Mathias(R), Republican Spokesperson	Y Ford(D)
Y Fortner(R)	Y Mautino(D)
Y Riley(D)	Y Ryg(D)
N Sommer(R)	N Tracy(R)
A Tryon(R)	

Representative Feigenholtz, Chairperson, from the Committee on Tourism & Conventions to which the following were referred, action taken on February 27, 2008, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 81.

The committee roll call vote on House Joint Resolution 81 is as follows:  
7, Yeas; 0, Nays; 0, Answering Present.

A Dunkin(D), Chairperson	Y Feigenholtz(D), Vice-Chairperson
Y Bassi(R), Republican Spokesperson	Y Berrios(D)
A Harris(D)	Y Leitch(R)
Y McGuire(D)	Y Mitchell, Jerry(R)
Y Pihos(R)	

Representative John Bradley, Chairperson, from the Committee on Revenue to which the following were referred, action taken on February 28, 2008, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4179.

The committee roll call vote on House Bill 4179 is as follows:

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

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

Representative Feigenholtz, Chairperson, from the Committee on Appropriations-Human Services to which the following were referred, action taken on February 28, 2008, reported the same back with the following recommendations:

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 5095, 5215 and 5276.

The committee roll call vote on House Bills 5095, 5215 and 5276 is as follows:

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

Y Feigenholtz(D), Chairperson	Y Osterman(D), Vice-Chairperson
Y Mulligan(R), Republican Spokesperson	Y Bellock(R)
Y Coulson(R)	A Graham(D)
A Leitch(R)	Y Munson(R)
Y Hannig(D) (replacing Patterson)	Y Riley(D)
Y Krause(R) (replacing Schock)	Y Verschoore(D)
Y Lang(D) (replacing Washington)	

Representative Howard, Chairperson, from the Committee on Computer Technology to which the following were referred, action taken on February 28, 2008, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 842.

The committee roll call vote on House Bill 842 is as follows:

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

Y Howard(D), Chairperson	Y Harris(D) (replacing Patterson)
Y Munson(R), Republican Spokesperson	Y Biggins(R)
Y Ford(D)	Y Lindner(R)
Y Yarbrough(D)	

Representative McAuliffe, Chairperson, from the Committee on Veterans Affairs to which the following were referred, action taken on February 28, 2008, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4746 and SENATE BILL 782.

The committee roll call vote on House Bill 4746 and Senate Bill 782 is as follows:

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

Y McAuliffe(R), Chairperson	Y Chapa LaVia(D), Vice-Chairperson
Y Bellock(R) (replacing Watson)	Y Bost(R)

Y Dugan(D)  
Y Golar(D)  
Y Moffitt(R)  
Y Phelps(D)

Y Flider(D)  
Y McCarthy(D)  
Y Osmond(R)  
A Schock(R)

Representative Joyce, Chairperson, from the Committee on Aging to which the following were referred, action taken on February 28, 2008, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 5308.

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4585.

The committee roll call vote on House Bills 4585 and 5308 is as follows:

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

Y Joyce(D), Chairperson  
Y Pihos(R), Republican Spokesperson  
Y Nekritz(D) (replacing D'Amico)  
Y Harris(D)  
Y Lyons(D)  
Y Mitchell, Jerry(R)  
Y Eddy(R) (replacing Saviano)

Y Beiser(D), Vice-Chairperson  
Y Coladipietro(R)  
Y Franks(D)  
Y Davis,W(D) (replacing Jefferson)  
Y Winters(D) (replacing Mitchell, J)  
Y Ramey(R)  
A Tracy(R)

Representative Colvin, Chairperson, from the Committee on Personnel and Pensions to which the following were referred, action taken on February 28, 2008, reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4644 and 5699.

The committee roll call vote on House Bill 4644 is as follows:

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

Y McGuire(D) (replacing Bradley,R)  
P Poe(R), Republican Spokesperson  
Y Burke(D)

Y Colvin(D), Vice-Chairperson  
P Brauer(R)

The committee roll call vote on House Bill 5699 is as follows:

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

Y McGuire(D) (replacing Bradley,R)  
Y Poe(R), Republican Spokesperson  
Y Burke(D)

Y Colvin(D), Vice-Chairperson  
Y Brauer(R)

**FISCAL NOTE SUPPLIED**

A Fiscal Note has been supplied for HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 2.

**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. 1863

A bill for AN ACT making appropriations.

SENATE BILL NO. 1874

A bill for AN ACT concerning appropriations.

SENATE BILL NO. 1927

A bill for AN ACT concerning agriculture.

SENATE BILL NO. 1990

A bill for AN ACT concerning local government.

Passed by the Senate, February 28, 2008.

Deborah Shipley, Secretary of the Senate

The foregoing SENATE BILLS 1863, 1874, 1927 and 1990 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 concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 110

Concurred in the Senate, February 28, 2008.

Deborah Shipley, Secretary of the Senate

#### **CHANGE OF SPONSORSHIP**

With the consent of the affected members, Representative Moffitt was removed as principal sponsor, and Representative Biggins became the new principal sponsor of HOUSE BILL 4677.

With the consent of the affected members, Representative Moffitt was removed as principal sponsor, and Representative Franks became the new principal sponsor of HOUSE BILL 4686.

#### **HOUSE RESOLUTIONS**

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

HOUSE RESOLUTION 1037

Offered by Representative Franks:

WHEREAS, Historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride, and maintaining community character, while enhancing livability; and

WHEREAS, Historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life, and all ethnic backgrounds; and

WHEREAS, It is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, "Look at Local History Month" is the theme for the celebration of Preservation Month throughout McHenry County, Illinois, being held in conjunction with National Preservation Month; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the month of May 2008 and every month of May thereafter be designated as Look at Local History Month in the State of Illinois.

HOUSE JOINT RESOLUTION 111

Offered by Representative Fritchey:

WHEREAS, Article XIV of the 1970 Illinois Constitution requires that if the question of whether a Constitutional Convention should be called is not submitted during any 20-year period, that question shall be submitted at the general election in the 20th year following the last submission; and

WHEREAS, The question of the convening of a Constitutional Convention was submitted to the electorate in 1988, and that question has not been submitted during the past 20-year period; and

WHEREAS, The 1970 Illinois Constitution requires that the question of whether to call a Constitutional Convention be submitted to the electorate at the general election in 2008; and

WHEREAS, The Constitutional Convention Act authorizes the procedure for preparing voter education materials to accompany the question of calling a convention and requires the General Assembly to prepare those materials; 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 a Joint Committee is hereby created, to be known as the Joint Committee for the Constitutional Convention Proposal; and be it further

RESOLVED, That the Joint Committee shall consist of 8 legislative members, 2 each appointed by the Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate; and be it further

RESOLVED, That the Speaker of the House and the President of the Senate shall each designate one member of the Joint Committee to serve as Co-Chair; and be it further

RESOLVED, That the Joint Committee shall direct the preparation of a brief explanation of the question of calling a Constitutional Convention, a brief argument in favor of a call, a brief argument against a call, and the form in which the question will appear on its separate ballot as provided in the Election Code; and be it further

RESOLVED, That by April 4, 2008, the Joint Committee shall file a report with the Clerk of the House and the Secretary of the Senate; and be it further

RESOLVED, That the report shall contain the explanation of the question calling a Constitutional Convention, the arguments in favor and against the call, and the form in which the question of a Constitutional Convention will appear on the ballot; and be it further

RESOLVED, That the 2 houses shall accept the report by adopting the same joint resolution by a majority of the members elected to each house, and the report shall then be certified to the Secretary of State.

**AGREED RESOLUTIONS**

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

HOUSE RESOLUTION 1032

Offered by Representative Graham:  
Mourns the death of Willis Terry of Chicago.

## HOUSE RESOLUTION 1033

Offered by Representative Graham:  
Mourns the death of Betty J. Green-Boston of Chicago.

## HOUSE RESOLUTION 1034

Offered by Representative Graham:  
Mourns the death of Jeffery Porter.

## HOUSE RESOLUTION 1035

Offered by Representative Graham:  
Mourns the death of Frank Chu Lam.

## HOUSE RESOLUTION 1036

Offered by Representative Graham:  
Mourns the death of Cynthia Ann Kelly of New York City, New York.

## HOUSE RESOLUTION 1038

Offered by Representative Mendoza:  
Congratulates Arturo Velasquez on the renaming of West Side Technical Institute of Richard J. Daley College in Chicago, which will be known as the Arturo Velasquez West Side Technical Institute.

## HOUSE RESOLUTION 1039

Offered by Representative Durkin:  
Congratulates Jim Tikalsky on the occasion of being named Darien's Citizen of the Year for 2008.

## HOUSE RESOLUTION 1040

Offered by Representative Jefferies:  
Mourns the death of Barbara Jones Green of Chicago.

## HOUSE RESOLUTION 1041

Offered by Representative Granberg:  
Congratulates the Centralia High School's Boys Varsity Basketball Team on the school's 2000th win.

## HOUSE JOINT RESOLUTION 109

Offered by Representative Dugan:  
Congratulates Reverend William H. Copeland, Jr., on the occasion of his retirement as pastor of Morning Star Missionary Baptist Church in Kankakee.

**ADJOURNMENT RESOLUTION  
HOUSE JOINT RESOLUTION 110**

Representative Currie offered the following resolution:

**RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL**

**ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN**, that when the two Houses adjourn on Thursday, February 28, 2008, the House of Representatives stands adjourned until Tuesday, March 04, 2008 at 12:00 o'clock noon; and the Senate stands adjourned until Wednesday, March 05, 2008, at 12:00 o'clock noon.

The motion prevailed and the resolution was adopted.

### **AGREED RESOLUTIONS**

HOUSE RESOLUTIONS 1032, 1033, 1034, 1035, 1036, 1038, 1039, 1040, 1041 and HOUSE JOINT RESOLUTION 109 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

### **HOUSE BILLS ON SECOND READING**

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4167.

HOUSE BILL 4174. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4174 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Sections 7-19, 16-3, 24A-6, 24B-6, 24C-6, and 24C-7 as follows:

(10 ILCS 5/7-19) (from Ch. 46, par. 7-19)

Sec. 7-19. The primary ballot of each political party for each precinct shall be arranged and printed substantially in the manner following:

1. Designating words. At the top of the ballot shall be printed in large capital letters, words designating the ballot, if a Republican ballot, the designating words shall be: "REPUBLICAN PRIMARY BALLOT"; if a Democratic ballot the designating words shall be: "DEMOCRATIC PRIMARY BALLOT"; and in like manner for each political party.

2. Order of Names, Directions to Voters, etc. Beginning not less than one inch below designating words, the name of each office to be filled shall be printed in capital letters. Such names may be printed on the ballot either in a single column or in 2 or more columns and in the following order, to-wit:

President of the United States, State offices, congressional offices, delegates and alternate delegates to be elected from the State at large to National nominating conventions, delegates and alternate delegates to be elected from congressional districts to National nominating conventions, member or members of the State central committee, trustees of sanitary districts, county offices, judicial officers, city, village and incorporated town offices, town offices, or of such of the said offices as candidates are to be nominated for at such primary, and precinct, township or ward committeemen. If two or more columns are used, the foregoing offices to and including member of the State central committee shall be listed in the left-hand column and Senatorial offices, as defined in Section 8-3, shall be the first offices listed in the second column.

Below the name of each office shall be printed in small letters the directions to voters: "Vote for one"; "Vote for not more than two"; "Vote for not more than three" ~~;- or a spelled number designating how many persons under that head are to be voted for. If no candidate or candidates file for an office and if no person or persons file a declaration as a write-in candidate for that office, then below the title of that office the election authority instead shall print "No Candidate".~~

Next to the name of each candidate for delegate or alternate delegate to a national nominating convention shall appear either (a) the name of the candidate's preference for President of the United States or the word "uncommitted" or (b) no official designation, depending upon the action taken by the State central



committee pursuant to Section 7-10.3 of this Act.

Below the name of each office shall be printed in capital letters the names of all candidates, arranged in the order in which their petitions for nominations were filed, except as otherwise provided in Sections 7-14 and 7-17 of this Article. Opposite and in front of the name of each candidate shall be printed a square and all squares upon the primary ballot shall be of uniform size. Spaces between the names of candidates under each office shall be uniform and sufficient spaces shall separate the names of candidates for one office from the names of candidates for another office, to avoid confusion and to permit the writing in of the names of other candidates.

Where voting machines or electronic voting systems are used, the provisions of this Section may be modified as required or authorized by Article 24 or Article 24A, whichever is applicable.

(Source: P.A. 83-33.)

(10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

Sec. 16-3. (a) The names of all candidates to be voted for in each election district or precinct shall be printed on one ballot, except as is provided in Sections 16-6.1 and 21-1.01 of this Act and except as otherwise provided in this Act with respect to the odd year regular elections and the emergency referenda; all nominations of any political party being placed under the party appellation or title of such party as designated in the certificates of nomination or petitions. The names of all independent candidates shall be printed upon the ballot in a column or columns under the heading "independent" arranged under the names or titles of the respective offices for which such independent candidates shall have been nominated and so far as practicable, the name or names of any independent candidate or candidates for any office shall be printed upon the ballot opposite the name or names of any candidate or candidates for the same office contained in any party column or columns upon said ballot. The ballot shall contain no other names, except that in cases of electors for President and Vice-President of the United States, the names of the candidates for President and Vice-President may be added to the party designation and words calculated to aid the voter in his choice of candidates may be added, such as "Vote for one," "Vote for not more than three." If no candidate or candidates file for an office and if no person or persons file a declaration as a write-in candidate for that office, then below the title of that office the election authority instead shall print "No Candidate". When an electronic voting system is used which utilizes a ballot label booklet, the candidates and questions shall appear on the pages of such booklet in the order provided by this Code; and, in any case where candidates for an office appear on a page which does not contain the name of any candidate for another office, and where less than 50% of the page is utilized, the name of no candidate shall be printed on the lowest 25% of such page. On the back or outside of the ballot, so as to appear when folded, shall be printed the words "Official Ballot", followed by the designation of the polling place for which the ballot is prepared, the date of the election and a facsimile of the signature of the election authority who has caused the ballots to be printed. The ballots shall be of plain white paper, through which the printing or writing cannot be read. However, ballots for use at the nonpartisan and consolidated elections may be printed on different color paper, except blue paper, whenever necessary or desirable to facilitate distinguishing between ballots for different political subdivisions. In the case of nonpartisan elections for officers of a political subdivision, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution providing the form of government therefor requires otherwise, the column listing such nonpartisan candidates shall be printed with no appellation or circle at its head. The party appellation or title, or the word "independent" at the head of any column provided for independent candidates, shall be printed in letters not less than one-fourth of an inch in height and a circle one-half inch in diameter shall be printed at the beginning of the line in which such appellation or title is printed, provided, however, that no such circle shall be printed at the head of any column or columns provided for such independent candidates. The names of candidates shall be printed in letters not less than one-eighth nor more than one-fourth of an inch in height, and at the beginning of each line in which a name of a candidate is printed a square shall be printed, the sides of which shall be not less than one-fourth of an inch in length. However, the names of the candidates for Governor and Lieutenant Governor on the same ticket shall be printed within a bracket and a single square shall be printed in front of the bracket. The list of candidates of the several parties and any such list of independent candidates shall be placed in separate columns on the ballot in such order as the election authorities charged with the printing of the ballots shall decide; provided, that the names of the candidates of the several political parties, certified by the State Board of Elections to the several county clerks shall be printed by the county clerk of the proper county on the official ballot in the order certified by the State Board of Elections. Any county clerk refusing, neglecting or failing to print on the official ballot the names of candidates of the several political parties in the order certified by the State Board of Elections, and any county clerk who prints or causes to be printed upon the official ballot the name of a

candidate, for an office to be filled by the Electors of the entire State, whose name has not been duly certified to him upon a certificate signed by the State Board of Elections shall be guilty of a Class C misdemeanor.

(b) When an electronic voting system is used which utilizes a ballot card, on the inside flap of each ballot card envelope there shall be printed a form for write-in voting which shall be substantially as follows:

WRITE-IN VOTES

(See card of instructions for specific information. Duplicate form below by hand for additional write-in votes.)

\_\_\_\_\_

Title of Office

( ) \_\_\_\_\_

Name of Candidate

Write-in lines equal to the number of candidates for which a voter may vote shall be printed for an office only if one or more persons filed declarations of intent to be write-in candidates or qualify to file declarations to be write-in candidates under Sections 17-16.1 and 18-9.1 when the certification of ballot contains the words "OBJECTION PENDING".

(c) When an electronic voting system is used which uses a ballot sheet, the instructions to voters on the ballot sheet shall refer the voter to the card of instructions for specific information on write-in voting. Below each office appearing on such ballot sheet there shall be a provision for the casting of a write-in vote. Write-in lines equal to the number of candidates for which a voter may vote shall be printed for an office only if one or more persons filed declarations of intent to be write-in candidates or qualify to file declarations to be write-in candidates under Sections 17-16.1 and 18-9.1 when the certification of ballot contains the words "OBJECTION PENDING".

(d) When such electronic system is used, there shall be printed on the back of each ballot card, each ballot card envelope, and the first page of the ballot label when a ballot label is used, the words "Official Ballot," followed by the number of the precinct or other precinct identification, which may be stamped, in lieu thereof and, as applicable, the number and name of the township, ward or other election district for which the ballot card, ballot card envelope, and ballot label are prepared, the date of the election and a facsimile of the signature of the election authority who has caused the ballots to be printed. The back of the ballot card shall also include a method of identifying the ballot configuration such as a listing of the political subdivisions and districts for which votes may be cast on that ballot, or a number code identifying the ballot configuration or color coded ballots, except that where there is only one ballot configuration in a precinct, the precinct identification, and any applicable ward identification, shall be sufficient. Ballot card envelopes used in punch card systems shall be of paper through which no writing or punches may be discerned and shall be of sufficient length to enclose all voting positions. However, the election authority may provide ballot card envelopes on which no precinct number or township, ward or other election district designation, or election date are preprinted, if space and a preprinted form are provided below the space provided for the names of write-in candidates where such information may be entered by the judges of election. Whenever an election authority utilizes ballot card envelopes on which the election date and precinct is not preprinted, a judge of election shall mark such information for the particular precinct and election on the envelope in ink before tallying and counting any write-in vote written thereon. If some method of insuring ballot secrecy other than an envelope is used, such information must be provided on the ballot itself.

(e) In the designation of the name of a candidate on the ballot, the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof, may be used in addition to the candidate's surname. If a candidate has changed his or her name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the petition for nomination, nomination papers, or certificate of nomination for that office, whichever is applicable, then (i) the candidate's name on the ballot must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the petition, papers, or certificate must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in (i) and the date or dates each of those names was changed; failure to meet these requirements shall be grounds for denying certification of the candidate's name for the ballot or removing the candidate's name from the ballot, as appropriate, but these requirements do not apply to name changes resulting from adoption to assume an adoptive parent's or parents' surname, marriage to assume a spouse's surname, or dissolution of marriage or declaration of invalidity of marriage to assume a former surname. No other designation such as a political slogan, title, or

degree or nickname suggesting or implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname. For purposes of this Section, a "political slogan" is defined as any word or words expressing or connoting a position, opinion, or belief that the candidate may espouse, including but not limited to, any word or words conveying any meaning other than that of the personal identity of the candidate. A candidate may not use a political slogan as part of his or her name on the ballot, notwithstanding that the political slogan may be part of the candidate's name.

(f) The State Board of Elections, a local election official, or an election authority shall remove any candidate's name designation from a ballot that is inconsistent with subsection (e) of this Section. In addition, the State Board of Elections, a local election official, or an election authority shall not certify to any election authority any candidate name designation that is inconsistent with subsection (e) of this Section.

(g) If the State Board of Elections, a local election official, or an election authority removes a candidate's name designation from a ballot under subsection (f) of this Section, then the aggrieved candidate may seek appropriate relief in circuit court.

Where voting machines or electronic voting systems are used, the provisions of this Section may be modified as required or authorized by Article 24 or Article 24A, whichever is applicable.

Nothing in this Section shall prohibit election authorities from using or reusing ballot card envelopes which were printed before the effective date of this amendatory Act of 1985.

(Source: P.A. 94-1090, eff. 6-1-07; 95-699, eff. 11-9-07.)

(10 ILCS 5/24A-6) (from Ch. 46, par. 24A-6)

Sec. 24A-6. The ballot information, whether placed on the ballot or on the marking device, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that such information may be in vertical or horizontal rows, or in a number of separate pages. Ballots for all questions or propositions to be voted on must be provided in the same manner and must be arranged on or in the marking device or on the ballot sheet in the places provided for such purposes.

When an electronic voting system utilizes a ballot label booklet and ballot card, ballots for candidates, ballots calling for a constitutional convention, constitutional amendment ballots, judicial retention ballots, public measures, and all propositions to be voted upon may be placed on the electronic voting device by providing in the ballot booklet separate ballot label pages or series of pages distinguished by differing colors as provided below. When an electronic voting system utilizes a ballot sheet, ballots calling for a constitutional convention, constitutional amendment ballots and judicial retention ballots shall be placed on the ballot sheet by providing a separate portion of the ballot sheet for each such kind of ballot which shall be printed in ink of a color distinct from the color of ink used in printing any other portion of the ballot sheet. Ballots for candidates, public measures and all other propositions to be voted upon shall be placed on the ballot sheet by providing a separate portion of the ballot sheet for each such kind of ballot. Whenever a person has submitted a declaration of intent to be a write-in candidate as required in Sections 17-16.1 and 18-9.1, a line on which the name of a candidate may be written by the voter shall be printed below the name of the last candidate nominated for such office, and immediately to the left of such line an area shall be provided for marking a vote for such write-in candidate. The number of write-in lines for an office shall equal the number of persons who have filed declarations of intent to be write-in candidates plus an additional line or lines for write-in candidates who qualify to file declarations to be write-in candidates under Sections 17-16.1 and 18-9.1 when the certification of ballot contains the words "OBJECTION PENDING" next to the name of the candidate, up to the number of candidates for which a voter may vote. More than one amendment to the constitution may be placed on the same ballot page or series of pages or on the same portion of the ballot sheet, as the case may be. Ballot label pages for constitutional conventions or constitutional amendments shall be on paper of blue color and shall precede all other ballot label pages in the ballot label booklet. More than one public measure or proposition may be placed on the same ballot label page or series of pages or on the same portion of the ballot sheet, as the case may be. More than one proposition for retention of judges in office may be placed on the same ballot label page or series of pages or on the same portion of the ballot sheet, as the case may be. Ballot label pages for candidates shall be on paper of white color, except that in primary elections the ballot label page or pages for the candidates of each respective political party shall be of the color designated by the election official in charge of the election for that political party's candidates; provided that the ballot label pages or pages for candidates for use at the nonpartisan and consolidated elections may be on paper of different colors, except blue, whenever necessary or desirable to facilitate distinguishing between the pages for different political subdivisions. On each page of the candidate booklet, where the election is made to list ballot information vertically, the party affiliation of each candidate or the word "independent" shall appear immediately to the

left of the candidate's name, and the name of candidates for the same office shall be listed vertically under the title of that office. If no candidate or candidates file for an office and if no person or persons file a declaration as a write-in candidate for that office, then below the title of that office the election authority instead shall print "No Candidate". In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution requires otherwise, the listing of such nonpartisan candidates shall not include any party or "independent" designation. Ballot label pages for judicial retention ballots shall be on paper of green color, and ballot label pages for all public measures and other propositions shall be on paper of some other distinct and different color. In primary elections, a separate ballot label booklet, marking device and voting booth shall be used for each political party holding a primary, with the ballot label booklet arranged to include ballot label pages of the candidates of the party and public measures and other propositions to be voted upon on the day of the primary election. One ballot card may be used for recording the voter's vote or choice on all such ballots, proposals, public measures or propositions, and such ballot card shall be arranged so as to record the voter's vote or choice in a separate column or columns for each such kind of ballot, proposal, public measure or proposition.

If the ballot label booklet includes both candidates for office and public measures or propositions to be voted on, the election official in charge of the election shall divide the pages by protruding tabs identifying the division of the pages, and printing on such tabs "Candidates" and "Propositions".

The ballot card and all of its columns and the ballot card envelope shall be of the color prescribed for candidate's ballots at the general or primary election, whichever is being held. At an election where no candidates are being nominated or elected, the ballot card, its columns, and the ballot card envelope shall be of a color designated by the election official in charge of the election.

The ballot cards, ballot card envelopes and ballot sheets may, at the discretion of the election authority, be printed on white paper and then striped with the appropriate colors.

When ballot sheets are used, the various portions thereof shall be arranged to conform to the foregoing format.

Absentee ballots may consist of ballot cards, envelopes, paper ballots or ballot sheets voted in person in the office of the election official in charge of the election or voted by mail. Where a ballot card is used for voting by mail it must be accompanied by a punching tool or other appropriate marking device, voter instructions and a specimen ballot showing the proper positions to vote on the ballot card or ballot sheet for each party, candidate, proposal, public measure or proposition, and in the case of a ballot card must be mounted on a suitable material to receive the punched out chip.

Any voter who spoils his ballot or makes an error may return the ballot to the judges of election and secure another. However, the protruding identifying tab for proposals for a constitutional convention or constitutional amendments shall have printed thereon "Constitutional Ballot", and the ballot label page or pages for such proposals shall precede the ballot label pages for candidates in the ballot label booklet.

(Source: P.A. 95-699, eff. 11-9-07.)

(10 ILCS 5/24B-6)

Sec. 24B-6. Ballot Information; Arrangement; Electronic Precinct Tabulation Optical Scan Technology Voting System; Absentee Ballots; Spoiled Ballots. The ballot information, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that the information may be in vertical or horizontal rows, or on a number of separate pages or displays on the marking device. Ballots for all questions or propositions to be voted on should be provided in a similar manner and must be arranged on the ballot sheet or marking device in the places provided for such purposes. Ballots shall be of white paper unless provided otherwise by administrative rule of the State Board of Elections or otherwise specified.

All propositions, including but not limited to propositions calling for a constitutional convention, constitutional amendment, judicial retention, and public measures to be voted upon shall be placed on separate portions of the ballot sheet or marking device by utilizing borders or grey screens. Candidates shall be listed on a separate portion of the ballot sheet or marking device by utilizing borders or grey screens. Whenever a person has submitted a declaration of intent to be a write-in candidate as required in Sections 17-16.1 and 18-9.1, a line or lines on which the voter may select a write-in candidate shall be printed below the name of the last candidate nominated for such office. Such line or lines shall be proximate to an area provided for marking votes for the write-in candidate or candidates. The number of write-in lines for an office shall equal the number of persons who have filed declarations of intent to be write-in candidates plus an additional line or lines for write-in candidates who qualify to file declarations to be write-in candidates under Sections 17-16.1 and 18-9.1 when the certification of ballot contains the words "OBJECTION PENDING" next to the name of that candidate, up to the number of candidates for which a voter may vote.

More than one amendment to the constitution may be placed on the same portion of the ballot sheet or marking device. Constitutional convention or constitutional amendment propositions shall be printed or displayed on a separate portion of the ballot sheet or marking device and designated by borders or grey screens, unless otherwise provided by administrative rule of the State Board of Elections. More than one public measure or proposition may be placed on the same portion of the ballot sheet or marking device. More than one proposition for retention of judges in office may be placed on the same portion of the ballot sheet or marking device. Names of candidates shall be printed in black. The party affiliation of each candidate or the word "independent" shall appear near or under the candidate's name, and the names of candidates for the same office shall be listed vertically under the title of that office, on separate pages of the marking device, or as otherwise approved by the State Board of Elections. If no candidate or candidates file for an office and if no person or persons file a declaration as a write-in candidate for that office, then below the title of that office the election authority instead shall print "No Candidate". In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution requires otherwise, the listing of nonpartisan candidates shall not include any party or "independent" designation. Judicial retention questions and ballot questions for all public measures and other propositions shall be designated by borders or grey screens on the ballot or marking device. In primary elections, a separate ballot, or displays on the marking device, shall be used for each political party holding a primary, with the ballot or marking device arranged to include names of the candidates of the party and public measures and other propositions to be voted upon on the day of the primary election.

If the ballot includes both candidates for office and public measures or propositions to be voted on, the election official in charge of the election shall divide the ballot or displays on the marking device in sections for "Candidates" and "Propositions", or separate ballots may be used.

Absentee ballots may consist of envelopes, paper ballots or ballot sheets voted in person in the office of the election official in charge of the election or voted by mail. Where a Precinct Tabulation Optical Scan Technology ballot is used for voting by mail it must be accompanied by voter instructions.

Any voter who spoils his or her ballot, makes an error, or has a ballot returned by the automatic tabulating equipment may return the ballot to the judges of election and get another ballot.

(Source: P.A. 95-699, eff. 11-9-07.)

(10 ILCS 5/24C-6)

Sec. 24C-6. Ballot Information; Arrangement; Direct Recording Electronic Voting System; Absentee Ballots; Spoiled Ballots. The ballot information, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that the information may be in vertical or horizontal rows, or on a number of separate pages or display screens.

Ballots for all public questions to be voted on should be provided in a similar manner and must be arranged on the ballot in the places provided for such purposes. All public questions, including but not limited to public questions calling for a constitutional convention, constitutional amendment, or judicial retention, shall be placed on the ballot separate and apart from candidates. Ballots for all public questions shall be clearly designated by borders or different color screens. More than one amendment to the constitution may be placed on the same portion of the ballot sheet. Constitutional convention or constitutional amendment propositions shall be placed on a separate portion of the ballot and designated by borders or unique color screens, unless otherwise provided by administrative rule of the State Board of Elections. More than one public question may be placed on the same portion of the ballot. More than one proposition for retention of judges in office may be placed on the same portion of the ballot.

The party affiliation, if any, of each candidate or the word "independent", where applicable, shall appear near or under the candidate's name, and the names of candidates for the same office shall be listed vertically under the title of that office. In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution requires otherwise, the listing of nonpartisan candidates shall not include any party or "independent" designation. If no candidate or candidates file for an office and if no person or persons file a declaration as a write-in candidate for that office, then below the title of that office the election authority shall print "No Candidate". In primary elections, a separate ballot shall be used for each political party holding a primary, with the ballot arranged to include names of the candidates of the party and public questions and other propositions to be voted upon on the day of the primary election.

If the ballot includes both candidates for office and public questions or propositions to be voted on, the election official in charge of the election shall divide the ballot in sections for "Candidates" and "Public Questions", or separate ballots may be used.

Any voter who spoils his or her ballot, makes an error, or has a ballot rejected by the automatic

tabulating equipment shall be provided a means of correcting the ballot or obtaining a new ballot prior to casting his or her ballot.

Any election authority using a Direct Recording Electronic Voting System may use voting systems approved for use under Articles 24A or 24B of this Code in conducting absentee voting in the office of the election authority or voted by mail.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/24C-7)

Sec. 24C-7. Write-In Ballots. A Direct Recording Electronic Voting System shall provide an acceptable method for a voter to vote for a person whose name does not appear on the ballot using the same apparatus used to record votes for candidates whose names do appear on the ballot. Election authorities utilizing Direct Recording Electronic Voting Systems shall not use separate write-in ballots.

Whenever a person has submitted a declaration of intent to be a write-in candidate as required in Sections 17-16.1 and 18-9.1, Below the name of the last candidate listed for an office shall be a space or spaces in which the name of a candidate or candidates may be written in or recorded by the voter shall appear below the name of the last candidate nominated for such office. The number of write-in lines for an office shall equal the number of persons who have filed declarations of intent to be write-in candidates plus an additional line or lines for write-in candidates who qualify to file declarations to be write-in candidates under Section 17-16.1 or 18-9.1 when the certification of ballot contains the words "OBJECTION PENDING" next to the name of the candidate, up to the number of candidates for which a voter may vote.

(Source: P.A. 93-574, eff. 8-21-03.)

Section 10. The Illinois Municipal Code is amended by changing Sections 3.1-25-35, 3.1-25-50, 4-3-10, 4-3-16, 5-2-12, 5-2-13, 5-2-18.4, 5-2-18.6, 5-2-18.7, and 7-2-24 as follows:

(65 ILCS 5/3.1-25-35) (from Ch. 24, par. 3.1-25-35)

Sec. 3.1-25-35. Primary ballots. The proper election authority, in accordance with the general election law, shall have the primary ballots printed in the same manner, in the same number, and within the same time as ballots are printed under the general election law, except as otherwise provided in this Code. If the office of president is to be filled in the succeeding general municipal election, the names of the candidates for president shall be placed first on the primary ballots, in substantially the form specified in this Section. Following these names shall appear the names of the candidates for trustees in substantially the form specified in this Section. The primary ballots shall comply with the general election law, except as otherwise provided in this Code. The ballots shall designate no party, platform, political principle, appellation, or mark, nor shall any circle be printed at the head of the primary ballots.

The primary ballots shall be in substantially the following form:

OFFICIAL PRIMARY BALLOT

CANDIDATES FOR NOMINATION  
FOR (PRESIDENT AND)  
TRUSTEES OF (NAME OF VILLAGE)  
AT THE PRIMARY ELECTION.

FOR PRESIDENT  
(VOTE FOR ONE)

HENRY WHITE  
JAMES SMITH  
LARRY FRANG  
RALPH WILSON

FOR TRUSTEES  
(VOTE FOR NOT MORE THAN (NUMBER))

THOMAS WILLIAMS  
WILLIAM BURKE  
ALEXANDER HAMILTON  
EDWARD STUART  
MARY KURTIS  
G.E. HAUSMANN  
ARTHUR ROBBINS  
MARK TANDY  
HARRY BROWN  
JOSEPH TROUT  
IMMANUEL KANT

ROBERT BUCK  
 GEORGE MILLER  
 SARAH TOLLER

(Source: P.A. 87-1119.)

(65 ILCS 5/3.1-25-50) (from Ch. 24, par. 3.1-25-50)

Sec. 3.1-25-50. General election; ballot positions. On the ballots for the general municipal election, if the office of president is to be filled, the names of the nominees for president shall be placed first, in substantially the form specified in this Section. Following these names, the names of the nominees for trustees shall appear under each office, in substantially the form specified in this Section.

The ballots shall be in the form provided by the general election law, except as otherwise provided in this Code, but they shall designate no party, platform, political principle, appellation, or mark, nor shall any circle be printed at the head of the ballots. The ballots shall be in substantially the following form:

OFFICIAL BALLOT

NOMINEES FOR (PRESIDENT AND) TRUSTEES OF (NAME OF  
 VILLAGE) AT THE GENERAL MUNICIPAL ELECTION

FOR PRESIDENT  
 (VOTE FOR ONE)

JAMES SMITH  
 LARRY FRANG

FOR TRUSTEES  
 (VOTE FOR NOT MORE THAN (NUMBER))

EDWARD STUART  
 ROBERT BUCK  
 GEORGE MILLER  
 WILLIAM BURKE  
 ARTHUR ROBBINS  
 HARRY BROWN

(Source: P.A. 87-1119.)

(65 ILCS 5/4-3-10)

Sec. 4-3-10. (Repealed).

(Source: P.A. 81-1490. Repealed by P.A. 95-699, eff. 11-9-07.)

(65 ILCS 5/4-3-16) (from Ch. 24, par. 4-3-16)

Sec. 4-3-16. Upon the ballots for the general municipal election the names of the nominees for mayor shall be placed first, in substantially the form specified in this section. Following these names, the names of the nominees for commissioners shall appear under each office, in substantially the form specified in this section; provided that if the municipality has voted, as provided in Section 4-3-19, to require candidates for commissioner to run for a specific office, the names of the candidates for commissioner of public accounts and finances, commissioner of public health and safety, commissioner of streets and public improvements, and commissioner of public property, respectively, shall appear under the designation of the applicable office, in substantially the form specified in Section 4-3-16.1.

The ballots shall be in the form provided by the general election law, except as herein otherwise provided, but they shall designate no party, platform, political principle, appellation, or mark whatever. Nor shall any circle be printed at the head of the ballots. Except where candidates for commissioner are required to run for a specific office, the ballots shall be in substantially the following form:

OFFICIAL BALLOT

NOMINEES FOR MAYOR AND COMMISSIONERS  
 OF THE CITY (OR VILLAGE) OF....

AT THE GENERAL MUNICIPAL ELECTION.

FOR MAYOR  
 (VOTE FOR ONE)

( ) JOHN JONES.

( ) JAMES SMITH.

FOR COMMISSIONERS  
 (VOTE FOR NOT MORE THAN FOUR)

( ) HARRY BROWN.

( ) ROBERT BUCK.

( ) WILLIAM BURKE.

- ( ) GEORGE MILLER.
- ( ) ARTHUR ROBBINS.
- ( ) EDWARD STUART.
- ( ) JOSEPH TROUT.
- ( ) THOMAS WILLIAMS.

(Source: P.A. 81-1490.)

(65 ILCS 5/5-2-12) (from Ch. 24, par. 5-2-12)

Sec. 5-2-12. Aldermen or trustees elected at large; vacancies; mayor or president to preside.

(a) If a city or village adopts the managerial form of municipal government but does not elect to choose aldermen or trustees from wards or districts, then the following provisions of this Section shall be applicable.

(b) The city council shall be elected at large. In cities of less than 50,000 population, the council shall consist of (i) the mayor and 4 councilmen or (ii) the mayor and 6 councilmen if the size of the city council is increased under subsection (k). In cities of at least 50,000 but less than 100,000 population, the council shall consist of the mayor and 6 councilmen. In cities of at least 100,000 but not more than 500,000 population, the council shall consist of the mayor and 8 councilmen.

(c) Except in villages that were governed by Article 4 immediately before the adoption of the managerial form of municipal government, the village board shall be elected at large and shall consist of a president and the number of trustees provided for in Section 5-2-15 or 5-2-17, whichever is applicable.

(d) The term of office of the mayor and councilmen shall be 4 years, provided that in cities of less than 50,000, the 2 councilmen receiving the lowest vote at the first election shall serve for 2 years only; in cities of at least 50,000 but less than 100,000, the 3 councilmen receiving the lowest vote at the first election shall serve for 2 years only; and in cities of at least 100,000 but not more than 500,000, the 4 councilmen receiving the lowest vote at the first election shall serve for 2 years only.

(e) The election of councilmen shall be every 2 years. After the first election, only 2 councilmen in cities of less than 50,000, 3 councilmen in cities of at least 50,000 but less than 100,000, or 4 councilmen in cities of at least 100,000 but not more than 500,000, shall be voted for by each elector at the primary elections, and only 2, 3, or 4 councilmen, as the case may be, shall be voted for by each elector at each biennial general municipal election, to serve for 4 years.

(f) In addition to the requirements of the general election law, the ballots shall be in the form set out in Section 5-2-13. In cities with less than 50,000, the form of ballot prescribed in Section 5-2-13 shall be further modified by printing in the place relating to councilmen the words "Vote for not more than Two", or "Vote for not more than Three" if the size of the city council is increased under subsection (k), instead of the words "Vote for not more than Four". In cities of at least 50,000 but less than 100,000, the ballot shall be modified in that place by printing the words "Vote for not more than Three" instead of the words "Vote for not more than Four". Sections 4-3-5 through 4-3-18, insofar as they may be applicable, shall govern the election of a mayor and councilmen under this Section.

(g) If a vacancy occurs in the office of mayor or councilman, the remaining members of the council, within 60 days after the vacancy occurs, shall fill the vacancy by appointment of some person to the office for the balance of the unexpired term or until the vacancy is filled by interim election under Section 3.1-10-50, and until the successor is elected and has qualified.

(h) Except in villages that were governed by Article 4 immediately before the adoption of the managerial form of municipal government, in villages that have adopted this Article 5 the term of office of the president, the number of trustees to be elected, their terms of office, and the manner of filling vacancies shall be governed by Sections 5-2-14 through 5-2-17.

(i) Any village that adopts the managerial form of municipal government under this Article 5 and that, immediately before that adoption, was governed by the provisions of Article 4, shall continue to elect a mayor and 4 commissioners in accordance with Sections 4-3-5 through 4-3-18, insofar as they may be applicable, except that the 2 commissioners receiving the lowest vote among those elected at the first election after this Article 5 becomes effective in the village shall serve for 2 years only. After that first election, the election of commissioners shall be every 2 years, and 2 commissioners shall be elected at each election to serve for 4 years.

(j) The mayor or president shall preside at all meetings of the council or board and on all ceremonial occasions.

(k) In cities of less than 50,000 population, the city council may, by ordinance, provide that the city council shall, after the next biennial general municipal election, consist of 6 instead of 4 councilmen. If the size of the council is increased to 6 councilmen, then at the next biennial general municipal election, the



electors shall vote for 4 instead of 2 councilmen. Of the 4 councilmen elected at that next election, the one receiving the lowest vote at that election shall serve a 2-year term. Thereafter, all terms shall be for 4 years. (Source: P.A. 93-1007, eff. 1-1-05.)

(65 ILCS 5/5-2-13) (from Ch. 24, par. 5-2-13)

Sec. 5-2-13. In addition to the requirements of the general election law, the ballots for the municipal primary election provided for in Section 5-2-12 shall be in substantially the following form:

OFFICIAL PRIMARY BALLOT.  
CANDIDATES FOR NOMINATION FOR MAYOR  
AND COUNCILMEN OF THE CITY (OR  
VILLAGE) OF.... AT THE PRIMARY  
ELECTION.  
FOR MAYOR  
VOTE FOR ONE

- ( ) JOHN JONES.
- ( ) JAMES SMITH.
- ( ) HENRY WHITE.
- ( ) RALPH WILSON.
- ( ) FOR COUNCILMEN.

VOTE FOR NOT MORE THAN....(insert proper number as provided in Section 5-2-12).

- ( ) HARRY BROWN.
- ( ) ROBERT BUCK.
- ( ) WILLIAM BURKE.
- ( ) GEORGE MILLER.
- ( ) ARTHUR ROBBINS.
- ( ) EDWARD STUART.
- ( ) JOSEPH TROUT.
- ( ) THOMAS WILLIAMS.

In addition to the requirements of the general election law, the general municipal election ballots for the election provided for in Section 5-2-12 shall be substantially in the following form:

OFFICIAL BALLOT  
NOMINEES FOR MAYOR AND COUNCILMEN OF  
THE CITY (OR VILLAGE) OF.... AT  
THE GENERAL MUNICIPAL ELECTION.  
FOR MAYOR  
VOTE FOR ONE

- ( ) JOHN JONES.
- ( ) JAMES SMITH.
- ( ) FOR COUNCILMEN.

VOTE FOR NOT MORE THAN....(insert proper number as provided in Section 5-2-12).

- ( ) HARRY BROWN.
- ( ) ROBERT BUCK.
- ( ) WILLIAM BURKE.
- ( ) GEORGE MILLER.
- ( ) ARTHUR ROBBINS.
- ( ) EDWARD STUART.
- ( ) JOSEPH TROUT.
- ( ) THOMAS WILLIAMS.

(Source: P.A. 81-1490.)

(65 ILCS 5/5-2-18.4) (from Ch. 24, par. 5-2-18.4)

Sec. 5-2-18.4. In addition to the requirements of the general election law, a distinct ballot shall be printed for each district for the primary election. At the top of the ballot shall be the following: CANDIDATES FOR NOMINATION FOR MAYOR AND COUNCILMEN OF THE CITY OF.... AT THE PRIMARY ELECTION. Under the sub-title FOR MAYOR shall be placed the following: (VOTE FOR ONE). There shall be placed below the names of the candidates for mayor another sub-title as follows: FOR COUNCILMEN AT LARGE. Following this sub-title there shall be an instruction in this form, to be altered, however, to conform to the facts: VOTE FOR NOT MORE THAN.... (Insert proper number as provided in Section 5-2-12). Following the names of the candidates for councilmen at large, there shall be

another sub-title in the following form: FOR DISTRICT COUNCILMAN. Following this sub-title there shall be the following direction: (VOTE FOR ONE). In other respects the form of the ballot shall be controlled by Section 4-3-10.

(Source: P.A. 81-1490.)

(65 ILCS 5/5-2-18.6) (from Ch. 24, par. 5-2-18.6)

Sec. 5-2-18.6. In addition to the requirements of the general election law, the ballots for the general municipal election shall be prepared in accordance with Section 4-3-16, with the following changes:

(1) Following the names of the candidates for mayor there shall be printed a sub-title: FOR COUNCILMEN AT LARGE; following this sub-title shall be an instruction in this form: VOTE FOR NOT MORE THAN...(Insert proper number as provided in Section 5-2-12). The names of the candidates for councilmen at large shall follow this instruction.

(2) Following the names of the candidates at large shall be printed another sub-title: FOR DISTRICT COUNCILMAN. Following this sub-title shall be an instruction in this form: (VOTE FOR ONE) and following this instruction shall be printed the names of the 2 nominees.

(Source: P.A. 81-1490.)

(65 ILCS 5/5-2-18.7) (from Ch. 24, par. 5-2-18.7)

Sec. 5-2-18.7. In any city which has adopted this Article, and is electing the city council at large or has elected to choose aldermen from wards, a proposition to elect part of the city council at large and part from districts with staggered four year terms and biennial elections for councilmen shall be submitted to the electors upon initiation in the manner herein provided.

Electors of such city, equal in number to not less than 10% of the total vote cast for all candidates for mayor in the last preceding municipal election for such office, may petition for submission, or, in the alternative, the city council may by ordinance without a petition cause to be submitted, to a vote of the electors of that city the proposition whether part of the city council shall be elected at large and part from districts with staggered four year terms and biennial elections for councilmen. The petition shall be in the same form as prescribed in Section 5-1-6, except that the petition shall be modified as to the wording of the proposition to be voted upon, to conform to the wording of the proposition as hereinafter set forth, and shall be filed with the city clerk in accordance with the general election law. The city clerk shall certify the proposition to the proper election authorities who shall submit the proposition at an election in accordance with the general election law.

However, such proposition shall not be submitted at the general primary election for the municipality.

The proposition shall be substantially in the following form:

-----

Shall the city of...

elect part of the councilmen at large	YES
and part of the councilmen from	-----
districts with staggered four year	NO
terms and biennial elections?	

-----

If a majority of those voting on the proposition vote "yes", then at the next general municipal election at which a mayor is to be elected, a mayor and councilmen shall be elected as hereinafter provided.

In cities of less than 50,000 population, the council shall consist of the mayor and 6 councilmen, 2 councilmen being elected at large and 4 councilmen being elected from districts. In cities of 50,000 and not more than 500,000 population, the council shall consist of the mayor and 8 councilmen, 3 councilmen being elected at large and 5 councilmen being elected from districts.

The city council shall divide the city, whenever necessary thereafter, into districts which shall be of as compact and contiguous territory as practicable and of approximately equal population. The number of such districts shall be the same as the number of councilmen to be elected from districts.

One councilman who is an actual resident of the district, shall be elected from each district. Only the electors of a district shall elect a councilman from that district. The rest of the number of councilmen authorized shall be elected at large.

The term of office of the Mayor and Councilmen shall be 4 years, provided that at the first election the Councilmen elected at large shall serve for 2 years only. Thereafter the election of Councilmen shall be biennial, and after the first election the Mayor and all Councilmen shall be elected for 4 year terms to fill expiring terms of incumbents.

The Mayor and Councilmen shall hold their respective offices for the term of 4 years as herein provided, and until their successors are elected and qualified. Upon the election and qualification of the Councilmen,

the terms of all sitting aldermen or councilmen elected at large pursuant to the provisions of Section 5-2-12 shall expire.

For the first primary election a distinct ballot shall be printed for each district. At the top of the ballot shall be the following: CANDIDATES FOR NOMINATION FOR MAYOR (when Mayor is to be elected) AND COUNCILMEN OF THE CITY OF... AT THE PRIMARY ELECTION. Under the subtitle of FOR MAYOR (when applicable) shall be placed the following: (VOTE FOR ONE). There shall be placed below the names of the candidates for Mayor, if any, another subtitle as follows: FOR COUNCILMEN AT LARGE. Following this subtitle there shall be an instruction in this form, to be altered, however, to conform to the facts: (VOTE FOR NOT MORE THAN...) (Insert number of Councilmen being elected). Following the names of the candidates for councilmen at large, there shall be another subtitle in the following form: FOR DISTRICT COUNCILMAN. Following this subtitle there shall be the following direction: (VOTE FOR ONE). In other respects the ballots shall conform to the applicable provisions of Sections 4-3-10 and 5-2-13.

To determine the number of nominees who shall be placed on the ballot under each subtitle at the general municipal election, the number of officers who will be chosen under each subtitle shall be multiplied by 2. Only those candidates at the primary election shall be nominees under each subtitle at the general municipal election and, where but one officer is to be elected, the 2 candidates receiving the highest number of votes shall be placed upon the ballot for the next succeeding general municipal election. Where 2 councilmen are to be elected, the 4 candidates receiving the highest number of votes shall be placed upon the ballot. Where 3 councilmen are to be elected, the names of the 6 candidates receiving the highest number of votes shall be placed upon the ballot.

The ballots for the election of officers at the first general municipal election shall be prepared in compliance with Section 4-3-16, with the following changes:

(1) Following the names of the candidates for Mayor (when applicable) there shall be printed a subtitle: FOR COUNCILMAN AT LARGE: following this subtitle shall be an instruction in this form: (VOTE FOR NOT MORE THAN ...) (Insert number of councilmen to be elected). The names of the nominees for councilmen at large shall follow the instruction.

(2) Following the names of the nominees for councilmen at large shall be printed another subtitle: FOR DISTRICT COUNCILMAN. Following this subtitle shall be an instruction in this form: (VOTE FOR ONE) and following this instruction shall be printed the names of the 2 nominees.

Thereafter, the ballots for the biennial election shall be prepared as hereinafter provided.

For the primary election at which Councilmen at large are to be elected the form of the ballot shall be as follows:

At the top of the ballot shall be the following: CANDIDATES FOR NOMINATION FOR MAYOR (when Mayor is to be elected) AND COUNCILMEN OF THE CITY OF... AT THE PRIMARY ELECTION. Under the subtitle of FOR MAYOR (when applicable) shall be placed the following: (VOTE FOR ONE). There shall be placed below the names of the candidates for Mayor, if any, another subtitle as follows: FOR COUNCILMEN AT LARGE. Following this subtitle there shall be an instruction in this form, to be altered, however, to conform to the facts: (VOTE FOR NOT MORE THAN...) (Insert number of Councilmen being elected).

For the primary election at which District Councilmen are to be elected, a distinct ballot shall be printed for each District. There shall be placed below the names of the candidates for Mayor (when applicable) another subtitle as follows: FOR DISTRICT COUNCILMAN. Following this subtitle there shall be an instruction in this form: VOTE FOR ONE. In all other respects the ballot shall conform to the applicable provisions of Sections 4-3-10 and 5-2-13.

To determine the number of nominees who shall be placed on the ballot under each subtitle at the general municipal election, the number of officers who will be chosen under each subtitle shall be multiplied by 2. Only those candidates at the primary election shall be nominees under each subtitle at the general municipal election and, where but one officer is to be elected, the 2 candidates receiving the highest number of votes shall be placed upon the ballot for the next succeeding general municipal election. Where 2 councilmen are to be elected, the 4 candidates receiving the highest number of votes shall be placed upon the ballot. Where 3 councilmen are to be elected, the names of the 6 candidates receiving the highest number of votes shall be placed upon the ballot.

The ballots for the election of officers at the general municipal election shall be prepared in compliance with Section 4-3-16, with the following changes:

(1) For elections where candidates for Councilmen at large are being elected, following the names of candidates for Mayor (when applicable) there shall be printed a subtitle as follows: FOR COUNCILMEN

AT LARGE. Following this subtitle there shall be an instruction in this form: (VOTE FOR NOT MORE THAN...) (Insert number of Councilmen to be elected). The names of the nominees for Councilmen at large shall follow the instruction.

(2) For elections where district Councilmen are to be elected, a distinct ballot shall be printed for each district, and following the names of the candidates for Mayor (when applicable) there shall be printed a subtitle as follows: FOR DISTRICT COUNCILMAN. Following this subtitle there shall be an instruction in this form: (VOTE FOR ONE) and following this instruction shall be printed the names of the 2 nominees for district Councilman.

Vacancies shall be filled as prescribed in Section 5-2-12, provided that a vacancy in the office of a District Councilman shall be filled by a person who is an actual resident of the district in which the vacancy occurs.

(Source: P.A. 81-1489.)

(65 ILCS 5/7-2-24) (from Ch. 24, par. 7-2-24)

Sec. 7-2-24. The ballots for the election of officers at the general city election in a united city shall be prepared in accordance with the general election law, and in accordance with Section 4-3-16, with the following changes: (1) Following the names of the candidates for mayor there shall be printed a sub-title: FOR COMMISSIONER (or COMMISSIONERS) AT LARGE. Following this sub-title shall be an instruction in this form: (Vote for one) or (Vote for not more than 2), as the case may be. The names of the candidates for commissioner at large shall follow this instruction. (2) Following the names of the candidates at large shall be printed another sub-title: FOR COMMISSIONER FROM THE BOROUGH OF..... Following this sub-title shall be an instruction in this form: (Vote for one) and following this instruction shall be printed the names of the 2 nominees. Sections 7-2-20 through 7-2-24 are applicable only to united cities under a commission form of government.

(Source: P.A. 81-1490.)

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

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 4180, 4183, 4190 and 4201.

HOUSE BILL 4212. 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 4212 on page 8, by replacing lines 10 and 11 with the following:

"Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this subsection, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor."

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 4215.

HOUSE BILL 4219. 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 4219 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Identity Protection Act.

Section 5. Definitions. In this Act:

"Local government agency" means that term as it is defined in Section 1-8 of the Illinois State Auditing Act.

"Person" means any individual in the employ of a State agency or local government agency.

"Publicly post" or "publicly display" means to intentionally communicate or otherwise intentionally make available to the general public.

"State agency" means that term as it is defined in Section 1-7 of the Illinois State Auditing Act.

Section 10. Prohibited activities.

(a) Except as otherwise provided in this Act, beginning July 1, 2010, no person or State or local government agency may do any of the following:

(1) Publicly post or publicly display in any manner an individual's social security number.

(2) Print an individual's social security number on any card required for the individual to access products or services provided by the person or entity; however, a person or entity that provides an insurance card must print on the card an identification number unique to the holder of the card in the format prescribed by Section 15 of the Uniform Prescription Drug Information Card Act.

(3) Require an individual to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted.

(4) Require an individual to use his or her social security number to access an Internet web site, unless a password or unique personal identification number or other authentication device is also required to access the Internet web site.

(5) Print an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision in this Section to the contrary, social security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the social security number. A social security number that may permissibly be mailed under this Section may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope or visible without the envelope having been opened.

(6) Collect a social security number from an individual, unless required to do so under State or federal law, rules, or regulations, unless the collection of the social security number is otherwise necessary for the performance of that agency's duties and responsibilities. Social security numbers collected by a State or local government agency must be relevant to the purpose for which the number was collected and must not be collected unless and until the need for social security numbers for that purpose has been clearly documented.

(7) Use the social security number for any purpose other than the purpose for which it was collected.

(8) Intentionally communicate or otherwise make available to the general public a person's social security number.

(b) The prohibitions in subsection (a) do not apply in the following circumstances:

(1) The disclosure of social security numbers to agents, employees, or contractors of a governmental entity or disclosed by a governmental entity to another governmental entity or its agents, employees, or contractors if disclosure is necessary in order for the entity to perform its duties and

responsibilities and if the governmental entity and its agents, employees, and contractors maintain the confidential and exempt status of the social security numbers.

(2) The disclosure of social security numbers pursuant to a court order, warrant, or subpoena.

(3) The collection, use, or disclosure of social security numbers in order to ensure the safety of: State and local government employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a State or local government agency facility.

(4) The disclosure of social security numbers by a State agency to any entity for the collection of delinquent child support or of any State debt.

(5) The collection, use, or disclosure of social security numbers to investigate or prevent fraud, to conduct background checks, to conduct social or scientific research, to collect a debt, to obtain a credit report from or furnish data to a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed-property benefit.

(c) If any State agency or local government agency has adopted standards for the collection, use, or disclosure of social security numbers that are stricter than the standards under this Act with respect to the protection of that identifying information, then, in the event of any conflict with the provisions of this Act, the stricter standards adopted by the State agency or local government agency shall control.

Section 15. Public inspection and copying of information and documents. Notwithstanding any other provision of this Act to the contrary, a person or State or local government agency must comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's social security number.

Section 20. Applicability.

(a) This Act does not apply to the collection, use, or release of a social security number as required by State or federal law, rule, or regulation, or the use of a social security number or other identifying information for internal verification or administrative purposes.

(b) This Act does not apply to documents that are recorded with a county recorder or required to be open to the public under any State or federal law, rule, or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois. Notwithstanding this Section, county recorders must comply with the provisions of Section 35 of this Act.

Section 25. Compliance with federal law.

If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, any State or local government agency that complies with the federal law shall be deemed to be in compliance with this Act.

Section 30. Embedded social security numbers.

Beginning December 31, 2009, no person or State or local government agency may encode or embed a social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this Act.

Section 35. Identity-protection policy; local government. Each local government agency must establish an identity-protection policy and must implement that policy on or before December 31, 2009. The policy must do all of the following:

(1) Identify all employees of the local government agency who may have access to social security numbers in the course of performing their duties.

(2) Require all employees of the local government agency identified as having access to social security numbers in the course of performing their duties to be trained to protect the confidentiality of social security numbers and to understand the requirements of this Section.

(3) Prohibit the unlawful disclosure of social security numbers.

(4) Limit the number of employees who have access to information or documents that contain social security numbers.

(5) Describe how to properly dispose of information and documents that contain social security numbers.

(6) Establish penalties for violation of the privacy policy.

(7) Prevent the intentional communication of or ability of the general public to access an individual's social security number.

(8) Require that social security numbers requested from an individual be segregated on a separate page from the rest of the record, provide a discrete location for a social security numbers when required on a standardized form, or otherwise place the number in a manner that makes it easily redacted if required to be released as part of a public records request.

(9) Require that, when collecting a social security number from an individual, at the time of or prior to the actual collection of the social security number or upon request by the individual, a statement of the purpose or purposes for which the agency is collecting and using the social security number be provided.

Each local government agency must file a written copy of its privacy policy with the governing board of the unit of local government. Each local government agency must also provide a written copy of the policy to each of its employees, and must also make its privacy policy available to any member of the public, upon request. If a local government agency amends its privacy policy, then that agency must file a written copy of the amended policy with the appropriate entity and must also provide each of its employees with a new written copy of the amended policy.

Section 37. Identity-protection policy; State. Each State agency must recommend to the Social Security Number Task Force an identity-protection policy on or before September 30, 2009. The policy must do all of the following:

(1) Identify all employees of the State agency who may have access to social security numbers in the performance of their duties.

(2) Require all employees of the State agency identified as having access to social security numbers in the performance of their duties to be trained to protect the confidentiality of social security numbers and to understand the requirements of this Section.

(3) Prohibit the unlawful disclosure of social security numbers.

(4) Limit the number of employees who have access to information or documents that contain social security numbers.

(5) Describe how to properly dispose of information and documents that contain social security numbers.

(6) Establish penalties for violation of the privacy policy.

(7) Prevent the intentional communication of or ability of the general public to access an individual's social security number.

(8) Require that social security numbers requested from an individual be segregated on a separate page from the rest of the record, provide a discrete location for a social security numbers when required on a standardized form, or otherwise place the number in a manner that makes it easily redacted if required to be released as part of a public records request.

(9) Require that, when collecting a social security number from an individual, at the time of or prior to the actual collection of the social security number or upon request by the individual, a statement of the purpose or purposes for which the agency is collecting and using the social security number be provided.

The Task Force will study the recommendations from the State agencies and will make its recommendation to the General Assembly of the changes needed to implement the policies by December 31, 2009.

Section 40. Judicial branch and clerks of courts. The judicial branch and clerks of the circuit court are not subject to the provisions of this Act, except that the Supreme Court shall, under its rulemaking authority or by administrative order, adopt requirements applicable to the judicial branch, including clerks of the circuit court, regulating the disclosure of social security numbers consistent with the intent of this Act and the unique circumstances relevant in the judicial process.

Section 45. Violation. Any person who intentionally violates the prohibitions in Section 10 of this Act is guilty of a Class B misdemeanor.

Section 50. Home rule. A home rule unit of local government, any non-home rule municipality, or any non-home rule county may regulate the use of social security numbers, but that regulation must be no less restrictive than this Act. This Act is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

Section 55. This Act does not supersede any more restrictive law, rule, or regulation regarding the collection, use, or release of social security numbers.

Section 60. Rulemaking. Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make

or promulgate rules to implement or enforce the provisions of this Act. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this Act, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this Act shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this Section, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor.

Section 90. The State Mandates Act is amended by adding Section 8.32 as follows:

(30 ILCS 805/8.32 new)

Sec. 8.32. 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."

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 4226. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4226 on page 2, line 25, after "programs", by inserting "or summer school"; and on page 3, line 1, after "programs", by inserting "or summer school".

AMENDMENT NO. 2. Amend House Bill 4226 on page 3, line 2, after the period, by inserting the following:

"Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this amendatory Act of the 95th General Assembly, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor."

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 4294. 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 4294 on page 5, by replacing line 21 with the following:  
"(g) Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate



rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this subsection, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor.

(h) This Section shall be known and may be cited as the".

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 4309. 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 4309 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 18-12 as follows:  
(105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

Sec. 18-12. Dates for filing State aid claims. The school board of each school district shall require teachers, principals, or superintendents to furnish from records kept by them such data as it needs in preparing and certifying to the regional superintendent its school district report of claims provided in Sections 18-8.05 through 18-9 as required by the State Superintendent of Education. The district claim shall be based on the latest available equalized assessed valuation and tax rates, as provided in Section 18-8.05 and shall use the average daily attendance as determined by the method outlined in Section 18-8.05 and shall be certified and filed with the regional superintendent by June 21 for districts with an official school calendar end date before June 15 or within 2 weeks following the official school calendar end date for districts with a school year end date of June 15 or later. The regional superintendent shall certify and file with the State Superintendent of Education district State aid claims by July 1 for districts with an official school calendar end date before June 15 or no later than July 15 for districts with an official school calendar end date of June 15 or later. Failure to so file by these deadlines constitutes a forfeiture of the right to receive payment by the State until such claim is filed and vouchered for payment. The regional superintendent of schools shall certify the county report of claims by July 15; and the State Superintendent of Education shall voucher for payment those claims to the State Comptroller as provided in Section 18-11.

Except as otherwise provided in this Section, if any school district fails to provide the minimum school term specified in Section 10-19, the State aid claim for that year shall be reduced by the State Superintendent of Education in an amount equivalent to .56818% for each day less than the number of days required by this Code.

If the State Superintendent of Education determines that the failure to provide the minimum school term was occasioned by an act or acts of God, or was occasioned by conditions beyond the control of the school district which posed a hazardous threat to the health and safety of pupils, the State aid claim need not be reduced.

If the State Superintendent of Education determines that the failure to provide the minimum school term was due to a school being closed on or after September 11, 2001 for more than one-half day of attendance due to a bioterrorism or terrorism threat that was investigated by a law enforcement agency, the State aid claim shall not be reduced.

If, during any school day, (i) a school district has provided at least one clock hour of instruction but must close the schools due to adverse weather conditions or due to a condition beyond the control of the school district that poses a hazardous threat to the health and safety of pupils prior to providing the minimum hours of instruction required for a full day of attendance, (ii) the school district must delay the start of the

school day due to adverse weather conditions and this delay prevents the district from providing the minimum hours of instruction required for a full day of attendance, or (iii) a school district has provided at least one clock hour of instruction but must dismiss students from one or more recognized school buildings due to a condition beyond the control of the school district, the partial day of attendance may be counted as a full day of attendance. If a school district closes one or more recognized school buildings due to a condition beyond the control of the district prior to providing any instruction, then the district may claim a full day of attendance for a maximum of 2 school days based on the average of the 3 prior school days of attendance immediately preceding the closure of the school building. The partial or no day of attendance and the reasons therefor shall be certified in writing within a month of the closing or delayed start by the local school district superintendent to the Regional Superintendent of Schools for forwarding to the State Superintendent of Education for approval.

If a school building is ordered to be closed by the school board, in consultation with a local emergency response agency, due to a condition that poses a hazardous threat to the health and safety of pupils, then the school district shall have a grace period of 4 days in which the general State aid claim shall not be reduced so that alternative housing of the pupils may be located.

No exception to the requirement of providing a minimum school term may be approved by the State Superintendent of Education pursuant to this Section unless a school district has first used all emergency days provided for in its regular calendar.

If the State Superintendent of Education declares that an energy shortage exists during any part of the school year for the State or a designated portion of the State, a district may operate the school attendance centers within the district 4 days of the week during the time of the shortage by extending each existing school day by one clock hour of school work, and the State aid claim shall not be reduced, nor shall the employees of that district suffer any reduction in salary or benefits as a result thereof. A district may operate all attendance centers on this revised schedule, or may apply the schedule to selected attendance centers, taking into consideration such factors as pupil transportation schedules and patterns and sources of energy for individual attendance centers.

No State aid claim may be filed for any district unless the district superintendent executes and files with the State Superintendent of Education, in the method prescribed by the Superintendent, certification that the district has complied with the requirements of Section 10-22.5 in regard to the nonsegregation of pupils on account of color, creed, race, sex or nationality.

No State aid claim may be filed for any district unless the district superintendent executes and files with the State Superintendent of Education, in the method prescribed by the Superintendent, a sworn statement that to the best of his or her knowledge or belief the employing or assigning personnel have complied with Section 24-4 in all respects.

Electronically submitted State aid claims shall be submitted by duly authorized district or regional individuals over a secure network that is password protected. The electronic submission of a State aid claim must be accompanied with an affirmation that all of the provisions of Sections 18-8.05 through 18-9, 10-22.5, and 24-4 of this Code are met in all respects.

(Source: P.A. 94-1105, eff. 6-1-07; 95-152, eff. 8-14-07; revised 11-15-07.)

Section 99. Effective date. This Act takes effect July 1, 2008."

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 4357.

HOUSE BILL 4379. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4379 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Sections 500-30 and 500-35 as follows:  
(215 ILCS 5/500-30)

Sec. 500-30. Application for license.

(a) An individual applying for a resident insurance producer license must make application on a form specified by the Director and declare under penalty of refusal, suspension, or revocation of the license that the statements made in the application are true, correct, and complete to the best of the individual's knowledge and belief. Before approving the application, the Director must find that the individual:

- (1) is at least 18 years of age;
- (2) has not committed any act that is a ground for denial, suspension, or revocation set forth in Section 500-70;
- (3) has completed, if required by the Director, a pre-licensing course of study for the lines of authority for which the individual has applied (an individual who successfully completes the Fire and Casualty pre-licensing courses also meets the requirements for Personal Lines-Property and Casualty);
- (4) has paid the fees set forth in Section 500-135; and
- (5) has successfully passed the examinations for the lines of authority for which the person has applied.

(b) A pre-licensing course of study for each class of insurance for which an insurance producer license is requested must be established in accordance with rules prescribed by the Director and must consist of the following minimum hours:

Class of Insurance	Number of Hours
Life (Class 1 (a))	<del>20</del> 45.0
Accident and Health (Class 1(b) or 2(a))	<del>20</del> 45.0
Fire (Class 3)	<del>20</del> 45.0
Casualty (Class 2)	<del>20</del> 45.0
Personal Lines-Property Casualty	<del>20</del> 45.0
Motor Vehicle (Class 2(b) or 3(e))	<del>12.5</del> 7.5

Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this amendatory Act of the 95th General Assembly, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor.

(c) A business entity acting as an insurance producer must obtain an insurance producer license. Application must be made using the Uniform Business Entity Application. Before approving the application, the Director must find that:

- (1) the business entity has paid the fees set forth in Section 500-135; and
- (2) the business entity has designated a licensed producer responsible for the business entity's compliance with the insurance laws and rules of this State.

(d) The Director may require any documents reasonably necessary to verify the information contained in an application.

(Source: P.A. 92-386, eff. 1-1-02.)

(215 ILCS 5/500-35)

Sec. 500-35. License.

(a) Unless denied a license pursuant to Section 500-70, persons who have met the requirements of Sections 500-25 and 500-30 shall be issued a 2-year insurance producer license. An insurance producer may receive qualification for a license in one or more of the following lines of authority:

- (1) Life: insurance coverage on human lives including benefits of endowment and annuities, and may include benefits in the event of death or dismemberment by accident and benefits for disability income.
- (2) Variable life and variable annuity products: insurance coverage provided under

variable life insurance contracts and variable annuities.

(3) Accident and health or sickness: insurance coverage for sickness, bodily injury, or accidental death and may include benefits for disability income.

(4) Property: insurance coverage for the direct or consequential loss or damage to property of every kind.

(5) Casualty: insurance coverage against legal liability, including that for death, injury, or disability or damage to real or personal property.

(6) Personal lines: property and casualty insurance coverage sold to individuals and families for primarily noncommercial purposes.

(7) Any other line of insurance permitted under State laws or rules.

(b) An insurance producer license shall remain in effect unless revoked or suspended as long as the fee set forth in Section 500-135 is paid and education requirements for resident individual producers are met by the due date.

(1) Before each license renewal, an insurance producer must satisfactorily complete at least ~~24~~ 30 hours of course study in accordance with rules prescribed by the Director. Three of the 24 hours of course study must consist of classroom ethics instruction. The Director may not approve a course of study unless the course provides for classroom, seminar, or self-study instruction methods. A course given in a combination instruction method of classroom or seminar and self-study shall be deemed to be a self-study course unless the classroom or seminar certified hours meets or exceeds two-thirds of total hours certified for the course. The self-study material used in the combination course must be directly related to and complement the classroom portion of the course in order to be considered for credit. An instruction method other than classroom or seminar shall be considered as self-study methodology. Self-study credit hours require the successful completion of an examination covering the self-study material. The examination may not be self-evaluated. However, if the self-study material is completed through the use of an approved computerized interactive format whereby the computer validates the successful completion of the self-study material, no additional examination is required. The self-study credit hours contained in a certified course shall be considered classroom hours when at least two-thirds of the hours are given as classroom or seminar instruction.

Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this amendatory Act of the 95th General Assembly, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor.

(2) An insurance producer license automatically terminates when an insurance producer fails to successfully meet the requirements of item (1) of subsection (b) of this Section. The producer must complete the course in advance of the renewal date to allow the education provider time to report the credit to the Department.

(c) A provider of a pre-licensing or continuing education course required by Section 500-30 and this Section must pay a registration fee and a course certification fee for each course being certified as provided by Section 500-135.

(d) An individual insurance producer who allows his or her license to lapse may, within 12 months after the due date of the renewal fee, be issued a license without the necessity of passing a written examination. However, a penalty in the amount of double the unpaid renewal fee shall be required after the due date.

(e) A licensed insurance producer who is unable to comply with license renewal procedures due to military service may request a waiver of those procedures.

(f) The license must contain the licensee's name, address, and personal identification number, the date of issuance, the lines of authority, the expiration date, and any other information the Director deems necessary.

(g) Licensees must inform the Director by any means acceptable to the Director of a change of address within 30 days after the change.

(h) In order to assist in the performance of the Director's duties, the Director may contract with a non-governmental entity including the National Association of Insurance Commissioners (NAIC), or any affiliates or subsidiaries that the NAIC oversees, to perform any ministerial functions, including collection of fees, related to producer licensing that the Director and the non-governmental entity may deem appropriate.

(Source: P.A. 92-386, eff. 1-1-02.)"

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 4314 and 4378.

HOUSE BILL 4428. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4428 on page 1, lines 6 and 7, by replacing "Kendall County" with "the Kendall County Health Department".

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 4434. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4434 on page 1, lines 7 and 8, by replacing "child support services" with "support services for children".

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 4450. 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 4450, on page 2, by replacing lines 17 through 23 with the following:

"of the crime for which the offender was committed, at their last known address, along with the information that the victim or victims should ~~may~~ contact a private attorney to advise them of their rights under the law ~~the State's Attorney for advice concerning their rights to sue for damages under the law. If so requested, the State's Attorney's office shall provide such advice, but in no instance may the State's Attorney institute a civil action for damages on behalf of the victim or victims.~~"; and

on page 3, by replacing lines 8 through 14 with the following:

"crime for which the offender was committed, at their last known address, along with the information that the victim or victims should contact a private attorney to advise them of their rights under the 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 4454. Having been reproduced, was taken up and read by title a second time.  
The following amendment was offered in the Committee on Revenue, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 4454 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Section 404 as follows:

(35 ILCS 5/404) (from Ch. 120, par. 4-404)

Sec. 404. Reallocation of Items.

(a) If it appears to the Director that any agreement, understanding or arrangement exists between any persons which causes any person's base income allocable to this State to be improperly or inaccurately reflected, the Director may adjust such items of income and deduction, and any factor taken into account in allocating non-business income to this State, to such extent as may reasonably be required to determine the base income of such person properly allocable to this State. Unless the principal purpose of the agreement, understanding, or arrangement is for the avoidance of federal or State income tax, any adjustment under this Section must be made in accordance with Section 482 of the Internal Revenue Code, as amended, and any applicable federal regulations.

(b) In making an adjustment under this Section for any taxable year, the Director must apply the provisions of this Act in the manner in which they were in effect during that taxable year, unless otherwise specifically authorized by statute.

(c) Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this subsection, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor.

(Source: P.A. 76-261.)

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

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4455.

HOUSE BILL 4457. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4457 on page 3, line 20, by replacing "must" with "may".

AMENDMENT NO. 2. Amend House Bill 4457 on page 4, line 16, after the period, by inserting the following:

"Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them

with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this paragraph, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor."

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 4513. 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 4513, on page 2, line 2, after the period, by inserting the following:

"Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this paragraph, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor."; and

on page 7, line 6, after the period, by inserting the following:

"Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this paragraph, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor."

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 4574. 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 4574 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-13 as follows:  
(305 ILCS 5/5-13) (from Ch. 23, par. 5-13)

Sec. 5-13. Claim against estate of recipients. To the extent permitted under the federal Social Security Act, the amount expended under this Article (1) for a person of any age who is an inpatient in a nursing facility, an intermediate care facility for the mentally retarded, or other medical institution, or (2) for a person aged 55 or more, shall be a claim against the person's estate ~~or a claim against the estate of the person's spouse, regardless of the order of death~~, but no recovery may be had thereon until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21, or blind, or permanently and totally disabled. This Section, however, shall not bar recovery at the death of the person of amounts of medical assistance paid to or in his behalf to which he was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other creditors have been filed against the estate, or if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. The term "estate", as used in this Section, with respect to a deceased person, means all real and personal property and other assets included within the person's estate, as that term is used in the Probate Act of 1975; however, in the case of a deceased person who has received (or is entitled to receive) benefits under a long-term care insurance policy in connection with which assets or resources are disregarded to the extent that payments are made or because the deceased person received (or was entitled to receive) benefits under a long-term care insurance policy, "estate" also includes any other real and personal property and other assets in which the deceased person had any legal title or interest at the time of his or her death (to the extent of that interest), including assets conveyed to a survivor, heir, or assignee of the deceased person through joint tenancy, tenancy in common, survivorship, life estate, living trust, or other arrangement. The term "homestead", as used in this Section, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Illinois Department, regardless of the value of the property.

A claim arising under this Section against assets conveyed to a survivor, heir, or assignee of the deceased person through joint tenancy, tenancy in common, survivorship, life estate, living trust, or other arrangement is not effective until the claim is recorded or filed in the manner provided for a notice of lien in Section 3-10.2. The claim is subject to the same requirements and conditions to which liens on real property interests are subject under Sections 3-10.1 through 3-10.10. A claim arising under this Section attaches to interests owned or subsequently acquired by the estate of a recipient or the estate of a recipient's surviving spouse. The transfer or conveyance of any real or personal property of the estate as defined in this Section shall be subject to the fraudulent transfer conditions that apply to real property in Section 3-11 of this Code.

The provisions of this Section shall not affect the validity of claims against estates for medical assistance provided prior to January 1, 1966 to aged, blind, or disabled persons receiving aid under Articles V, VII and VII-A of the 1949 Code.

Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this amendatory Act of the 95th General Assembly, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor.

(Source: P.A. 88-85; 88-554, eff. 7-26-94; 89-21, eff. 7-1-95; 89-437, eff. 12-15-95; 89-686, eff. 12-31-96.)  
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 4588. Having been reproduced, was taken up and read by title a second time.



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

AMENDMENT NO. 1. Amend House Bill 4588 on page 2, line 11, after "available", by inserting "provided that voter records may be removed from the offices of an election authority only at the discretion and under the supervision of the election authority".

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 4590.

HOUSE BILL 4603. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4603 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 3-110 and 7-139 as follows:  
(40 ILCS 5/3-110) (from Ch. 108 1/2, par. 3-110)

Sec. 3-110. Creditable service.

(a) "Creditable service" is the time served by a police officer as a member of a regularly constituted police force of a municipality. In computing creditable service furloughs without pay exceeding 30 days shall not be counted, but all leaves of absence for illness or accident, regardless of length, and all periods of disability retirement for which a police officer has received no disability pension payments under this Article shall be counted.

(a-5) Up to 3 years of time during which the police officer receives a disability pension under Section 3-114.1, 3-114.2, 3-114.3, or 3-114.6 shall be counted as creditable service, provided that (i) the police officer returns to active service after the disability for a period at least equal to the period for which credit is to be established and (ii) the police officer makes contributions to the fund based on the rates specified in Section 3-125.1 and the salary upon which the disability pension is based. These contributions may be paid at any time prior to the commencement of a retirement pension. The police officer may, but need not, elect to have the contributions deducted from the disability pension or to pay them in installments on a schedule approved by the board. If not deducted from the disability pension, the contributions shall include interest at the rate of 6% per year, compounded annually, from the date for which service credit is being established to the date of payment. If contributions are paid under this subsection (a-5) in excess of those needed to establish the credit, the excess shall be refunded. This subsection (a-5) applies to persons receiving a disability pension under Section 3-114.1, 3-114.2, 3-114.3, or 3-114.6 on the effective date of this amendatory Act of the 91st General Assembly, as well as persons who begin to receive such a disability pension after that date.

(b) Creditable service includes all periods of service in the military, naval or air forces of the United States entered upon while an active police officer of a municipality, provided that upon applying for a permanent pension, and in accordance with the rules of the board, the police officer pays into the fund the amount the officer would have contributed if he or she had been a regular contributor during such period, to the extent that the municipality which the police officer served has not made such contributions in the officer's behalf. The total amount of such creditable service shall not exceed 5 years, except that any police officer who on July 1, 1973 had more than 5 years of such creditable service shall receive the total amount thereof.

(c) Creditable service also includes service rendered by a police officer while on leave of absence from a police department to serve as an executive of an organization whose membership consists of members of a police department, subject to the following conditions: (i) the police officer is a participant of a fund established under this Article with at least 10 years of service as a police officer; (ii) the police officer received no credit for such service under any other retirement system, pension fund, or annuity and benefit fund included in this Code; (iii) pursuant to the rules of the board the police officer pays to the fund the

amount he or she would have contributed had the officer been an active member of the police department; and (iv) the organization pays a contribution equal to the municipality's normal cost for that period of service.

(d)(1) Creditable service also includes periods of service originally established in another police pension fund under this Article or in the Fund established under Article 7 of this Code for which (i) the contributions have been transferred under Section 3-110.7 or Section 7-139.9 and (ii) any additional contribution required under paragraph (2) of this subsection has been paid in full in accordance with the requirements of this subsection (d).

(2) If the board of the pension fund to which creditable service and related contributions are transferred under Section 3-110.7 or 7-139.9 determines that the amount transferred is less than the true cost to the pension fund of allowing that creditable service to be established, then in order to establish that creditable service the police officer must pay to the pension fund, within the payment period specified in paragraph (3) of this subsection, an additional contribution equal to the difference, as determined by the board in accordance with the rules and procedures adopted under paragraph (6) of this subsection.

(3) Except as provided in paragraph (4), the additional contribution must be paid to the board (i) within 5 years from the date of the transfer of contributions under Section 3-110.7 or 7-139.9 and (ii) before the police officer terminates service with the fund. The additional contribution may be paid in a lump sum or in accordance with a schedule of installment payments authorized by the board.

(4) If the police officer dies in service before payment in full has been made and before the expiration of the 5-year payment period, the surviving spouse of the officer may elect to pay the unpaid amount on the officer's behalf within 6 months after the date of death, in which case the creditable service shall be granted as though the deceased police officer had paid the remaining balance on the day before the date of death.

(5) If the additional contribution is not paid in full within the required time, the creditable service shall not be granted and the police officer (or the officer's surviving spouse or estate) shall be entitled to receive a refund of (i) any partial payment of the additional contribution that has been made by the police officer and (ii) those portions of the amounts transferred under subdivision (a)(1) of Section 3-110.7 or subdivisions (a)(1) and (a)(3) of Section 7-139.9 that represent employee contributions paid by the police officer (but not the accumulated interest on those contributions) and interest paid by the police officer to the prior pension fund in order to reinstate service terminated by acceptance of a refund.

At the time of paying a refund under this item (5), the pension fund shall also repay to the pension fund from which the contributions were transferred under Section 3-110.7 or 7-139.9 the amount originally transferred under subdivision (a)(2) of that Section, plus interest at the rate of 6% per year, compounded annually, from the date of the original transfer to the date of repayment. Amounts repaid to the Article 7 fund under this provision shall be credited to the appropriate municipality.

Transferred credit that is not granted due to failure to pay the additional contribution within the required time is lost; it may not be transferred to another pension fund and may not be reinstated in the pension fund from which it was transferred.

(6) The Public Employee Pension Fund Division of the Department of Insurance shall establish by rule the manner of making the calculation required under paragraph (2) of this subsection, taking into account the appropriate actuarial assumptions; the police officer's service, age, and salary history; the level of funding of the pension fund to which the credits are being transferred; and any other factors that the Division determines to be relevant. The rules may require that all calculations made under paragraph (2) be reported to the Division by the board performing the calculation, together with documentation of the creditable service to be transferred, the amounts of contributions and interest to be transferred, the manner in which the calculation was performed, the numbers relied upon in making the calculation, the results of the calculation, and any other information the Division may deem useful.

(e)(1) Creditable service also includes periods of service originally established in the Fund established under Article 7 of this Code for which the contributions have been transferred under Section 7-139.11.

(2) If the board of the pension fund to which creditable service and related contributions are transferred under Section 7-139.11 determines that the amount transferred is less than the true cost to the pension fund of allowing that creditable service to be established, then the amount of creditable service the police officer may establish under this subsection (e) shall be reduced by an

amount equal to the difference, as determined by the board in accordance with the rules and procedures adopted under paragraph (3) of this subsection.

(3) The Public Pension Division of the Department of Financial and Professional Regulation shall establish by rule the manner of making the calculation required under paragraph (2) of this subsection, taking into account the appropriate actuarial assumptions; the police officer's service, age, and salary history; the level of funding of the pension fund to which the credits are being transferred; and any other factors that the Division determines to be relevant. The rules may require that all calculations made under paragraph (2) be reported to the Division by the board performing the calculation, together with documentation of the creditable service to be transferred, the amounts of contributions and interest to be transferred, the manner in which the calculation was performed, the numbers relied upon in making the calculation, the results of the calculation, and any other information the Division may deem useful.

(4) Until January 1, 2010, a police officer who transferred service from the Fund established under Article 7 of this Code under the provisions of Public Act 94-356 may establish additional credit, but only for the amount of the service credit reduction in that transfer, as calculated under paragraph (3) of this subsection (e). This credit may be established upon payment by the police officer of an amount to be determined by the board, equal to (1) the amount that would have been contributed as employee and employer contributions had all of the service been as an employee under this Article, plus interest thereon at the rate of 6% per year, compounded annually from the date of service to the date of transfer, less (2) the total amount transferred from the Article 7 Fund, plus (3) interest on the difference at the rate of 6% per year, compounded annually, from the date of the transfer to the date of payment. The additional service credit is allowed under this amendatory Act of the 95th General Assembly notwithstanding the provisions of Article 7 terminating all transferred credits on the date of transfer.

(Source: P.A. 94-356, eff. 7-29-05.)

(40 ILCS 5/7-139) (from Ch. 108 1/2, par. 7-139)

Sec. 7-139. Credits and creditable service to employees.

(a) Each participating employee shall be granted credits and creditable service, for purposes of determining the amount of any annuity or benefit to which he or a beneficiary is entitled, as follows:

1. For prior service: Each participating employee who is an employee of a participating municipality or participating instrumentality on the effective date shall be granted creditable service, but no credits under paragraph 2 of this subsection (a), for periods of prior service for which credit has not been received under any other pension fund or retirement system established under this Code, as follows:

If the effective date of participation for the participating municipality or participating instrumentality is on or before January 1, 1998, creditable service shall be granted for the entire period of prior service with that employer without any employee contribution.

If the effective date of participation for the participating municipality or participating instrumentality is after January 1, 1998, creditable service shall be granted for the last 20% of the period of prior service with that employer, but no more than 5 years, without any employee contribution. A participating employee may establish creditable service for the remainder of the period of prior service with that employer by making an application in writing, accompanied by payment of an employee contribution in an amount determined by the Fund, based on the employee contribution rates in effect at the time of application for the creditable service and the employee's salary rate on the effective date of participation for that employer, plus interest at the effective rate from the date of the prior service to the date of payment. Application for this creditable service may be made at any time while the employee is still in service.

A municipality that (i) has at least 35 employees; (ii) is located in a county with at least 2,000,000 inhabitants; and (iii) maintains an independent defined benefit pension plan for the benefit of its eligible employees may restrict creditable service in whole or in part for periods of prior service with the employer if the governing body of the municipality adopts an irrevocable resolution to restrict that creditable service and files the resolution with the board before the municipality's effective date of participation.

Any person who has withdrawn from the service of a participating municipality or participating instrumentality prior to the effective date, who reenters the service of the same municipality or participating instrumentality after the effective date and becomes a participating employee is entitled to creditable service for prior service as otherwise provided in this subdivision (a)(1) only if he or she renders 2 years of service as a participating employee after the effective date. Application for such service must be made while in a participating status. The salary rate to be used in the calculation of the

required employee contribution, if any, shall be the employee's salary rate at the time of first reentering service with the employer after the employer's effective date of participation.

2. For current service, each participating employee shall be credited with:

a. Additional credits of amounts equal to each payment of additional contributions received from him under Section 7-173, as of the date the corresponding payment of earnings is payable to him.

b. Normal credits of amounts equal to each payment of normal contributions received from him, as of the date the corresponding payment of earnings is payable to him, and normal contributions made for the purpose of establishing out-of-state service credits as permitted under the conditions set forth in paragraph 6 of this subsection (a).

c. Municipality credits in an amount equal to 1.4 times the normal credits, except those established by out-of-state service credits, as of the date of computation of any benefit if these credits would increase the benefit.

d. Survivor credits equal to each payment of survivor contributions received from the participating employee as of the date the corresponding payment of earnings is payable, and survivor contributions made for the purpose of establishing out-of-state service credits.

3. For periods of temporary and total and permanent disability benefits, each employee receiving disability benefits shall be granted creditable service for the period during which disability benefits are payable. Normal and survivor credits, based upon the rate of earnings applied for disability benefits, shall also be granted if such credits would result in a higher benefit to any such employee or his beneficiary.

4. For authorized leave of absence without pay: A participating employee shall be granted credits and creditable service for periods of authorized leave of absence without pay under the following conditions:

a. An application for credits and creditable service is submitted to the board while the employee is in a status of active employment, and within 2 years after termination of the leave of absence period for which credits and creditable service are sought.

b. Not more than 12 complete months of creditable service for authorized leave of absence without pay shall be counted for purposes of determining any benefits payable under this Article.

c. Credits and creditable service shall be granted for leave of absence only if such leave is approved by the governing body of the municipality, including approval of the estimated cost thereof to the municipality as determined by the fund, and employee contributions, plus interest at the effective rate applicable for each year from the end of the period of leave to date of payment, have been paid to the fund in accordance with Section 7-173. The contributions shall be computed upon the assumption earnings continued during the period of leave at the rate in effect when the leave began.

d. Benefits under the provisions of Sections 7-141, 7-146, 7-150 and 7-163 shall become payable to employees on authorized leave of absence, or their designated beneficiary, only if such leave of absence is creditable hereunder, and if the employee has at least one year of creditable service other than the service granted for leave of absence. Any employee contributions due may be deducted from any benefits payable.

e. No credits or creditable service shall be allowed for leave of absence without pay during any period of prior service.

5. For military service: The governing body of a municipality or participating instrumentality may elect to allow creditable service to participating employees who leave their employment to serve in the armed forces of the United States for all periods of such service, provided that the person returns to active employment within 90 days after completion of full time active duty, but no creditable service shall be allowed such person for any period that can be used in the computation of a pension or any other pay or benefit, other than pay for active duty, for service in any branch of the armed forces of the United States. If necessary to the computation of any benefit, the board shall establish municipality credits for participating employees under this paragraph on the assumption that the employee received earnings at the rate received at the time he left the employment to enter the armed forces. A participating employee in the armed forces shall not be considered an employee during such period of service and no additional death and no disability benefits are payable for death or disability during such period.

Any participating employee who left his employment with a municipality or participating instrumentality to serve in the armed forces of the United States and who again became a participating

employee within 90 days after completion of full time active duty by entering the service of a different municipality or participating instrumentality, which has elected to allow creditable service for periods of military service under the preceding paragraph, shall also be allowed creditable service for his period of military service on the same terms that would apply if he had been employed, before entering military service, by the municipality or instrumentality which employed him after he left the military service and the employer costs arising in relation to such grant of creditable service shall be charged to and paid by that municipality or instrumentality.

Notwithstanding the foregoing, any participating employee shall be entitled to creditable service as required by any federal law relating to re-employment rights of persons who served in the United States Armed Services. Such creditable service shall be granted upon payment by the member of an amount equal to the employee contributions which would have been required had the employee continued in service at the same rate of earnings during the military leave period, plus interest at the effective rate.

5.1. In addition to any creditable service established under paragraph 5 of this subsection (a), creditable service may be granted for up to 48 months of service in the armed forces of the United States.

In order to receive creditable service for military service under this paragraph 5.1, a participating employee must (1) apply to the Fund in writing and provide evidence of the military service that is satisfactory to the Board; (2) obtain the written approval of the current employer; and (3) make contributions to the Fund equal to (i) the employee contributions that would have been required had the service been rendered as a member, plus (ii) an amount determined by the board to be equal to the employer's normal cost of the benefits accrued for that military service, plus (iii) interest on items (i) and (ii) from the date of first membership in the Fund to the date of payment. The required interest shall be calculated at the regular interest rate.

The changes made to this paragraph 5.1 by Public Acts 95-483 and 95-486 ~~this amendatory Act of the 95th General Assembly~~ apply only to participating employees in service on or after August 28, 2007 (the effective date of those Public Acts) ~~its effective date~~.

6. For out-of-state service: Creditable service shall be granted for service rendered to an out-of-state local governmental body under the following conditions: The employee had participated and has irrevocably forfeited all rights to benefits in the out-of-state public employees pension system; the governing body of his participating municipality or instrumentality authorizes the employee to establish such service; the employee has 2 years current service with this municipality or participating instrumentality; the employee makes a payment of contributions, which shall be computed at 8% (normal) plus 2% (survivor) times length of service purchased times the average rate of earnings for the first 2 years of service with the municipality or participating instrumentality whose governing body authorizes the service established plus interest at the effective rate on the date such credits are established, payable from the date the employee completes the required 2 years of current service to date of payment. In no case shall more than 120 months of creditable service be granted under this provision.

7. For retroactive service: Any employee who could have but did not elect to become a participating employee, or who should have been a participant in the Municipal Public Utilities Annuity and Benefit Fund before that fund was superseded, may receive creditable service for the period of service not to exceed 50 months; however, a current or former elected or appointed official of a participating municipality may establish credit under this paragraph 7 for more than 50 months of service as an official of that municipality, if the excess over 50 months is approved by resolution of the governing body of the affected municipality filed with the Fund before January 1, 2002.

Any employee who is a participating employee on or after September 24, 1981 and who was excluded from participation by the age restrictions removed by Public Act 82-596 may receive creditable service for the period, on or after January 1, 1979, excluded by the age restriction and, in addition, if the governing body of the participating municipality or participating instrumentality elects to allow creditable service for all employees excluded by the age restriction prior to January 1, 1979, for service during the period prior to that date excluded by the age restriction. Any employee who was excluded from participation by the age restriction removed by Public Act 82-596 and who is not a participating employee on or after September 24, 1981 may receive creditable service for service after January 1, 1979. Creditable service under this paragraph shall be granted upon payment of the employee contributions which would have been required had he participated, with interest at the effective rate for each year from the end of the period of service established to date of payment.

8. For accumulated unused sick leave: A participating employee who is applying for a

retirement annuity shall be entitled to creditable service for that portion of the employee's accumulated unused sick leave for which payment is not received, as follows:

a. Sick leave days shall be limited to those accumulated under a sick leave plan established by a participating municipality or participating instrumentality which is available to all employees or a class of employees.

b. Only sick leave days accumulated with a participating municipality or participating instrumentality with which the employee was in service within 60 days of the effective date of his retirement annuity shall be credited; If the employee was in service with more than one employer during this period only the sick leave days with the employer with which the employee has the greatest number of unpaid sick leave days shall be considered.

c. The creditable service granted shall be considered solely for the purpose of computing the amount of the retirement annuity and shall not be used to establish any minimum service period required by any provision of the Illinois Pension Code, the effective date of the retirement annuity, or the final rate of earnings.

d. The creditable service shall be at the rate of 1/20 of a month for each full sick day, provided that no more than 12 months may be credited under this subdivision 8.

e. Employee contributions shall not be required for creditable service under this subdivision 8.

f. Each participating municipality and participating instrumentality with which an employee has service within 60 days of the effective date of his retirement annuity shall certify to the board the number of accumulated unpaid sick leave days credited to the employee at the time of termination of service.

9. For service transferred from another system: Credits and creditable service shall be granted for service under Article 3, 4, 5, 8, 14, or 16 of this Act, to any active member of this Fund, and to any inactive member who has been a county sheriff, upon transfer of such credits pursuant to Section 3-110.3, 4-108.3, 5-235, 8-226.7, 14-105.6, or 16-131.4, and payment by the member of the amount by which (1) the employer and employee contributions that would have been required if he had participated in this Fund as a sheriff's law enforcement employee during the period for which credit is being transferred, plus interest thereon at the effective rate for each year, compounded annually, from the date of termination of the service for which credit is being transferred to the date of payment, exceeds (2) the amount actually transferred to the Fund. Such transferred service shall be deemed to be service as a sheriff's law enforcement employee for the purposes of Section 7-142.1.

10. For service transferred from an Article 3 system under Section 3-110.8: Credits and creditable service shall be granted for service under Article 3 of this Act as provided in Section 3-110.8, to any active member of this Fund upon transfer of such credits pursuant to Section 3-110.8. If the amount by which (1) the employer and employee contributions that would have been required if he had participated in this Fund during the period for which credit is being transferred, plus interest thereon at the effective rate for each year, compounded annually, from the date of termination of the service for which credit is being transferred to the date of payment, exceeds (2) the amount actually transferred to the Fund, then the amount of creditable service established under this paragraph 10 shall be reduced by a corresponding amount in accordance with the rules and procedures established under this paragraph 10.

The board shall establish by rule the manner of making the calculation required under this paragraph 10, taking into account the appropriate actuarial assumptions; the member's service, age, and salary history; the level of funding of the employer; and any other factors that the board determines to be relevant.

Until January 1, 2010, members who transferred service from an Article 3 system under the provisions of Public Act 94-356 may establish additional credit in this Fund, but only up to the amount of the service credit reduction in that transfer, as calculated under the actuarial assumptions. This credit may be established upon payment by the member of an amount to be determined by the board, equal to (1) the amount that would have been contributed as employee and employer contributions had all the service been as an employee under this Article, plus interest thereon compounded annually from the date of service to the date of transfer, less (2) the total amount transferred from the Article 3 system, plus (3) interest on the difference at the effective rate for each year, compounded annually, from the date of the transfer to the date of payment. The additional service credit is allowed under this amendatory Act of the 95th General Assembly notwithstanding the provisions of Article 3 terminating all transferred credits on the date of transfer.

(b) Creditable service - amount:

1. One month of creditable service shall be allowed for each month for which a participating employee made contributions as required under Section 7-173, or for which creditable service is otherwise granted hereunder. Not more than 1 month of service shall be credited and counted for 1 calendar month, and not more than 1 year of service shall be credited and counted for any calendar year. A calendar month means a nominal month beginning on the first day thereof, and a calendar year means a year beginning January 1 and ending December 31.

2. A seasonal employee shall be given 12 months of creditable service if he renders the number of months of service normally required by the position in a 12-month period and he remains in service for the entire 12-month period. Otherwise a fractional year of service in the number of months of service rendered shall be credited.

3. An intermittent employee shall be given creditable service for only those months in which a contribution is made under Section 7-173.

(c) No application for correction of credits or creditable service shall be considered unless the board receives an application for correction while (1) the applicant is a participating employee and in active employment with a participating municipality or instrumentality, or (2) while the applicant is actively participating in a pension fund or retirement system which is a participating system under the Retirement Systems Reciprocal Act. A participating employee or other applicant shall not be entitled to credits or creditable service unless the required employee contributions are made in a lump sum or in installments made in accordance with board rule.

(d) Upon the granting of a retirement, surviving spouse or child annuity, a death benefit or a separation benefit, on account of any employee, all individual accumulated credits shall thereupon terminate. Upon the withdrawal of additional contributions, the credits applicable thereto shall thereupon terminate. Terminated credits shall not be applied to increase the benefits any remaining employee would otherwise receive under this Article.

(Source: P.A. 95-483, eff. 8-28-07; 95-486, eff. 8-28-07; 95-504, eff. 8-28-07; revised 11-9-07.)

Section 90. The State Mandates Act is amended by adding Section 8.32 as follows:

(30 ILCS 805/8.32 new)

Sec. 8.32. 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."

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 4627. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4627 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 4-118.1 as follows:

(40 ILCS 5/4-118.1) (from Ch. 108 1/2, par. 4-118.1)

Sec. 4-118.1. Contributions by firefighters.

(a) Beginning on the effective date of this amendatory Act of the 95th General Assembly, each firefighter shall contribute to the pension fund 7.415% of salary towards the cost of his or her pension. Beginning January 1, 1976 and until the effective date of this amendatory Act of the 91st General Assembly, each firefighter shall contribute to the pension fund 6 3/4% of salary towards the cost of his or her pension. Beginning on the effective date of this amendatory Act of the 91st General Assembly, each firefighter shall contribute to the pension fund 6.955% of salary towards the cost of his or her pension.

(b) In addition, beginning January 1, 1976, each firefighter shall contribute 1% of salary toward the cost of the increase in pension provided in Section 4-109.1; beginning January 1, 1987, such contribution shall be 1.5% of salary; beginning July 1, 2004, the contribution shall be 2.5% of salary.

(c) Beginning on the effective date of this amendatory Act of the 93rd General Assembly, each firefighter who elects to receive a pension under Section 4-109.3 and who has participated in at least one other pension fund under this Article for a period of at least one year shall contribute an additional 1.0% of

salary toward the cost of the increase in pensions provided in Section 4-109.3.

In the event that a firefighter does not elect to receive a retirement pension provided under Section 4-109.3 from one or more of the pension funds in which the firefighter has credit, he or she shall, upon withdrawal from the last pension fund as defined in Section 4-109.3, be entitled to receive, from each such fund to which he or she has paid additional contributions under this subsection (c) and from which he or she does not receive a refund under Section 4-116, a refund of those contributions without interest.

A refund of total contributions to a particular firefighter pension fund under Section 4-116 shall include any refund of additional contributions paid to that fund under this subsection (c), but a firefighter who accepts a refund from a pension fund under Section 4-116 is thereafter ineligible to receive a pension provided under Section 4-109.3 from that fund. A firefighter who meets the eligibility requirements of Section 4-109.3 may receive a pension under Section 4-109.3 from any pension fund from which the firefighter has not received a refund under Section 4-116 or under this subsection (c).

(d) "Salary" means the annual salary, including longevity, attached to the firefighter's rank, as established by the municipality appropriation ordinance, including any compensation for overtime which is included in the salary so established, but excluding any "overtime pay", "holiday pay", "bonus pay", "merit pay", or any other cash benefit not included in the salary so established.

(e) The contributions shall be deducted and withheld from the salary of firefighters.  
(Source: P.A. 93-689, eff. 7-1-04.)"

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

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 4628.

HOUSE BILL 4641. 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 4641 on page 2, line 17, after "with the", by inserting "requirements of the school's regional or national accrediting agency, if any, or"; and on page 4, immediately below line 13, by inserting the following:

"Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this amendatory Act of the 95th General Assembly, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor."

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 4648.



HOUSE BILL 4653. Having been reproduced, was taken up and read by title a second time.  
The following amendment was offered in the Committee on Executive, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 4653, on page 9, line 3, after "record." by adding the following:

"The conveyance shall be made subject to the condition that title to the buildings and the land shall revert to the State of Illinois, Department of Corrections, if Peoria County ceases to use the buildings and the land for a public purpose."

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 4664. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4664 by replacing everything after the enacting clause with the following:

"Section 5. The amount of \$12,000,000, or so much of that amount as may be necessary, is appropriated from the Capital Development Fund to the Department of Natural Resources for a grant to the Peoria Riverfront Museum for capital expenses.

Section 99. Effective date. This Act takes effect July 1, 2008."

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 4702. 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 4702 on page 2, line 23, by deleting "(b)"; and on page 3, line 1, after the period, by inserting the following:  
"The changes to this Section made by this amendatory Act of the 95th General Assembly apply to all placements in effect on July 1, 2007 and all placements thereafter."

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 4727. 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 4727 on page 2, line 10, after the period, by inserting the following:

"Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such

authority is not otherwise explicitly given. For the purposes of this paragraph, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor."

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 4730.

HOUSE BILL 4757. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4757 on page 4, immediately below line 6, by inserting the following:

"Section 30. No rulemaking authority. Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this Act. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this Act, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this Act shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this Section, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor."

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 4838, 4839 and 5017.

HOUSE BILL 5111. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5111 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Sections 7-10 and 28-6 as follows:  
(10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

Sec. 7-10. Form of petition for nomination. The name of no candidate for nomination, or State central committeeman, or township committeeman, or precinct committeeman, or ward committeeman or candidate for delegate or alternate delegate to national nominating conventions, shall be printed upon the primary ballot unless a petition for nomination has been filed in his behalf as provided in this Article in substantially the following form:

We, the undersigned, members of and affiliated with the .... party and qualified primary electors of the .... party, in the .... of ....., in the county of .... and State of Illinois, do hereby petition that the following named person or persons shall be a candidate or candidates of the .... party for the nomination for (or in case of

committeemen for election to) the office or offices hereinafter specified, to be voted for at the primary election to be held on (insert date).

Name	Office	Address
John Jones	Governor	Belvidere, Ill.
Thomas Smith	Attorney General	Oakland, Ill.

Name..... Address.....

State of Illinois)  
) ss.  
County of.....)

I, ....., do hereby certify that I reside at No. .... street, in the .... of ....., county of ....., and State of ....., that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, and are genuine, and that to the best of my knowledge and belief the persons so signing were at the time of signing the petitions qualified voters of the .... party, and that their respective residences are correctly stated, as above set forth.

Subscribed and sworn to before me on (insert date).

Each sheet of the petition other than the statement of candidacy and candidate's statement shall be of uniform size and shall contain above the space for signatures an appropriate heading giving the information as to name of candidate or candidates, in whose behalf such petition is signed; the office, the political party represented and place of residence; and the heading of each sheet shall be the same.

Such petition shall be signed by qualified primary electors residing in the political division for which the nomination is sought in their own proper persons only and opposite the signature of each signer, his residence address shall be written or printed. The residence address required to be written or printed opposite each qualified primary elector's name shall include the street address or rural route number of the signer, as the case may be, as well as the signer's county, and city, village or town, and state. However the county or city, village or town, and state of residence of the electors may be printed on the petition forms where all of the electors signing the petition reside in the same county or city, village or town, and state. Standard abbreviations may be used in writing the residence address, including street number, if any. At the bottom of each sheet of such petition shall be added a circulator statement signed by a person 18 years of age or older who is a citizen of the United States, stating the street address or rural route number, as the case may be, as well as the county, city, village or town, and state; and certifying that the signatures on that sheet of the petition were signed in his or her presence and certifying that the signatures are genuine; and either (1) indicating the dates on which that sheet was circulated, or (2) indicating the first and last dates on which the sheet was circulated, or (3) certifying that none of the signatures on the sheet were signed more than 90 days preceding the last day for the filing of the petition and certifying that to the best of his or her knowledge and belief the persons so signing were at the time of signing the petitions qualified voters of the political party for which a nomination is sought. Such statement shall be sworn to before some officer authorized to administer oaths in this State.

No petition sheet shall be circulated more than 90 days preceding the last day provided in Section 7-12 for the filing of such petition.

The person circulating the petition, or the candidate on whose behalf the petition is circulated, may strike any signature from the petition, provided that:

- (1) the person striking the signature shall initial the petition at the place where the signature is struck; and
- (2) the person striking the signature shall sign a certification listing the page number and line number of each signature struck from the petition. Such certification shall be filed as a part of the petition.

Such sheets before being filed shall be neatly fastened together in book form, by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner, and the sheets shall then be numbered consecutively. The sheets shall not be fastened by pasting them together end to end, so as to form a continuous strip or roll. All petition sheets which are filed with the proper local election officials, election authorities or the State Board of Elections shall be the original sheets which have been signed by the voters and by the circulator thereof, and not photocopies or duplicates of such sheets. Each petition

must include as a part thereof, a statement of candidacy for each of the candidates filing, or in whose behalf the petition is filed. This statement shall set out the address of such candidate, the office for which he is a candidate, shall state that the candidate is a qualified primary voter of the party to which the petition relates and is qualified for the office specified (in the case of a candidate for State's Attorney it shall state that the candidate is at the time of filing such statement a licensed attorney-at-law of this State), shall state that he has filed (or will file before the close of the petition filing period) a statement of economic interests as required by the Illinois Governmental Ethics Act, shall request that the candidate's name be placed upon the official ballot, and shall be subscribed and sworn to by such candidate before some officer authorized to take acknowledgment of deeds in the State and shall be in substantially the following form:

Statement of Candidacy				
Name	Address	Office	District	Party
John Jones	102 Main St. Belvidere, Illinois	Governor	Statewide	Republican

State of Illinois)

) ss.

County of .....

I, ....., being first duly sworn, say that I reside at .... Street in the city (or village) of ....., in the county of ....., State of Illinois; that I am a qualified voter therein and am a qualified primary voter of the .... party; that I am a candidate for nomination (for election in the case of committeeman and delegates and alternate delegates) to the office of .... to be voted upon at the primary election to be held on (insert date); that I am legally qualified (including being the holder of any license that may be an eligibility requirement for the office I seek the nomination for) to hold such office and that I have filed (or I will file before the close of the petition filing period) a statement of economic interests as required by the Illinois Governmental Ethics Act and I hereby request that my name be printed upon the official primary ballot for nomination for (or election to in the case of committeemen and delegates and alternate delegates) such office.

Signed .....

Subscribed and sworn to (or affirmed) before me by ....., who is to me personally known, on (insert date).

Signed .....

(Official Character)

(Seal, if officer has one.)

The petitions, when filed, shall not be withdrawn or added to, and no signatures shall be revoked except by revocation filed in writing with the State Board of Elections, election authority or local election official with whom the petition is required to be filed, and before the filing of such petition. Whoever forges the name of a signer upon any petition required by this Article is deemed guilty of a forgery and on conviction thereof shall be punished accordingly.

A candidate for the offices listed in this Section must obtain the number of signatures specified in this Section on his or her petition for nomination.

(a) Statewide office or delegate to a national nominating convention. If a candidate seeks to run for statewide office or as a delegate or alternate delegate to a national nominating convention elected from the State at-large, then the candidate's petition for nomination must contain at least 5,000 but not more than 10,000 signatures.

(b) Congressional office or congressional delegate to a national nominating convention. If a candidate seeks to run for United States Congress or as a congressional delegate or alternate congressional delegate to a national nominating convention elected from a congressional district, then the candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the qualified primary electors of his or her party in his or her congressional district. In the first primary election following a redistricting of congressional districts, a candidate's petition for nomination must contain at least 600 signatures of qualified primary electors of the candidate's political party in his or her congressional district.

(c) County office. If a candidate seeks to run for any countywide office, including but not limited to county board chairperson or county board member, elected on an at-large basis, in a county other than Cook County, then the candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the qualified electors of his or her party who cast votes at the last preceding general election in his or her county (or 1.5% if the county is DuPage County). If a candidate seeks to run for county board member elected from a county board district, then the candidate's petition for nomination

must contain at least the number of signatures equal to 0.5% of the qualified primary electors of his or her party in the county board district ~~(or 1.5% if the county is DuPage County)~~. In the first primary election following a redistricting of county board districts or the initial establishment of county board districts, a candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the qualified electors of his or her party in the entire county who cast votes at the last preceding general election divided by the total number of county board districts comprising the county board ~~(or 1.5% if the county is DuPage County)~~; provided that in no event shall the number of signatures be less than 25.

(d) County office; Cook County only.

(1) If a candidate seeks to run for countywide office in Cook County, then the candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the qualified electors of his or her party who cast votes at the last preceding general election in Cook County.

(2) If a candidate seeks to run for Cook County Board Commissioner, then the candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the qualified primary electors of his or her party in his or her county board district. In the first primary election following a redistricting of Cook County Board of Commissioners districts, a candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the qualified electors of his or her party in the entire county who cast votes at the last preceding general election divided by the total number of county board districts comprising the county board; provided that in no event shall the number of signatures be less than 25.

(3) If a candidate seeks to run for Cook County Board of Review Commissioner, which is elected from a district pursuant to subsection (c) of Section 5-5 of the Property Tax Code, then the candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the total number of registered voters in his or her board of review district in the last general election at which a commissioner was regularly scheduled to be elected from that board of review district. In no event shall the number of signatures required be greater than the requisite number for a candidate who seeks countywide office in Cook County under subsection (d)(1) of this Section. In the first primary election following a redistricting of Cook County Board of Review districts, a candidate's petition for nomination must contain at least 4,000 signatures or at least the number of signatures required for a countywide candidate in Cook County, whichever is less, of the qualified electors of his or her party in the district.

(e) Municipal or township office. If a candidate seeks to run for municipal or township office, then the candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the qualified primary electors of his or her party in the municipality or township. If a candidate seeks to run for alderman of a municipality, then the candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the qualified primary electors of his or her party of the ward. In the first primary election following redistricting of aldermanic wards or trustee districts of a municipality or the initial establishment of wards or districts, a candidate's petition for nomination must contain the number of signatures equal to at least 0.5% of the total number of votes cast for the candidate of that political party who received the highest number of votes in the entire municipality at the last regular election at which an officer was regularly scheduled to be elected from the entire municipality, divided by the number of wards or districts. In no event shall the number of signatures be less than 25.

(f) State central committeeperson. If a candidate seeks to run for State central committeeperson, then the candidate's petition for nomination must contain at least 100 signatures of the primary electors of his or her party of his or her congressional district.

(g) Sanitary district trustee. If a candidate seeks to run for trustee of a sanitary district in which trustees are not elected from wards, then the candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the primary electors of his or her party from the sanitary district. If a candidate seeks to run for trustee of a sanitary district in which trustees are elected from wards, then the candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the primary electors of his or her party in the ward of that sanitary district. In the first primary election following redistricting of sanitary districts elected from wards, a candidate's petition for nomination must contain at least the signatures of 150 qualified primary electors of his or her ward of that sanitary district.

(h) Judicial office. If a candidate seeks to run for judicial office in a district, then the candidate's petition for nomination must contain the number of signatures equal to 0.4% of the number of votes cast in that district for the candidate for his or her political party for the office of Governor at the last general election at which a Governor was elected, but in no event less than 500 signatures. If a candidate seeks to run for judicial office in a circuit or subcircuit, then the candidate's petition for nomination must contain the

number of signatures equal to 0.25% of the number of votes cast for the judicial candidate of his or her political party who received the highest number of votes at the last general election at which a judicial officer from the same circuit or subcircuit was regularly scheduled to be elected, but in no event less than 500 signatures.

(i) Precinct, ward, and township committeeperson. If a candidate seeks to run for precinct committeeperson, then the candidate's petition for nomination must contain at least 10 signatures of the primary electors of his or her party for the precinct. If a candidate seeks to run for ward committeeperson, then the candidate's petition for nomination must contain no less than the number of signatures equal to 10% of the primary electors of his or her party of the ward, but no more than 16% of those same electors; provided that the maximum number of signatures may be 50 more than the minimum number, whichever is greater. If a candidate seeks to run for township committeeperson, then the candidate's petition for nomination must contain no less than the number of signatures equal to 5% of the primary electors of his or her party of the township, but no more than 8% of those same electors; provided that the maximum number of signatures may be 50 more than the minimum number, whichever is greater.

(j) State's attorney or regional superintendent of schools for multiple counties. If a candidate seeks to run for State's attorney or regional Superintendent of Schools who serves more than one county, then the candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the primary electors of his or her party in the territory comprising the counties.

(k) Any other office. If a candidate seeks any other office, then the candidate's petition for nomination must contain at least the number of signatures equal to 0.5% of the registered voters of the political subdivision, district, or division for which the nomination is made or 25 signatures, whichever is greater.

For purposes of this Section the number of primary electors shall be determined by taking the total vote cast, in the applicable district, for the candidate for that political party who received the highest number of votes, statewide, at the last general election in the State at which electors for President of the United States were elected. For political subdivisions, the number of primary electors shall be determined by taking the total vote cast for the candidate for that political party who received the highest number of votes in the political subdivision at the last regular election at which an officer was regularly scheduled to be elected from that subdivision. For wards or districts of political subdivisions, the number of primary electors shall be determined by taking the total vote cast for the candidate for that political party who received the highest number of votes in the ward or district at the last regular election at which an officer was regularly scheduled to be elected from that ward or district.

A "qualified primary elector" of a party may not sign petitions for or be a candidate in the primary of more than one party.

The changes made to this Section of this amendatory Act of the 93rd General Assembly are declarative of existing law, except for item (3) of subsection (d).

Petitions of candidates for nomination for offices herein specified, to be filed with the same officer, may contain the names of 2 or more candidates of the same political party for the same or different offices.

(Source: P.A. 94-645, eff. 8-22-05; 95-699, eff. 11-9-07.)

(10 ILCS 5/28-6) (from Ch. 46, par. 28-6)

Sec. 28-6. Petitions; filing.

(a) On a written petition signed by a number of voters equal to ~~(i) through the general election in 2008, at least 8% of the total votes cast for candidates for Governor in the preceding gubernatorial election by the registered voters of the municipality, township, county or school district and (ii) beginning with elections in 2009 and thereafter, at least 11%~~ of the total ballots cast by the registered voters of the municipality, township, county, or school district in the last regular election conducted in the municipality, township, county, or school district, it shall be the duty of the proper election officers to submit any question of public policy so petitioned for, to the electors of such political subdivision at any regular election named in the petition at which an election is scheduled to be held throughout such political subdivision under Article 2A. Such petitions shall be filed with the local election official of the political subdivision or election authority, as the case may be. Where such a question is to be submitted to the voters of a municipality which has adopted Article 6, or a township or school district located entirely within the jurisdiction of a municipal board of election commissioners, such petitions shall be filed with the board of election commissioners having jurisdiction over the political subdivision.

(b) In a municipality with more than 1,000,000 inhabitants, when a question of public policy exclusively concerning a contiguous territory included entirely within but not coextensive with the municipality is initiated by resolution or ordinance of the corporate authorities of the municipality, or by a petition which may be signed by registered voters who reside in any part of any precinct all or part of which includes all or

part of the territory and who equal in number (i) ~~through the general election in 2008~~ at least 8% of the total votes cast for candidates for Governor in the preceding gubernatorial election by the voters of the precinct or precincts in the territory where the question is to be submitted to the voters and (ii) beginning with elections in 2009 and thereafter, at least 11% of the total ballots cast at the last regular election conducted in the precinct or precincts in the territory where the question is to be submitted to the voters, it shall be the duty of the election authority having jurisdiction over such municipality to submit such question to the electors throughout each precinct all or part of which includes all or part of the territory at the regular election specified in the resolution, ordinance or petition initiating the public question. A petition initiating a public question described in this subsection shall be filed with the election authority having jurisdiction over the municipality. A resolution, ordinance or petition initiating a public question described in this subsection shall specify the election at which the question is to be submitted.

(c) Local questions of public policy authorized by this Section and statewide questions of public policy authorized by Section 28-9 shall be advisory public questions, and no legal effects shall result from the adoption or rejection of such propositions.

(d) This Section does not apply to a petition filed pursuant to Article IX of the Liquor Control Act of 1934.

(Source: P.A. 95-699, eff. 11-9-07.)".

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 5226. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on Human Services, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5226 on page 1, after line 13, by inserting the following:

"Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this amendatory Act of the 95th General Assembly, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor."

AMENDMENT NO. 2. Amend House Bill 5226 on page 1, lines 7 and 11, by replacing "exploitation" each time it appears with "financial exploitation"; and on page 1, line 9, by replacing "exploit" with "financially exploit"; and on page 1, line 13, after the period, by inserting the following: "For the purpose of this Section, "financial exploitation" has the meaning described in Section 16-1.3 of the Criminal Code of 1961."

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 5511. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5511 on page 2, by replacing lines 9 through 14 with the

following:

"(g) The Department shall recommend to the General Assembly the circumstances under which a dental hygienist is prohibited from using emerging scientific techniques or technology or, alternatively, the training, experience, and supervision required in order for a dental hygienist to use such techniques or technology. Notwithstanding any other rulemaking authority that may exist, neither the Governor nor any agency or agency head under the jurisdiction of the Governor has any authority to make or promulgate rules to implement or enforce the provisions of this amendatory Act of the 95th General Assembly. If, however, the Governor believes that rules are necessary to implement or enforce the provisions of this amendatory Act of the 95th General Assembly, the Governor may suggest rules to the General Assembly by filing them with the Clerk of the House and the Secretary of the Senate and by requesting that the General Assembly authorize such rulemaking by law, enact those suggested rules into law, or take any other appropriate action in the General Assembly's discretion. Nothing contained in this amendatory Act of the 95th General Assembly shall be interpreted to grant rulemaking authority under any other Illinois statute where such authority is not otherwise explicitly given. For the purposes of this amendatory Act of the 95th General Assembly, "rules" is given the meaning contained in Section 1-70 of the Illinois Administrative Procedure Act, and "agency" and "agency head" are given the meanings contained in Sections 1-20 and 1-25 of the Illinois Administrative Procedure Act to the extent that such definitions apply to agencies or agency heads under the jurisdiction of the Governor."

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 4390.

#### **ADJOURNMENT RESOLUTION**

At the hour of 12:43 o'clock p.m., Representative Currie moved that the House do now adjourn.

The motion prevailed.

And in accordance therewith and pursuant to HOUSE JOINT RESOLUTION 110, the House stood adjourned until Tuesday, March 4, 2008, at 12:00 o'clock noon.



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

February 28, 2008

0 YEAS

0 NAYS

108 PRESENT

P Acevedo	P Dugan	P Krause	P Reboletti
P Arroyo	P Dunkin	P Lang	P Reis
P Bassi	P Dunn	E 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	E Schmitz
P Bost	P Franks	P McGuire	P Schock
P Bradley, John	P Fritchey	P Mendoza	P Scully
E Bradley, Richard	P Froehlich	P Meyer	P Smith
P Brady	P Golar	P Miller	P Sommer
P Brauer	P Gordon	P Mitchell, Bill	P Soto
P Brosnahan	P Graham	E Mitchell, Jerry	P Stephens
P Burke	P Granberg	P Moffitt	P Sullivan
P Chapa LaVia	P Hamos	E Molaro	P Tracy
P Coladipietro	P Hannig	P Mulligan	P Tryon
P Cole	P Harris	P Munson	P Turner
E Collins	P Hassert	P Myers	P Verschoore
P Colvin	P Hernandez	P Nekritz	P Wait
P Coulson	E Hoffman	P Osmond	E Washington
P Crespo	P Holbrook	P Osterman	E Watson
P Cross	P Howard	P 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	A Mr. Speaker
P Davis, Monique	P Joyce	P Pritchard	
P Davis, William	P Kosel	P Ramey	

E - Denotes Excused Absence