

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

244TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

TUESDAY, APRIL 1, 2008

12:18 O'CLOCK P.M.

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

Representative Hannig in the chair.

Prayer by Reverend Dr. Miley Palmer, Pastor at First Presbyterian Church of Decatur.

Representative McCarthy 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:
107 present. (ROLL CALL 1)

By unanimous consent, Representatives Black, Richard Bradley, Collins, Fortner, Mulligan, Osterman, Pihos, Washington and Watson were excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Feigenholtz, should be recorded as present at the hour of 1:20 o'clock p.m.

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

LETTER OF TRANSMITTAL

April 1, 2008

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

Dear Clerk Mahoney:

Please be advised that I am extending the Committee Deadline to April 18, 2008 for House Bills:

House Bills: 4548, 5370 and 5849.

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

With kindest personal regards, I remain.

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

April 10, 2008

Mark Mahoney
Clerk of the Illinois House
Room 402 Capitol Building
Springfield, IL 62706

Dear Mr. Mahoney:

On Wednesday April 1, 2008, I was absent from the House but was mistakenly recorded as present. Please reflect in any pertinent records that I was not present for the House session on this day. Thank you for your attention to this matter.

Sincerely,
s/Kurt Granberg
State Representative
107th District

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Lang replaced Representative Turner in the Committee on Rules on April 1, 2008.

Representative Lyons replaced Representative Hannig in the Committee on Rules (A) on April 1, 2008.

Representative Beaubien replaced Representative Black in the Committee on Rules (A) on April 1, 2008.

REPORTS FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 1, 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 Second Reading--Short Debate: HOUSE BILLS 2971 and 3203.

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

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

Amendment No. 2 to HOUSE BILL 4571.
Amendment No. 2 to HOUSE BILL 4890.
Amendment No. 1 to HOUSE BILL 5536.
Amendment No. 2 to HOUSE BILL 5731.
Amendment No. 2 to HOUSE BILL 5907.
Amendment No. 1 to HOUSE BILL 5909.
Amendment No. 1 to HOUSE BILL 5912.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Agriculture & Conservation: HOUSE AMENDMENT No. 1 to HOUSE BILL 2825.
Appropriations-Human Services: HOUSE BILL 6310.
Elementary & Secondary Education: HOUSE AMENDMENT No. 1 to HOUSE BILL 3139.
Executive: HOUSE AMENDMENT No. 1 to HOUSE BILL 2692.
Health Care Availability and Access: HOUSE AMENDMENT No. 3 to HOUSE BILL 4223.
Judiciary I - Civil Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 4869.
Judiciary II - Criminal Law: HOUSE AMENDMENT No. 3 to HOUSE BILL 1831; HOUSE AMENDMENT No. 1 to HOUSE BILL 2757 and HOUSE AMENDMENT No. 1 to HOUSE BILL 2860.
Local Government: HOUSE BILL 5849.
Revenue: HOUSE BILL 4548 and HOUSE AMENDMENT No. 1 to HOUSE BILL 2957.
State Government Administration: HOUSE AMENDMENT No. 1 to HOUSE BILL 2405.
Veterans Affairs: HOUSE BILL 5370.

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

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

Y Currie(D), Chairperson

A Black(R), Republican Spokesperson

Y Hannig(D)

Y Hassert(R)

Y Lang(D) (replacing Turner)

LEGISLATIVE MEASURES REASSIGNED TO COMMITTEE:

Amendment No. 3 to HOUSE BILL 1831 was recalled from the House Floor and reassigned to the Committee on Rules.

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

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

Y Currie(D), Chairperson

A Black(R), Republican Spokesperson

Y Hannig(D)

Y Hassert(R)

Y Lang(D) (replacing Turner)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 1, 2008, (A) reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

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

Amendment No. 2 to HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 28.

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

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

Y Currie(D), Chairperson

Y Beaubien(R) (replacing Black)

Y Lyons(D) (replacing Hannig)

A Hassert(R)

Y Turner(D)

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for HOUSE BILLS 4612, as amended, 4862, as amended, 5109, as amended, 5215, 5579, 5613, as amended, and 5755.

STATE DEBT IMPACT NOTE SUPPLIED

A State Debt Impact Note has been supplied for HOUSE BILL 5755, as amended.

PENSION NOTES SUPPLIED

Pension Notes have been supplied for HOUSE BILLS 5158 and 5755, as amended.

REQUEST FOR PENSION NOTE

Representative Eddy requested that a Pension Note be supplied for HOUSE BILL 4731, as amended.

REQUEST FOR FISCAL NOTES

Representative Brauer requested that a Fiscal Note be supplied for HOUSE BILL 5156, as amended.

Representative Black requested that a Fiscal Note be supplied for HOUSE BILL 5231, as amended.

Representative Osmond requested that a Fiscal Note be supplied for HOUSE BILL 5731, as amended.

REQUEST FOR STATE MANDATES FISCAL NOTE

Representative Osmond requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 5731, as amended.

REQUEST FOR JUDICIAL NOTE

Representative Osmond requested that a Judicial Note be supplied for HOUSE BILL 5731, as amended.

MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Shipley, Secretary:

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

- SENATE BILL NO. 1850
A bill for AN ACT concerning transportation.
- SENATE BILL NO. 1881
A bill for AN ACT concerning criminal law.
- SENATE BILL NO. 1887
A bill for AN ACT concerning criminal law.
- SENATE BILL NO. 1923
A bill for AN ACT concerning education.
- SENATE BILL NO. 1939
A bill for AN ACT concerning education.
- SENATE BILL NO. 1957
A bill for AN ACT concerning public employee benefits.
- SENATE BILL NO. 1979
A bill for AN ACT concerning regulation.
- SENATE BILL NO. 1981
A bill for AN ACT concerning State government.
- SENATE BILL NO. 1984
A bill for AN ACT concerning agriculture.
- SENATE BILL NO. 1997
A bill for AN ACT concerning education.
- SENATE BILL NO. 2005
A bill for AN ACT concerning local government.
- SENATE BILL NO. 2012
A bill for AN ACT concerning public health.
- SENATE BILL NO. 2014
A bill for AN ACT concerning local government.
- SENATE BILL NO. 2015
A bill for AN ACT concerning economic development.
- SENATE BILL NO. 2017
A bill for AN ACT concerning environmental safety.

SENATE BILL NO. 2021
A bill for AN ACT concerning gaming.
SENATE BILL NO. 2031
A bill for AN ACT concerning local government.
SENATE BILL NO. 2034
A bill for AN ACT concerning regulation.
SENATE BILL NO. 2044
A bill for AN ACT concerning civil law.
SENATE BILL NO. 2047
A bill for AN ACT concerning courts.
SENATE BILL NO. 2049
A bill for AN ACT concerning criminal law.
SENATE BILL NO. 2053
A bill for AN ACT concerning courts.
SENATE BILL NO. 2070
A bill for AN ACT concerning local government.
SENATE BILL NO. 2077
A bill for AN ACT concerning local government.
SENATE BILL NO. 2078
A bill for AN ACT concerning public employee benefits.
SENATE BILL NO. 2102
A bill for AN ACT concerning employment.
Passed by the Senate, April 1, 2008.

Deborah Shipley, Secretary of the Senate

The foregoing SENATE BILLS 1850, 1881, 1887, 1923, 1939, 1957, 1979, 1981, 1984, 1997, 2005, 2012, 2014, 2015, 2017, 2021, 2031, 2034, 2044, 2047, 2049, 2053, 2070, 2077, 2078 and 2102 were ordered reproduced and placed on the order of Senate Bills - First Reading.

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

SENATE BILL NO. 2135
A bill for AN ACT concerning criminal law.
SENATE BILL NO. 2149
A bill for AN ACT concerning transportation.
SENATE BILL NO. 2157
A bill for AN ACT concerning environmental safety.
SENATE BILL NO. 2159
A bill for AN ACT concerning criminal law.
SENATE BILL NO. 2160
A bill for AN ACT concerning local government.
SENATE BILL NO. 2162
A bill for AN ACT concerning local government.
SENATE BILL NO. 2187
A bill for AN ACT concerning regulation.
SENATE BILL NO. 2190
A bill for AN ACT concerning elections.
SENATE BILL NO. 2191
A bill for AN ACT concerning elections.
SENATE BILL NO. 2198
A bill for AN ACT concerning criminal law.

SENATE BILL NO. 2239
 A bill for AN ACT concerning special districts.

SENATE BILL NO. 2240
 A bill for AN ACT concerning human rights.

SENATE BILL NO. 2252
 A bill for AN ACT concerning burn injury reporting.

SENATE BILL NO. 2292
 A bill for AN ACT concerning local government.

SENATE BILL NO. 2294
 A bill for AN ACT concerning criminal law.

SENATE BILL NO. 2298
 A bill for AN ACT concerning local government.

SENATE BILL NO. 2301
 A bill for AN ACT concerning revenue.

SENATE BILL NO. 2304
 A bill for AN ACT concerning taxes.

SENATE BILL NO. 2314
 A bill for AN ACT concerning elections.

SENATE BILL NO. 2327
 A bill for AN ACT concerning State government.

SENATE BILL NO. 2336
 A bill for AN ACT concerning State government.

SENATE BILL NO. 2338
 A bill for AN ACT concerning regulation.

SENATE BILL NO. 2352
 A bill for AN ACT concerning education.

SENATE BILL NO. 2353
 A bill for AN ACT concerning revenue.

SENATE BILL NO. 2365
 A bill for AN ACT concerning criminal law.

SENATE BILL NO. 2382
 A bill for AN ACT concerning criminal law.

SENATE BILL NO. 2387
 A bill for AN ACT concerning education.

SENATE BILL NO. 2401
 A bill for AN ACT concerning children.

SENATE BILL NO. 2404
 A bill for AN ACT concerning finance.

SENATE BILL NO. 2473
 A bill for AN ACT concerning health care.

Passed by the Senate, April 1, 2008.

Deborah Shipley, Secretary of the Senate

The foregoing SENATE BILLS 2135, 2149, 2157, 2159, 2160, 2162, 2187, 2190, 2191, 2198, 2239, 2240, 2252, 2292, 2294, 2298, 2301, 2304, 2314, 2327, 2336, 2338, 2352, 2353, 2365, 2382, 2387, 2401, 2404 and 2473 were ordered reproduced and placed on the order of Senate Bills - First Reading.

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Hassert became the new principal sponsor of HOUSE BILL 2860.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Hassert became the new principal sponsor of HOUSE BILL 3139.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Brauer became the new principal sponsor of HOUSE BILL 5849.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Bellock became the new principal sponsor of HOUSE BILL 3203.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Osmond became the new principal sponsor of HOUSE BILL 2971.

With the consent of the affected members, Representative Rose was removed as principal sponsor, and Representative Cultra became the new principal sponsor of HOUSE BILL 5243.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 1090

Offered by Representative Colvin:
Mourns the death of Edward Maye Jr. of Chicago.

HOUSE RESOLUTION 1091

Offered by Representative Acevedo:
Congratulates Desiree Garcia of Pilsen Elementary Community Academy on winning Lieutenant Governor Pat Quinn's Statewide essay contest and one of 33 laptop computers.

HOUSE RESOLUTION 1094

Offered by Representative Flider:
Recognizes the African-American Cultural and Genealogical Society of Illinois.

HOUSE RESOLUTION 1095

Offered by Representative Poe:
Congratulates the congregation of the Zion Missionary Baptist Church on the occasion of the church's 170th anniversary.

HOUSE RESOLUTION 1096

Offered by Representative Cross:
Congratulates the Troy Middle School 7th Grade Basketball Team for their victories in the 74a Regional 7 Championship and 74a Sectional 4 Championship, and their admirable 4th place finish at the State tournament.

HOUSE RESOLUTION 1097

Offered by Representative Reitz:
Congratulates Monsignor Jerome Hartlein on the 50th anniversary of his ordination.

HOUSE RESOLUTION 1098

Offered by Representative Biggins:
Congratulates Shirley L. Myers on the occasion of being the recipient of the Elmhurst Jaycees Distinguished Service Award.

HOUSE RESOLUTION 1099

Offered by Representative Hassert:
Congratulates John Mezera on his retirement as City Manager of Joliet.

HOUSE RESOLUTION 1100

Offered by Representative Hassert:
Congratulates William Barney, Principal of Reed School in Will County School District 92, on his retirement.

HOUSE RESOLUTION 1102

Offered by Representative Cole:
Congratulates Jacob Carey on the occasion of achieving the rank of Eagle Scout.

HOUSE RESOLUTION 1103

Offered by Representative Cole:
Congratulates Ryan Ornstein on the occasion of achieving the rank of Eagle Scout.

HOUSE RESOLUTION 1104

Offered by Representative Flider:
Mourns the death of Harry W. Ashworth of Decatur.

HOUSE RESOLUTION 1105

Offered by Representative Arroyo:
Mourns the death of Jackie L. Anderson.

HOUSE RESOLUTION 1106

Offered by Representative Granberg:
Congratulates Bob Carlock on the occasion of his retirement from Rend Lake College.

HOUSE RESOLUTION 1107

Offered by Representative Granberg:
Congratulates Mark Lamping on the occasion of his retirement as President of the St. Louis Cardinals.

HOUSE RESOLUTION 1108

Offered by Representative Howard:
Mourns the death of Vince Gillon, founder and former Executive Director of Carepoint Adult, Child and Family Association.

HOUSE RESOLUTION 1109

Offered by Representative Poe:
Congratulates Stella Ruth Pettiford on the occasion of her 90th birthday.

HOUSE RESOLUTION 1110

Offered by Representative Kosel:
Mourns the death of Darlene Bohne of Frankfort.

HOUSE RESOLUTION 1112

Offered by Representative Crespo:

Congratulates the congregation of the Beth Tikvah Congregation in Hoffman Estates on the occasion of the congregation's 50th anniversary.

HOUSE RESOLUTION 1113

Offered by Representative William Davis:

Congratulates Homewood Police Chief Larry Burnson on the occasion of being selected by the Illinois State Crime Commission as the 2008 Police Chief of the Year.

HOUSE RESOLUTION 1114

Offered by Representative D'Amico:

Congratulates the City of Chicago Department of Water Management for their great job representing the City of Chicago in the Illinois section of the American Water Works Association Water Main Tapping Competition.

HOUSE RESOLUTION 1119

Offered by Representative Hamos:

Congratulates the Jewish Reconstructionist Congregation on the occasion of its community dedication weekend on April 11-13, 2008.

HOUSE JOINT RESOLUTION 116

Offered by Representative Yarbrough:

Congratulates the members of West Suburban Access News Association on the occasion of having over 100,000 visitors to their website, WSANA.org.

HOUSE BILL ON THIRD READING

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

On motion of Representative Bassi, HOUSE BILL 4159 was taken up and read by title a third time.

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

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

(ROLL CALL 2)

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

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

RECALL

At the request of the principal sponsor, Representative Beaubien, HOUSE BILL 4454 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON THIRD READING

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

On motion of Representative Beiser, HOUSE BILL 4602 was taken up and read by title a third time.

The Chair placed this bill on standard debate.

And the question being, "Shall this bill pass?"

Pending the vote on said bill, on motion of Representative Beiser, further consideration of HOUSE BILL 4602 was postponed.

On motion of Representative Berrios, HOUSE BILL 4881 was taken up and read by title a third time.

The Chair placed this bill on standard debate.

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

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

(ROLL CALL 3)

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

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

On motion of Representative Acevedo, HOUSE BILL 4628 was taken up and read by title a third time.

The Chair placed this bill on standard debate.

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

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

(ROLL CALL 4)

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

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

On motion of Representative Cole, HOUSE BILL 5930 was taken up and read by title a third time.

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

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

(ROLL CALL 5)

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

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

On motion of Representative Currie, HOUSE BILL 4705 was taken up and read by title a third time.

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

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

(ROLL CALL 6)

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

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

On motion of Representative Dugan, HOUSE BILL 5017 was taken up and read by title a third time.

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

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

(ROLL CALL 7)

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

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

On motion of Representative Eddy, HOUSE BILL 5768 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 107, Yeas; 1, Nay; 0, Answering Present.

(ROLL CALL 8)

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

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

On motion of Representative Flider, HOUSE BILL 5898 was taken up and read by title a third time. The Chair placed this bill on standard debate.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 101, Yeas; 3, Nays; 4, Answering Present.

(ROLL CALL 9)

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

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

On motion of Representative Coulson, HOUSE BILL 5717 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 10)

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

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

On motion of Representative Froehlich, HOUSE BILL 5111 was taken up and read by title a third time.

The Chair placed this bill on standard debate.

And the question being, "Shall this bill pass?"

Pending the vote on said bill, on motion of Representative Froehlich, further consideration of HOUSE BILL 5111 was postponed.

On motion of Representative Hamos, HOUSE BILL 5699 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 75, Yeas; 33, Nays; 0, Answering Present.

(ROLL CALL 11)

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

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

On motion of Representative Harris, HOUSE BILL 4456 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 107, Yeas; 1, Nay; 0, Answering Present.

(ROLL CALL 12)

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

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

On motion of Representative Holbrook, HOUSE BILL 5212 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 13)

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

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

On motion of Representative Lang, HOUSE BILL 4232 was taken up and read by title a third time.

The Chair placed this bill on standard debate.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 86, Yeas; 21, Nays; 0, Answering Present.

(ROLL CALL 14)

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

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

On motion of Representative Mathias, HOUSE BILL 4165 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 15)

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

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

On motion of Representative Mautino, HOUSE BILL 5648 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 16)

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

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

On motion of Representative Bill Mitchell, HOUSE BILL 4251 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 17)

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

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

On motion of Representative May, HOUSE BILL 4391 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 79, Yeas; 28, Nays; 0, Answering Present.

(ROLL CALL 18)

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

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

RECALL

At the request of the principal sponsor, Representative Mendoza, HOUSE BILL 4943 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON THIRD READING

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

On motion of Representative Miller, HOUSE BILL 5109 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 19)

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

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

On motion of Representative Jerry Mitchell, HOUSE BILL 4726 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 20)

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

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

On motion of Representative Moffitt, HOUSE BILL 5655 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 107, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 21)

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

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

On motion of Representative Myers, HOUSE BILL 5776 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 22)

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

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

On motion of Representative Ramey, HOUSE BILL 5505 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 107, Yeas; 1, Nay; 0, Answering Present.

(ROLL CALL 23)

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

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

On motion of Representative Ryg, HOUSE BILL 5572 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 24)

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

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

On motion of Representative Schmitz, HOUSE BILL 5193 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 25)

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

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

RECALL

At the request of the principal sponsor, Representative Soto, HOUSE BILL 5000 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON THIRD READING

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

On motion of Representative Tracy, HOUSE BILL 4179 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 26)

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

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

On motion of Representative Tryon, HOUSE BILL 4765 was taken up and read by title a third time. The Chair placed this bill on standard debate.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 27)

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

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

On motion of Representative Verschoore, HOUSE BILL 1054 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 28)

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

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

On motion of Representative Colvin, HOUSE BILL 5038 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 29)

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

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

On motion of Representative Feigenholtz, HOUSE BILL 4573 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 30)

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

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

On motion of Representative Hoffman, HOUSE BILL 5494 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 31)

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

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

On motion of Representative Jakobsson, HOUSE BILL 4642 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 32)

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

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

On motion of Representative Reitz, HOUSE BILL 5614 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 106, Yeas; 0, Nays; 2, Answering Present.

(ROLL CALL 33)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 4867. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4867, on page 4, immediately below line 10, 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."

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 4202. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4202 on page 5, by inserting below line 6 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 4687.

SENATE BILL 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: SENATE BILL 1874.

HOUSE BILLS ON SECOND READING

HOUSE BILL 4578. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4578 by replacing the title with the following:
"Section 5. The Abused and Neglected Child Reporting Act is amended by adding Section 4.5 as follows:

(325 ILCS 5/4.5 new)

Sec. 4.5. Electronic and information technology workers; reporting child pornography.

(a) In this Section:

"Child pornography" means child pornography as described in Section 11-20.1 of the Criminal Code of 1961.

"Electronic and information technology equipment" means equipment used in the creation, manipulation, storage, display, or transmission of data, including internet and intranet systems, software applications, operating systems, video and multimedia, telecommunications products, kiosks, information transaction machines, copiers, printers, and desktop and portable computers.

"Electronic and information technology equipment worker" means a person who in the scope and course of his or her employment or business installs, repairs, or otherwise services electronic and information technology equipment for a fee but does not include (i) an employee, independent contractor, or other agent of a telecommunications carrier or telephone or telecommunications cooperative, as those terms are defined in the Public Utilities Act, or (ii) an employee, independent contractor, or other agent of a provider of commercial mobile radio service, as defined in 47 C.F.R. 20.3.

(b) If an electronic and information technology equipment worker discovers any depiction of child pornography while installing, repairing, or otherwise servicing an item of electronic and information technology equipment, that worker or the worker's employer shall immediately report the discovery to the local law enforcement agency or to the Cyber Tipline at the National Center for Missing & Exploited Children.

(c) If a report is filed in accordance with the requirements of 42 U.S.C. 13032, the requirements of this Section 4.5 will be deemed to have been met.

(d) An electronic and information technology equipment worker who reports a discovery of child pornography as required under this Section is immune from any criminal, civil, or administrative liability in connection with making the report, except for willful or wanton misconduct.

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 4668. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Environment & Energy, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 4668 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 5-401.3 as follows:

(625 ILCS 5/5-401.3) (from Ch. 95 1/2, par. 5-401.3)

Sec. 5-401.3. Scrap processors and recyclable metal dealers required to keep records.

(a) Every person licensed or required to be licensed as a scrap processor pursuant to Section 5-301 of this Chapter, and every recyclable metal dealer as defined in Section 1-169.3 of this Code, shall maintain for 3 years, at his established place of business, the following records relating to the acquisition of scrap metals or recyclable metal or the acquisition of a vehicle, junk vehicle, or vehicle cowl which has been acquired for the purpose of processing into a form other than a vehicle, junk vehicle or vehicle cowl which is possessed in the State or brought into this State from another state, territory or country. No scrap metal processor or recyclable metal dealer shall sell a vehicle or essential part, as such, except for engines, transmissions, and powertrains, unless licensed to do so under another provision of this Code. A scrap processor or recyclable metal dealer who is additionally licensed as an automotive parts recycler shall not be subject to the record keeping requirements for a scrap processor or recyclable metal dealer when acting as an automotive parts recycler.

(1) For a vehicle, junk vehicle, or vehicle cowl acquired from a person who is licensed under this Chapter, the scrap processor or recyclable metal dealer shall record the name and address of the person, and the Illinois or out-of-state dealer license number of such person on the scrap processor or recyclable metal dealer's weight ticket at the time of the acquisition. The person disposing of the vehicle, junk vehicle, or vehicle cowl shall furnish the scrap processor or recyclable metal dealer with documentary proof of ownership of the vehicle, junk vehicle, or vehicle cowl in one of the following forms: a Certificate of Title, a Salvage Certificate, a Junking Certificate, a Secretary of State Junking Manifest, a Uniform Invoice, a Certificate of Purchase, or other similar documentary proof of ownership. The scrap processor or recyclable metal dealer shall not acquire a vehicle, junk vehicle or vehicle cowl without obtaining one of the aforementioned documentary proofs of ownership.

(2) For a vehicle, junk vehicle or vehicle cowl acquired from a person who is not licensed under this Chapter, the scrap processor or recyclable metal dealer shall verify and record that person's identity by recording the identification of such person from at least 2 sources of identification, one of which shall be a driver's license or State Identification Card, on the scrap processor or recyclable metal dealer's weight ticket at the time of the acquisition. The person disposing of the vehicle, junk vehicle, or vehicle cowl shall furnish the scrap processor or recyclable metal dealer with documentary proof of ownership of the vehicle, junk vehicle, or vehicle cowl in one of the following forms: a Certificate of Title, a Salvage Certificate, a Junking Certificate, a Secretary of State Junking Manifest, a Certificate of Purchase, or other similar documentary proof of ownership. The scrap processor or recyclable metal dealer shall not acquire a vehicle, junk vehicle or vehicle cowl without obtaining one of the aforementioned documentary proofs of ownership.

(3) In addition to the other information required on the scrap processor or recyclable metal dealer's weight ticket, a scrap processor or recyclable metal dealer who at the time of acquisition of a vehicle, junk vehicle, or vehicle cowl is furnished a Certificate of Title, Salvage Certificate or Certificate of Purchase shall record the vehicle Identification Number on the weight ticket or affix a copy of the Certificate of Title, Salvage Certificate or Certificate of Purchase to the weight ticket and the identification of the person acquiring the information on the behalf of the scrap processor or recyclable metal dealer.

(4) The scrap processor or recyclable metal dealer shall maintain a copy of a Junk Vehicle Notification relating to any Certificate of Title, Salvage Certificate, Certificate of Purchase or similarly acceptable out-of-state document surrendered to the Secretary of State pursuant to the provisions of Section 3-117.2 of this Code.

(5) For scrap metals or recyclable metal valued at ~~\$50~~ \$100 or more, the scrap processor or recyclable metal dealer shall, ~~for each transaction, verify and record~~ the following information:

(A) the identity of the person from whom the scrap metals or recyclable metal were acquired by ~~verifying~~ recording the identification of that person from one source of identification, which shall be a valid driver's license or State Identification Card, on the scrap processor or recyclable metal dealer's weight ticket at the time of the acquisition and by making and recording a photocopy or electronic scan of the driver's license or State Identification Card;

(B) the name and address of the scrap processor or recyclable metal dealer;

(C) the name, initials, or other identification of the person who is verifying the identification required in item (5)(A) of this subsection;

(D) the date and place of each purchase;

(E) the motor vehicle license number of the vehicle or conveyance on which the scrap metals or recyclable metal were delivered to the scrap processor or recyclable metal dealer;

(F) the amount of consideration given for the scrap metals or recyclable metal and a copy of the cancelled check;

(G) a description of the scrap metals or recyclable metal purchased, including the weight and whether it consists of copper bars, cable ingots, rods, tubing, wire, wire scraps, clamps, connectors or other appurtenances or some combination thereof; and

(H) a statement signed by the seller or the seller's agent certifying that the seller or the seller's agent has the lawful right to sell and dispose of the scrap metals or recyclable metal.

The information required to be recorded under this subsection shall be maintained in a separate register by the scrap processor or recyclable metal dealer and shall be retained for 3 years in accordance with this subsection (a). Such information shall be available for inspection by any law enforcement official.

If the person delivering the scrap metals or recyclable metal either (i) does not have a valid driver's license or State identification card or (ii) is a minor, the scrap processor or recyclable metal dealer shall not complete the transaction. The inspection of records pertaining only to scrap metals shall not be counted as an

inspection of a premises for purposes of subparagraph (7) of Section 5-403 of this Code.

This subdivision (a)(5) does not apply to electrical contractors, to agencies or instrumentalities of the State of Illinois or of the United States, to common carriers, to purchases from persons, firms, or corporations regularly engaged in the business of manufacturing recyclable metal, in the business of selling recyclable metal at retail or wholesale, or in the business of razing, demolishing, destroying, or removing buildings, to the purchase by one recyclable metal dealer from another, or the purchase from persons, firms, or corporations engaged in either the generation, transmission, or distribution of electric energy or in telephone, telegraph, and other communications if such common carriers, persons, firms, or corporations at the time of the purchase provide the recyclable metal dealer with a bill of sale or other written evidence of title to the recyclable metal. This subdivision (a)(5) also does not apply to contractual arrangements between dealers.

(b) Any licensee or recyclable metal dealer who knowingly fails to record any of the specific information required to be recorded on the weight ticket or required under any other subsection of this Section or who knowingly fails to acquire and maintain for 3 years documentary proof of ownership in one of the prescribed forms shall be guilty of a Class A misdemeanor and subject to a fine not to exceed \$1,000. Each violation shall constitute a separate and distinct offense and a separate count may be brought in the same complaint for each violation. Any licensee or recyclable metal dealer who commits a second violation of this Section within two years of a previous conviction of a violation of this Section shall be guilty of a Class 4 felony.

(c) It shall be an affirmative defense to an offense brought under paragraph (b) of this Section that the licensee or recyclable metal dealer or person required to be licensed both reasonably and in good faith relied on information appearing on a Certificate of Title, a Salvage Certificate, a Junking Certificate, a Secretary of State Manifest, a Secretary of State's Uniform Invoice, a Certificate of Purchase, or other documentary proof of ownership prepared under Section 3-117.1 (a) of this Code, relating to the transaction for which the required record was not kept which was supplied to the licensee or recyclable metal dealer by another licensee or recyclable metal dealer or an out-of-state dealer.

(d) No later than 15 days prior to going out of business, selling the business, or transferring the ownership of the business, the scrap processor or recyclable metal dealer shall notify the Secretary of that fact. Failure to so notify the Secretary of State shall constitute a failure to keep records under this Section.

(e) Evidence derived directly or indirectly from the keeping of records required to be kept under this Section shall not be admissible in a prosecution of the licensee or recyclable metal dealer for an alleged violation of Section 4-102 (a)(3) of this Code.

(f) 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.

(Source: P.A. 95-253, eff. 1-1-08.)

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 4622. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Environment & Energy, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 4622 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by changing Section 22.38 as follows:

(415 ILCS 5/22.38)

Sec. 22.38. Facilities accepting exclusively general construction or demolition debris for transfer, storage, or treatment.

(a) Facilities accepting exclusively general construction or demolition debris for transfer, storage, or treatment shall be subject to local zoning, ordinance, and land use requirements. Those facilities shall be located in accordance with local zoning requirements or, in the absence of local zoning requirements, shall be located so that no part of the facility boundary is closer than 1,320 feet from the nearest property zoned for primarily residential use.

(b) An owner or operator of a facility accepting exclusively general construction or demolition debris for transfer, storage, or treatment shall:

(1) within 48 hours of receipt of the general construction or demolition debris at the facility, sort the general construction or demolition debris to separate the recyclable general construction or demolition debris from non-recyclable general construction or demolition debris to be disposed of or discarded;

(2) transport off site for disposal all non-recyclable general construction or demolition debris in accordance with all applicable federal, State, and local requirements within 72 hours of its receipt at the facility;

(3) limit the percentage of incoming non-recyclable general construction or demolition debris to 25% or less of the total incoming general construction or demolition debris, as calculated on a daily basis;

(4) transport all non-putrescible recyclable general construction or demolition debris for recycling or disposal within 6 months of its receipt at the facility;

(5) transport all putrescible or combustible recyclable general construction or demolition debris for recycling or disposal within 45 days of its receipt at the facility;

(6) employ tagging and recordkeeping procedures to (i) demonstrate compliance with this Section and (ii) identify the source and transporter of material accepted by the facility;

(7) control odor, noise, combustion of materials, disease vectors, dust, and litter;

(8) control, manage, and dispose of any storm water runoff and leachate generated at the facility in accordance with applicable federal, State, and local requirements;

(9) control access to the facility;

(10) comply with all applicable federal, State, or local requirements for the handling, storage, transportation, or disposal of asbestos-containing material or other material accepted at the facility that is not general construction or demolition debris; and

(11) submit to the Agency at least 30 days prior to the initial acceptance of general construction or demolition debris at the facility, on forms provided by the Agency, the following information:

(A) the name, address, and telephone number of both the facility owner and operator;

(B) the street address and location of the facility;

(C) a description of facility operations;

(D) a description of the tagging and recordkeeping procedures the facility will

employ to (i) demonstrate compliance with this Section and (ii) identify the source and transporter of any material accepted by the facility;

(E) the name and location of the disposal site to be used for the transportation and disposal of non-recyclable materials accepted at the facility;

(F) the name and location of an individual, facility, or business to which recyclable materials will be transported; and

(G) other information as specified on the form provided by the Agency.

When any of the information contained or processes described in the initial notification form submitted to the Agency changes, the owner and operator shall submit an updated form within 14 days of the change.

(c) For purposes of this Section, the term "recyclable general construction or demolition debris" means general construction or demolition debris that has been rendered reusable and is reused or that would otherwise be disposed of or discarded but is collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products. "Recyclable general construction or demolition debris" does not include general construction or demolition debris processed for use as fuel, incinerated, burned, buried, or otherwise used as fill material. "Recyclable general construction or demolition debris" does, however, include wood that is salvaged from general construction or demolition debris and that is processed for use as fuel if the requirements for the acceptance and combustion of the wood fuel are included in a fuel specification that is approved for the combustor in a permit issued by the Agency and if:

(1) the processing of salvaged wood into wood fuel in accordance with applicable permit requirements removes all foreign materials (including, without limitation, electrical wiring, metal and plastic objects, brick, stone, insulation, cardboard, and paper) and contaminated wood (including, without limitation, preserved wood, painted wood, laminated wood, particle board, and chemical-stained or oil-stained wood);
or

(2) the wood salvaged for processing into wood fuel in accordance with applicable permit requirements and that has not had all foreign materials and contaminated wood removed is supplied only to intermediaries or end-users that have obtained all necessary waste management and air permits for handling and combustion of the wood fuel.

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.

(d) For purposes of this Section, "treatment" means processing designed to alter the physical nature of the general construction or demolition debris, including but not limited to size reduction, crushing, grinding, or homogenization, but does not include processing designed to change the chemical nature of the general construction or demolition debris.

(Source: P.A. 90-475, eff. 8-17-97.)

Section 10. The Illinois Solid Waste Management Act is amended by changing Section 2.1 as follows: (415 ILCS 20/2.1) (from Ch. 111 1/2, par. 7052.1)

Sec. 2.1. Definitions. When used in this Act, unless the context otherwise requires, the following terms have the meanings ascribed to them in this Section:

"Department", when a particular entity is not specified, means (i) in the case of a function to be performed on or after July 1, 1995 (the effective date of the Department of Natural Resources Act), the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity), as successor to the former Department of Energy and Natural Resources under the Department of Natural Resources Act; or (ii) in the case of a function required to be performed before July 1, 1995, the former Illinois Department of Energy and Natural Resources.

"Deinked stock" means paper that has been processed to remove inks, clays, coatings, binders and other contaminants.

"End product" means only those items that are designed to be used until disposal; items designed to be used in production of a subsequent item are excluded.

"High grade printing and writing papers" includes offset printing paper, duplicator paper, writing paper (stationery), office paper, note pads, xerographic paper, envelopes, form bond including computer paper and carbonless forms, book papers, bond papers, ledger paper, book stock and cotton fiber papers.

"Paper and paper products" means high grade printing and writing papers, tissue products, newsprint, unbleached packaging and recycled paperboard.

"Postconsumer material" means only those products generated by a business or consumer which have served their intended end uses, and which have been separated or diverted from solid waste; wastes

generated during production of an end product are excluded.

"Recovered paper material" means paper waste generated after the completion of the papermaking process, such as postconsumer materials, envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock. "Recovered paper material", however, does not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous byproducts of harvesting, extraction or woodcutting processes, or forest residues such as bark.

"Recycled paperboard" includes recycled paperboard products, folding cartons and pad backing.

"Recycling" means the process by which solid waste is collected, separated and processed for reuse as either a raw material or a product which itself is subject to recycling, but does not include the combustion of waste for energy recovery or volume reduction. "Recycling," however, does include the combustion of wood or other biomass fuel for energy recovery if the requirements for acceptance and combustion of the wood or other biomass fuel are included in a fuel specification approved for the combustor in a permit issued by the Agency and if:

(1) the wood or other biomass is salvaged from non-hazardous, solid waste and converted into fuel in accordance with applicable permit requirements using a process that removes all foreign materials (including, without limitation, electrical wiring, metal and plastic objects, brick, stone, insulation, cardboard, and paper) and contaminated wood (including, without limitation, preserved wood, painted wood, laminated wood, particle board, and chemical-stained or oil-stained wood); or

(2) the wood or other biomass is salvaged from non-hazardous, solid waste and converted into fuel in accordance with applicable permit requirements using a process that does not remove all foreign materials and contaminated wood and is supplied only to intermediaries or end-users that have obtained all necessary waste management and air permits for handling and combustion of the wood fuel.

For purposes of this definition, "biomass" includes, but is not limited to, wood and agricultural residues (e.g. corn stover and wheat straw). Biomass that is used as fuel for energy recovery excludes, without limitation, energy crops (i.e. those produced solely or primarily for use as feedstocks in energy generation processes), sludge (as defined in Section 3.456 of the Environmental Protection Act), manure, and garbage (as defined in Section 3.200 of the Environmental Protection Act).

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.

"Tissue products" includes toilet tissue, paper towels, paper napkins, facial tissue, paper doilies, industrial wipers, paper bags and brown papers.

"Unbleached packaging" includes corrugated and fiber boxes.

"USEPA Guidelines for federal procurement" means all minimum recycled content standards recommended by the U.S. Environmental Protection Agency. (Source: P.A. 94-793, eff. 5-19-06.)"

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 4449. 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 4449 by replacing everything after the enacting clause

with the following:

"Section 5. The Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act is amended by changing Section 4 as follows:

(320 ILCS 25/4) (from Ch. 67 1/2, par. 404)

Sec. 4. Amount of Grant.

(a) In general. Any individual 65 years or older or any individual who will become 65 years old during the calendar year in which a claim is filed, and any surviving spouse of such a claimant, who at the time of death received or was entitled to receive a grant pursuant to this Section, which surviving spouse will become 65 years of age within the 24 months immediately following the death of such claimant and which surviving spouse but for his or her age is otherwise qualified to receive a grant pursuant to this Section, and any disabled person whose annual household income is less than the income eligibility limitation, as defined in subsection (a-5) and whose household is liable for payment of property taxes accrued or has paid rent constituting property taxes accrued and is domiciled in this State at the time he or she files his or her claim is entitled to claim a grant under this Act. With respect to claims filed by individuals who will become 65 years old during the calendar year in which a claim is filed, the amount of any grant to which that household is entitled shall be an amount equal to 1/12 of the amount to which the claimant would otherwise be entitled as provided in this Section, multiplied by the number of months in which the claimant was 65 in the calendar year in which the claim is filed.

(a-5) Income eligibility limitation. For purposes of this Section, "income eligibility limitation" means an amount:

- (i) for grant years before the 1998 grant year, less than \$14,000;
- (ii) for the 1998 and 1999 grant year, less than \$16,000;
- (iii) for grant years 2000 through 2007:
 - (A) less than \$21,218 for a household containing one person;
 - (B) less than \$28,480 for a household containing 2 persons; or
 - (C) less than \$35,740 for a household containing 3 or more persons; or
- (iv) for grant years 2008 and thereafter:
 - (A) less than \$22,218 for a household containing one person;
 - (B) less than \$29,480 for a household containing 2 persons; or
 - (C) less than \$36,740 for a household containing 3 or more persons.

(b) Limitation. Except as otherwise provided in subsections (a) and (f) of this Section, the maximum amount of grant which a claimant is entitled to claim is the amount by which the property taxes accrued which were paid or payable during the last preceding tax year or rent constituting property taxes accrued upon the claimant's residence for the last preceding taxable year exceeds 3 1/2% of the claimant's household income for that year but in no event is the grant to exceed (i) \$700 less 4.5% of household income for that year for those with a household income of \$14,000 or less or (ii) \$70 if household income for that year is more than \$14,000.

(c) Public aid recipients. If household income in one or more months during a year includes cash assistance in excess of \$55 per month from the Department of Healthcare and Family Services or the Department of Human Services (acting as successor to the Department of Public Aid under the Department of Human Services Act) which was determined under regulations of that Department on a measure of need that included an allowance for actual rent or property taxes paid by the recipient of that assistance, the amount of grant to which that household is entitled, except as otherwise provided in subsection (a), shall be the product of (1) the maximum amount computed as specified in subsection (b) of this Section and (2) the ratio of the number of months in which household income did not include such cash assistance over \$55 to the number twelve. If household income did not include such cash assistance over \$55 for any months during the year, the amount of the grant to which the household is entitled shall be the maximum amount computed as specified in subsection (b) of this Section. For purposes of this paragraph (c), "cash assistance" does not include any amount received under the federal Supplemental Security Income (SSI) program.

(d) Joint ownership. If title to the residence is held jointly by the claimant with a person who is not a member of his or her household, the amount of property taxes accrued used in computing the amount of grant to which he or she is entitled shall be the same percentage of property taxes accrued as is the percentage of ownership held by the claimant in the residence.

(e) More than one residence. If a claimant has occupied more than one residence in the taxable year, he or she may claim only one residence for any part of a month. In the case of property taxes accrued, he or she shall prorate 1/12 of the total property taxes accrued on his or her residence to each month that he or

she owned and occupied that residence; and, in the case of rent constituting property taxes accrued, shall prorate each month's rent payments to the residence actually occupied during that month.

(f) There is hereby established a program of pharmaceutical assistance to the aged and disabled which shall be administered by the Department in accordance with this Act, to consist of payments to authorized pharmacies, on behalf of beneficiaries of the program, for the reasonable costs of covered prescription drugs. Each beneficiary who pays \$5 for an identification card shall pay no additional prescription costs. Each beneficiary who pays \$25 for an identification card shall pay \$3 per prescription. In addition, after a beneficiary receives \$2,000 in benefits during a State fiscal year, that beneficiary shall also be charged 20% of the cost of each prescription for which payments are made by the program during the remainder of the fiscal year. To become a beneficiary under this program a person must: (1) be (i) 65 years of age or older, or (ii) the surviving spouse of such a claimant, who at the time of death received or was entitled to receive benefits pursuant to this subsection, which surviving spouse will become 65 years of age within the 24 months immediately following the death of such claimant and which surviving spouse but for his or her age is otherwise qualified to receive benefits pursuant to this subsection, or (iii) disabled, and (2) be domiciled in this State at the time he or she files his or her claim, and (3) have a maximum household income of less than the income eligibility limitation, as defined in subsection (a-5). In addition, each eligible person must (1) obtain an identification card from the Department, (2) at the time the card is obtained, sign a statement assigning to the State of Illinois benefits which may be otherwise claimed under any private insurance plans, and (3) present the identification card to the dispensing pharmacist.

The Department may adopt rules specifying participation requirements for the pharmaceutical assistance program, including copayment amounts, identification card fees, expenditure limits, and the benefit threshold after which a 20% charge is imposed on the cost of each prescription, to be in effect on and after July 1, 2004. Notwithstanding any other provision of this paragraph, however, the Department may not increase the identification card fee above the amount in effect on May 1, 2003 without the express consent of the General Assembly. To the extent practicable, those requirements shall be commensurate with the requirements provided in rules adopted by the Department of Healthcare and Family Services to implement the pharmacy assistance program under Section 5-5.12a of the Illinois Public Aid Code.

Whenever a generic equivalent for a covered prescription drug is available, the Department shall reimburse only for the reasonable costs of the generic equivalent, less the co-pay established in this Section, unless (i) the covered prescription drug contains one or more ingredients defined as a narrow therapeutic index drug at 21 CFR 320.33, (ii) the prescriber indicates on the face of the prescription "brand medically necessary", and (iii) the prescriber specifies that a substitution is not permitted. When issuing an oral prescription for covered prescription medication described in item (i) of this paragraph, the prescriber shall stipulate "brand medically necessary" and that a substitution is not permitted. If the covered prescription drug and its authorizing prescription do not meet the criteria listed above, the beneficiary may purchase the non-generic equivalent of the covered prescription drug by paying the difference between the generic cost and the non-generic cost plus the beneficiary co-pay.

Any person otherwise eligible for pharmaceutical assistance under this Act whose covered drugs are covered by any public program for assistance in purchasing any covered prescription drugs shall be ineligible for assistance under this Act to the extent such costs are covered by such other plan.

The fee to be charged by the Department for the identification card shall be equal to \$5 per coverage year for persons below the official poverty line as defined by the United States Department of Health and Human Services and \$25 per coverage year for all other persons.

In the event that 2 or more persons are eligible for any benefit under this Act, and are members of the same household, (1) each such person shall be entitled to participate in the pharmaceutical assistance program, provided that he or she meets all other requirements imposed by this subsection and (2) each participating household member contributes the fee required for that person by the preceding paragraph for the purpose of obtaining an identification card.

The provisions of this subsection (f), other than this paragraph, are inoperative after December 31, 2005. Beneficiaries who received benefits under the program established by this subsection (f) are not entitled, at the termination of the program, to any refund of the identification card fee paid under this subsection.

(g) Effective January 1, 2006, there is hereby established a program of pharmaceutical assistance to the aged and disabled, entitled the Illinois Seniors and Disabled Drug Coverage Program, which shall be administered by the Department of Healthcare and Family Services and the Department on Aging in accordance with this subsection, to consist of coverage of specified prescription drugs on behalf of beneficiaries of the program as set forth in this subsection. The program under this subsection replaces and supersedes the program established under subsection (f), which shall end at midnight on December 31,

2005.

To become a beneficiary under the program established under this subsection, a person must:

- (1) be (i) 65 years of age or older or (ii) disabled; and
- (2) be domiciled in this State; and
- (3) enroll with a qualified Medicare Part D Prescription Drug Plan if eligible and apply for all available subsidies under Medicare Part D; and
- (4) have a maximum household income of ~~(i) less than \$21,218 for a household containing one person, (ii) less than \$28,480 for a household containing 2 persons, or (iii) less than \$35,740 for a household containing 3 or more persons. If any income eligibility limit set forth in items (i) through (iii) is less than 200% of the Federal Poverty Level for any year, the income eligibility limit for that year for households of that size shall be income~~ equal to or less than 250% ~~200%~~ of the Federal Poverty Level.

All individuals enrolled as of December 31, 2005, in the pharmaceutical assistance program operated pursuant to subsection (f) of this Section and all individuals enrolled as of December 31, 2005, in the SeniorCare Medicaid waiver program operated pursuant to Section 5-5.12a of the Illinois Public Aid Code shall be automatically enrolled in the program established by this subsection for the first year of operation without the need for further application, except that they must apply for Medicare Part D and the Low Income Subsidy under Medicare Part D. A person enrolled in the pharmaceutical assistance program operated pursuant to subsection (f) of this Section as of December 31, 2005, shall not lose eligibility in future years due only to the fact that they have not reached the age of 65.

To the extent permitted by federal law, the Department may act as an authorized representative of a beneficiary in order to enroll the beneficiary in a Medicare Part D Prescription Drug Plan if the beneficiary has failed to choose a plan and, where possible, to enroll beneficiaries in the low-income subsidy program under Medicare Part D or assist them in enrolling in that program.

Beneficiaries under the program established under this subsection shall be divided into the following ~~4~~ 5 eligibility groups:

- (A) Eligibility Group 1 shall consist of beneficiaries who are not eligible for Medicare Part D coverage and who are:
 - (i) disabled and under age 65; or
 - (ii) age 65 or older, with incomes over 200% of the Federal Poverty Level; or
 - (iii) age 65 or older, with incomes at or below 200% of the Federal Poverty Level and not eligible for federally funded means-tested benefits due to immigration status.
- (B) Eligibility Group 2 shall consist of beneficiaries ~~otherwise described in Eligibility Group 1 but~~ who are eligible for Medicare Part D coverage.
- ~~(C) Eligibility Group 3 shall consist of beneficiaries age 65 or older, with incomes at or below 200% of the Federal Poverty Level, who are not barred from receiving federally funded means tested benefits due to immigration status and are eligible for Medicare Part D coverage.~~
- ~~(C) (D)~~ Eligibility Group ~~3~~ 4 shall consist of beneficiaries age 65 or older, with incomes at or below 200% of the Federal Poverty Level, who are not barred from receiving federally funded means-tested benefits due to immigration status and are not eligible for Medicare Part D coverage.

If the State applies and receives federal approval for a waiver under Title XIX of the Social Security Act, persons in Eligibility Group ~~3~~ 4 shall continue to receive benefits through the approved waiver, and Eligibility Group ~~3~~ 4 may be expanded to include disabled persons under age 65 with incomes under 200% of the Federal Poverty Level who are not eligible for Medicare and who are not barred from receiving federally funded means-tested benefits due to immigration status.

~~(D) (E)~~ ~~On and after January 1, 2007,~~ Eligibility Group ~~4~~ 5 shall consist of beneficiaries who are otherwise described in

Eligibility ~~Group~~ ~~Groups~~ 2 and 3 who have a diagnosis of HIV or AIDS.

The program established under this subsection shall cover the cost of covered prescription drugs in excess of the beneficiary cost-sharing amounts set forth in this paragraph that are not covered by Medicare. In 2006, beneficiaries shall pay a co-payment of \$2 for each prescription of a generic drug and \$5 for each prescription of a brand-name drug. In future years, beneficiaries shall pay co-payments equal to the co-payments required under Medicare Part D for "other low-income subsidy eligible individuals" pursuant to 42 CFR 423.782(b). For individuals in Eligibility Groups 1, 2, and 3, ~~and~~ 4, once the program established under this subsection and Medicare combined have paid \$1,750 in a year for covered prescription drugs, the beneficiary shall pay 20% of the cost of each prescription in addition to

the co-payments set forth in this paragraph. For individuals in Eligibility Group ~~4~~ 5, once the program established under this subsection and Medicare combined have paid \$1,750 in a year for covered prescription drugs, the beneficiary shall pay 20% of the cost of each prescription in addition to the co-payments set forth in this paragraph unless the drug is included in the formulary of the Illinois AIDS Drug Assistance Program operated by the Illinois Department of Public Health and covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled. If the drug is included in the formulary of the Illinois AIDS Drug Assistance Program and covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled, individuals in Eligibility Group ~~4~~ 5 shall continue to pay the co-payments set forth in this paragraph after the program established under this subsection and Medicare combined have paid \$1,750 in a year for covered prescription drugs.

For beneficiaries eligible for Medicare Part D coverage, the program established under this subsection shall pay 100% of the premiums charged by a qualified Medicare Part D Prescription Drug Plan for Medicare Part D basic prescription drug coverage, not including any late enrollment penalties. Qualified Medicare Part D Prescription Drug Plans may be limited by the Department of Healthcare and Family Services to those plans that sign a coordination agreement with the Department.

Notwithstanding Section 3.15, for purposes of the program established under this subsection, the term "covered prescription drug" has the following meanings:

For Eligibility Group 1, "covered prescription drug" means: (1) any cardiovascular agent or drug; (2) any insulin or other prescription drug used in the treatment of diabetes, including syringe and needles used to administer the insulin; (3) any prescription drug used in the treatment of arthritis; (4) any prescription drug used in the treatment of cancer; (5) any prescription drug used in the treatment of Alzheimer's disease; (6) any prescription drug used in the treatment of Parkinson's disease; (7) any prescription drug used in the treatment of glaucoma; (8) any prescription drug used in the treatment of lung disease and smoking-related illnesses; (9) any prescription drug used in the treatment of osteoporosis; and (10) any prescription drug used in the treatment of multiple sclerosis. The Department may add additional therapeutic classes by rule. The Department may adopt a preferred drug list within any of the classes of drugs described in items (1) through (10) of this paragraph. The specific drugs or therapeutic classes of covered prescription drugs shall be indicated by rule.

For Eligibility Group 2, "covered prescription drug" means those drugs ~~covered for Eligibility Group 1 that are also~~ covered by the

Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled.

For Eligibility Group 3, ~~"covered prescription drug" means those drugs covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled.~~

For Eligibility Group ~~3~~ 4, "covered prescription drug" means those drugs covered by the Medical Assistance Program under Article V of the Illinois Public Aid Code.

For Eligibility Group ~~4~~ 5, ~~for individuals otherwise described in Eligibility Group 2, "covered prescription drug" means: (1) those drugs covered for Eligibility Group 2 that are also covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled; and (2) those drugs included in the formulary of the Illinois AIDS Drug Assistance Program operated by the Illinois Department of Public Health that are also covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled. For Eligibility Group 5, for individuals otherwise described in Eligibility Group 3, "covered prescription drug" means those drugs covered by the~~

Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled.

An individual in Eligibility Group 1, 2, 3, ~~or 4~~ or 5 may opt to receive a \$25 monthly payment in lieu of the direct coverage described in this subsection.

Any person otherwise eligible for pharmaceutical assistance under this subsection whose covered drugs are covered by any public program is ineligible for assistance under this subsection to the extent that the cost of those drugs is covered by the other program.

The Department of Healthcare and Family Services shall establish by rule the methods by which it will provide for the coverage called for in this subsection. Those methods may include direct reimbursement to pharmacies or the payment of a capitated amount to Medicare Part D Prescription Drug Plans.

For a pharmacy to be reimbursed under the program established under this subsection, it must comply with rules adopted by the Department of Healthcare and Family Services regarding coordination of benefits with Medicare Part D Prescription Drug Plans. A pharmacy may not charge a Medicare-enrolled beneficiary of the program established under this subsection more for a covered prescription drug than the appropriate Medicare cost-sharing less any payment from or on behalf of the

Department of Healthcare and Family Services.

The Department of Healthcare and Family Services or the Department on Aging, as appropriate, may adopt rules regarding applications, counting of income, proof of Medicare status, mandatory generic policies, and pharmacy reimbursement rates and any other rules necessary for the cost-efficient operation of the program established under this subsection.

(h) 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. 94-86, eff. 1-1-06; 94-909, eff. 6-23-06; 95-208, eff. 8-16-07; 95-644, eff. 10-12-07; revised 10-25-07.)"

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 4133.

HOUSE BILL 5788. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on Housing and Urban Development, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5788, on page 1, by inserting after line 15 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."; and

on page 2, by inserting after line 20 the following:

"(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 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."; and

on page 5, by inserting after line 21 the following:

"(d) 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 5788 on page 1, line 15, after the period, by inserting the following:

"This Section shall be repealed 3 years after the effective date of this amendatory Act of the 95th General Assembly."; and

on page 2, immediately below line 20, by inserting the following:

"(c) This Section shall be repealed 3 years after the effective date of this amendatory Act of the 95th General Assembly."; and

on page 3, by replacing lines 9 through 11 with the following:

"amount equal to \$3,000 ~~\$2,700~~ annually, including the foreclosure prevention surcharge provided for in subsection (c) of this Section; however, 3 years after this effective date of this amendatory Act of the 95th General Assembly, the total shall be in an amount equal to \$2,700 annually. The ~~however, the~~ Commissioner"; and

on page 5, line 20, by replacing "\$1,000" with "\$300"; and

on page 5, line 21, after the period, by inserting the following:

"This subsection (c), other than this sentence, shall be inoperative 3 years after the effective date of this amendatory Act of the 95th General Assembly."

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4968.

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 5230.

HOUSE BILL 5739. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5739 by replacing everything after the enacting clause with the following:

"Section 5. The State Police Act is amended by adding Section 24 as follows:

(20 ILCS 2610/24 new)

Sec. 24. Officers; in-car cameras. An officer of the Department of State Police who is driving a motor vehicle equipped with an operable in-car video camera system while in the course of his or her official duties must have the system recording activities outside of the vehicle when responding to a call with the vehicle's emergency lighting response system activated.

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

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

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 5579. 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 5579 on page 2, after line 5, 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."; and

on page 16, after line 23, by inserting the following:

"(h) 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."

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 4383, 4736 and 5707.

HOUSE BILL 4291. Having been reproduced, was taken up and read by title a second time. Representative Lindner offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 4291 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by adding Section 10-29 as follows:

(305 ILCS 5/10-29 new)

Sec. 10-29. Child's majority; refund of support overpayment.

(a) In this Section, "order for support" and "obligor" mean those terms as defined in the Income Withholding for Support Act, except that "order for support" does not mean an order providing for spousal maintenance under which there is no child support obligation.

(b) If (i) the Department of Healthcare and Family Services collects child support from an obligor pursuant to an order for support, (ii) the obligor complies with all of the requirements of the order for support and does not incur any arrearage in the payment of child support, (iii) the child attains 18 years of age or graduates from high school and the obligation to pay child support under the order terminates, (iv) the Department of Healthcare and Family Services continues to collect child support from the obligor after the child attains 18 years of age or graduates from high school and the obligation to pay child support under the order has terminated and no arrearage exists, and (v) the Department of Healthcare and Family Services learns of the possible wrongful collection of child support, then the Department shall conduct an investigation to determine whether such a wrongful collection occurred and, if it determines that such a wrongful collection occurred and was the fault of the Department, then the Department must refund to the obligor all amounts of child support collected from the obligor after the obligation to pay child support under the order terminated. The Department must make the refund to the obligor within 60 days after the Department determines that the wrongful collection of child support occurred."

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

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

HOUSE BILL 5961. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5961 by replacing everything after the enacting clause with the following:

"Section 5. The Emergency Telephone System Act is amended by changing Section 15.3 as follows:

(50 ILCS 750/15.3) (from Ch. 134, par. 45.3)

Sec. 15.3. Surcharge.

(a) The corporate authorities of any municipality or any county may, subject to the limitations of subsections (c), (d), and (h), and in addition to any tax levied pursuant to the Simplified Municipal Telecommunications Tax Act, impose a monthly surcharge on billed subscribers of network connection

provided by telecommunication carriers engaged in the business of transmitting messages by means of electricity originating within the corporate limits of the municipality or county imposing the surcharge at a rate per network connection determined in accordance with subsection (c), however the monthly surcharge shall not apply to a network connection provided for use with pay telephone services. Provided, however, that where multiple voice grade communications channels are connected between the subscriber's premises and a public switched network through private branch exchange (PBX) or centrex type service, a municipality imposing a surcharge at a rate per network connection, as determined in accordance with this Act, shall impose 5 such surcharges per network connection, as determined in accordance with subsections (a) and (d) of Section 2.12 of this Act. For mobile telecommunications services, if a surcharge is imposed it shall be imposed based upon the municipality or county that encompasses the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act. A municipality may enter into an intergovernmental agreement with any county in which it is partially located, when the county has adopted an ordinance to impose a surcharge as provided in subsection (c), to include that portion of the municipality lying outside the county in that county's surcharge referendum. If the county's surcharge referendum is approved, the portion of the municipality identified in the intergovernmental agreement shall automatically be disconnected from the county in which it lies and connected to the county which approved the referendum for purposes of a surcharge on telecommunications carriers.

(b) For purposes of computing the surcharge imposed by subsection (a), the network connections to which the surcharge shall apply shall be those in-service network connections, other than those network connections assigned to the municipality or county, where the service address for each such network connection or connections is located within the corporate limits of the municipality or county levying the surcharge. Except for mobile telecommunication services, the "service address" shall mean the location of the primary use of the network connection or connections. For mobile telecommunication services, "service address" means the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act. ~~With respect to network connections provided for use with pay telephone services for which there is no billed subscriber, the telecommunications carrier providing the network connection shall be deemed to be its own billed subscriber for purposes of applying the surcharge.~~

(c) Upon the passage of an ordinance to impose a surcharge under this Section the clerk of the municipality or county shall certify the question of whether the surcharge may be imposed to the proper election authority who shall submit the public question to the electors of the municipality or county in accordance with the general election law; provided that such question shall not be submitted at a consolidated primary election. The public question shall be in substantially the following form:

 Shall the county (or city, village
 or incorporated town) of impose YES
 a surcharge of up to ...¢ per month per
 network connection, which surcharge will
 be added to the monthly bill you receive -----
 for telephone or telecommunications
 charges, for the purpose of installing
 (or improving) a 9-1-1 Emergency NO
 Telephone System?

If a majority of the votes cast upon the public question are in favor thereof, the surcharge shall be imposed.

However, if a Joint Emergency Telephone System Board is to be created pursuant to an intergovernmental agreement under Section 15.4, the ordinance to impose the surcharge shall be subject to the approval of a majority of the total number of votes cast upon the public question by the electors of all of the municipalities or counties, or combination thereof, that are parties to the intergovernmental agreement.

The referendum requirement of this subsection (c) shall not apply to any municipality with a population over 500,000 or to any county in which a proposition as to whether a sophisticated 9-1-1 Emergency Telephone System should be installed in the county, at a cost not to exceed a specified monthly amount per network connection, has previously been approved by a majority of the electors of the county voting on the proposition at an election conducted before the effective date of this amendatory Act of 1987.

(d) A county may not impose a surcharge, unless requested by a municipality, in any incorporated area which has previously approved a surcharge as provided in subsection (c) or in any incorporated area where the corporate authorities of the municipality have previously entered into a binding contract or letter of

intent with a telecommunications carrier to provide sophisticated 9-1-1 service through municipal funds.

(e) A municipality or county may at any time by ordinance change the rate of the surcharge imposed under this Section if the new rate does not exceed the rate specified in the referendum held pursuant to subsection (c).

(f) The surcharge authorized by this Section shall be collected from the subscriber by the telecommunications carrier providing the subscriber the network connection as a separately stated item on the subscriber's bill.

(g) The amount of surcharge collected by the telecommunications carrier shall be paid to the particular municipality or county or Joint Emergency Telephone System Board not later than 30 days after the surcharge is collected, net of any network or other 9-1-1 or sophisticated 9-1-1 system charges then due the particular telecommunications carrier, as shown on an itemized bill. The telecommunications carrier collecting the surcharge shall also be entitled to deduct 3% of the gross amount of surcharge collected to reimburse the telecommunications carrier for the expense of accounting and collecting the surcharge.

(h) Except as expressly provided in subsection (a) of this Section, a municipality with a population over 500,000 may not impose a monthly surcharge in excess of \$2.50 per network connection.

(i) Any municipality or county or joint emergency telephone system board that has imposed a surcharge pursuant to this Section prior to the effective date of this amendatory Act of 1990 shall hereafter impose the surcharge in accordance with subsection (b) of this Section.

(j) The corporate authorities of any municipality or county may issue, in accordance with Illinois law, bonds, notes or other obligations secured in whole or in part by the proceeds of the surcharge described in this Section. Notwithstanding any change in law subsequent to the issuance of any bonds, notes or other obligations secured by the surcharge, every municipality or county issuing such bonds, notes or other obligations shall be authorized to impose the surcharge as though the laws relating to the imposition of the surcharge in effect at the time of issuance of the bonds, notes or other obligations were in full force and effect until the bonds, notes or other obligations are paid in full. The State of Illinois pledges and agrees that it will not limit or alter the rights and powers vested in municipalities and counties by this Section to impose the surcharge so as to impair the terms of or affect the security for bonds, notes or other obligations secured in whole or in part with the proceeds of the surcharge described in this Section.

(k) Any surcharge collected by or imposed on a telecommunications carrier pursuant to this Section shall be held to be a special fund in trust for the municipality, county or Joint Emergency Telephone Board imposing the surcharge. Except for the 3% deduction provided in subsection (g) above, the special fund shall not be subject to the claims of creditors of the telecommunication carrier.

(Source: P.A. 95-331, eff. 8-21-07; 95-698, eff. 1-1-08.)

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 4207. Having been reproduced, was taken up and read by title a second time.

Representative Osmond offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 4207 on page 3, line 23, by inserting "and resides at", after "owns".

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

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

HOUSE BILL 4757. Having been recalled on March 4, 2008, and held on the order of Second Reading, the same was again taken up.

Representative Nekritz offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 4757 on page 2, line 10, after "organizations.", by inserting "Committee members shall be appointed for a 4-year term and shall serve until their successor is

appointed."

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

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

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 4506.

HOUSE BILL 4868. Having been reproduced, was taken up and read by title a second time. The following amendment was offered in the Committee on Veterans Affairs, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 4868 on page 2, line 7, 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 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."; and

on page 6, immediately below line 8, 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.".

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 4137 and 4556.

HOUSE BILL 4318. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4318 on page 3, immediately below line 5, by inserting 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."

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 4696. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4696 on page 2, immediately below line 9, 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 3, immediately below line 12, 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 4, immediately below line 24, 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 5, immediately below line 16, 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 6, immediately below line 12, 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 8, immediately below line 3, 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 4793. 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 4793 as follows:
on page 5, line 9, by changing "\$40,000,000" to "\$10,000,000"; and
on page 8, by replacing lines 3 through 7 with the following:

"Section 45. No 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."

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 4660, 5209 and 5760.

RECALL

At the request of the principal sponsor, Representative Monique Davis, HOUSE BILL 4668 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Biggins, HOUSE BILL 4699 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

RESOLUTIONS

Having been reported out of the Committee on State Government Administration on February 21, 2008, HOUSE RESOLUTION 892 was taken up for consideration.

Representative Dunkin moved the adoption of the resolution.

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

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

(ROLL CALL 34)

The motion prevailed and the Resolution was adopted.

Having been reported out of the Committee on State Government Administration on March 5, 2008, HOUSE RESOLUTION 1026 was taken up for consideration.

Representative Cross moved the adoption of the resolution.

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

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

(ROLL CALL 25)

The motion prevailed and the Resolution was adopted.

HOUSE BILLS ON SECOND READING

HOUSE BILL 5125. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5125 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Immigrant Family Preservation Act.

Section 5. Purpose. The purpose of this Act is to protect the foreign national minors or minors holding dual nationality throughout the United States, in particular the State of Illinois. The General Assembly recognizes that foreign national minors and minors holding dual nationality are essential to the maintenance of the culture, traditions, and values of their country of nationality. Therefore, this Act provides a method of early identification of foreign national minors and minors holding dual nationality and their families in order to provide services that ensure all the protections afforded by the Vienna Convention and all other applicable treaties and laws.

The General Assembly recognizes that the governments of foreign countries have a duty to care for the interests of their citizens and nationals abroad, particularly those of minors, as expressed in Article 5, Secs. (a) and (h), of the Vienna Convention. The General Assembly also recognizes that it is imperative that foreign consulates be notified, without delay, of guardianship as expressed by the Vienna Convention, Article 37(b). The General Assembly further recognizes that governments of foreign countries have a right to information and access in all cases involving minors who are foreign national minors and minors holding dual nationality.

The further purpose of this Act is to ensure compliance with the Vienna Convention. The Vienna Convention provides for consular notification and access in cases in which foreign nationals are involved in legal proceedings. The Convention places a special responsibility on the receiving state's authorities, in this case, the Director of the Department, to treat cases of foreign national minors and minors holding dual nationality with particular care. The General Assembly recognizes that the notification of consular authorities is essential in these cases, not only because a legally binding treaty dictates it, but also because foreign consulates provide essential services that can mutually assist both the Department and the consulates, as well as the individuals personally affected.

Section 10. Definitions. In this Act:

"Agency" means the agency in a foreign country charged with ensuring the welfare of minors who are nationals of that country or who hold dual nationality in that country and the United States.

"Custodian" means the nonparental caretaker of a foreign national minor or minor holding dual nationality who has been entrusted by the parent of the minor with the day-to-day care of the minor.

"Department" means the Department of Children and Family Services.

"Foreign national minor" means an unmarried person who is under the age of eighteen years, was born in a country other than the United States, and has not acquired United States citizenship as the biological child of a United States citizen.

"Minor holding dual nationality" means an unmarried person who is under the age of eighteen years, bears United States citizenship, and is eligible for nationality in another country as the biological child of a parent who is national of that country.

"Vienna Convention" means the Vienna Convention on Consular Relations, 21 U.S.T. 77, T.I.A.S. No. 6820.

Section 15. Inquiry. The Department shall inquire, at the time a decision to take protective custody of a minor is made, whether the minor is a foreign national minor or minor holding dual nationality. The Department shall provide to any such minor, and any parent or custodian of such minor, information, in English and the minor's native language, explaining the protective custody process and the rights of the minor and his or her parents or custodian, including those rights afforded under the Vienna Convention, and the address and telephone number of the nearest consulate serving the minor. If the Department learns at a later time that the minor is a foreign national minor or minor holding dual nationality, then the information shall be forwarded to the appropriate parties as determined under this Act.

Section 20. Notification.

(a) The Department shall promulgate rules under which it would notify the appropriate consulate in writing in a timely manner after:

(1) the initial date the Department takes custody of a foreign national minor or a minor holding dual nationality or the date the Department learns that a minor in its custody is a foreign national minor or a minor holding dual nationality, whichever occurs first;

(2) the parent of a foreign national minor or a minor holding dual nationality has requested that the consulate be notified; or

(3) the Department determines that a noncustodial parent of a foreign national minor or a minor holding dual nationality in its custody resides in the country represented by the consulate.

(b) The Department shall provide the consulate with the name and date of birth of the foreign national minor or the minor holding dual nationality, the name of his or her parent or custodian, and the name and telephone number of the departmental caseworker directly responsible for the case.

(c) If the consulate needs additional specific information regarding the case of the foreign national minor or the minor holding dual nationality, the consulate may contact the Department's Division of Guardian and Advocacy or the Division's designee, and the Department may release any information not required to be kept confidential under federal or Illinois law.

Section 25. Confidentiality; further information.

(a) Disclosure of information under this Act is subject to the same requirements of confidentiality as the disclosure of information under the Juvenile Court Act of 1987 and the Abused and Neglected Child Reporting Act.

(b) In order to respond to a consulate's need for specific information regarding the cases of foreign national minors and minors holding dual nationality, the Department shall designate Department personnel who are responsible for responding to requests from foreign consulates for such information.

Section 30. Interview of minor by consular representative. Any foreign national minor or minor holding dual nationality in the custody of the Department may be interviewed by a representative of the consulate of the country of the child's nationality. In the case of a minor holding dual nationality, the Department's Guardianship Administrator or his or her designee must consent to the interview. In order to arrange for such an interview, the consulate shall contact the Department's Division of Guardian and Advocacy or the Division's designee.

Section 35. Special Immigrant Juvenile Status. In cases in which a foreign national minor has been placed as a ward of the State of Illinois and has become eligible for Special Immigrant Juvenile Status (SIJS) pursuant to 8 U.S.C. 101(a)(27)(J)(ii), the Department may seek the assistance of the consulate of the country of the child's nationality in obtaining the necessary documentation from that country for completion of the SIJS application.

Section 40. Proof of nationality. The Department's Division of Guardian and Advocacy may obtain a birth certificate from the appropriate country for a foreign national minor or a minor holding dual nationality in the custody of the Department. The Department may request the assistance of the consulate in obtaining the necessary documentation to complete the application for a birth certificate under this Section.

Section 45. DCFS assistance to foreign child welfare agencies.

(a) Upon notification to a consulate pursuant to Section 20 of this Act, the Department may request that the consulate obtain through the agency the appropriate home studies of potential families in such country who may be involved in the case and forward the information to the departmental caseworker directly responsible for the case.

(b) When a foreign national minor is placed in his or her country or a minor holding dual nationality is placed in the country other than the United States in which he or she holds nationality, the Department shall take all steps necessary to obtain the cooperation of the consulate and the agency to ensure the minor's welfare and provide whatever services are needed. The Department shall request copies of the monitoring reports prepared by the agency concerning the welfare of the minor and shall ensure that such information is delivered to the Department caseworker directly responsible for the case of the minor.

Section 50. Witnesses. The Department may request the cooperation of the appropriate consulate to locate individuals who reside in a foreign country and are required to appear in an Illinois court in connection with cases involving a foreign national minor or a minor holding dual nationality, in order to properly notify such individuals of court appearances.

Section 55. Ongoing communication. Department staff shall meet as needed with consular officers in order to discuss, clarify, and coordinate activities in areas of mutual interest and concern. The Department may participate with the consulates in joint prevention efforts regarding the protection and well-being of

foreign national minors and minors holding dual nationality and their families. In addition, the Department's Division of Communications shall make every effort to exchange with the consulates ideas and concerns of a high profile nature that may result in media attention, in a timely manner. The consulates may contact the Department's Division of Guardian and Advocacy, Advocacy Office for Children and Families, or Office of Inspector General at any time, however, notwithstanding any other provision of this Act.

Section 60. Immunity. Except as otherwise expressly provided in this Act, nothing in this Act shall be construed as a waiver of immunities to which a consulate and its consular agents are entitled to under international law, the Foreign Sovereign Immunities Act of 1976, 28 U.S.C. 1602 et seq., and international treaties in force between the United States and foreign countries. Except as otherwise expressly provided in this Act, this Act shall not imply or confer a submission by any foreign country or its consular agents to the jurisdiction of any United States or Illinois courts.

Section 65. No authority to make or promulgate rules. 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 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 Act, "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 5113. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5113 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Green Buildings Act.

Section 5. Findings. The General Assembly finds that an efficient green building plan is essential to:

- (1) reduce the increasing costs of energy for public buildings and reduce the State's overall energy usage;
- (2) preserve the environment and make State buildings better for those who work and study in them, as well as the area around them; and
- (3) cut pollution, moderate peak energy demand, better assure the reliability of energy studies, and stabilize energy costs.

Section 10. Definitions. In this Act:

"Board" means the Capital Development Board.

"USGBC" means the United State Green Building Council.

"LEED" means the USGBC Leadership in Energy and Environmental Design green building rating standard.

"GBI" means The Green Building Initiative.

"Green Globes" means the GBI green building construction module.

"Major renovation" means a project with a construction budget that equals 40% or more of the building's current replacement cost.

Section 15. Green Buildings Standards.

(a) All new state-funded building construction and major renovations of existing state-owned facilities are required to seek LEED certification.

(b) All construction and major renovation projects, regardless of size, must achieve the highest level of certification practical within the project budget.

(1) New buildings and major renovations of less than 10,000 square feet must meet the highest standard of the Leadership in Energy and Environmental Design's rating system for new commercial construction and major renovation projects, as established by the United States Green Building Council, or an equivalent standard, including The Green Building Initiative's Green Globes USA design program. USGBC LEED certification is not required.

(2) New buildings and major renovations of less than 10,000 square feet must achieve the silver building rating of the Leadership in Energy and Environmental Designs rating system for new commercial construction and major renovation projects, as established by the United States Green Building Council, or an equivalent standard, including, but not limited to, a two-globe rating in the Green Globes USA design program. USGBC LEED or GBI Green Globes certification is required.

(c) Exemptions to these standards are buildings that are not "comfort" conditioned as determined by the Board. However, the project design team must document and incorporate all appropriate sustainable building methods, strategies, and technologies in the final design.

(d) State agencies and the project design team may apply to the Board for a waiver from these standards.

(e) Waivers shall be granted by the Board or an appropriate agency when the applicant can demonstrate and document:

(1) An unreasonable financial burden, taking into account the operating and construction costs over the life of the building and the total cost of ownership of the building.

(2) An unreasonable impediment to construction.

(3) The standards would impair the principal function of the building.

(4) The standards would compromise the historic nature of the structure.

Documentation on the submittal must include at a minimum:

(1) Life cycle cost analysis.

(2) Energy modeling.

The design team must provide the documentation for the new project to confirm that LEED or Green Globes construction standards have been followed.

(f) In addition to any required LEED criteria, the Board shall require that all projects referenced in subsection (a) implement at least one LEED criterion for alternative transportation for public transportation or bicycle access.

(g) The green building standards contained in this Act shall be analyzed and evaluated by the Board after 5 years or the completion of 10 Board green projects, whichever comes first.

Section 20. 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 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 4926 and 5312.

HOUSE BILL 4387. 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 4387 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Sections 10-20.46 and 34-18.37 as follows:

(105 ILCS 5/10-20.46 new)

Sec. 10-20.46. American-made driver education vehicles. A school board shall require that all vehicles purchased or leased on or after the effective date of this amendatory Act of the 95th General Assembly that are used for the practice driving part of a driver education course offered by the school district under Section 27-24.2 of this Code have a Vehicle Identification Number that begins with the number one, the number 4, or the number 5.

(105 ILCS 5/34-18.37 new)

Sec. 34-18.37. American-made driver education vehicles. The board shall require that all vehicles purchased or leased on or after the effective date of this amendatory Act of the 95th General Assembly that are used for the practice driving part of a driver education course offered by the school district under Section 27-24.2 of this Code have a Vehicle Identification Number that begins with the number one, the number 4, or the number 5.

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 5661. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5661 on page 3, by replacing lines 10 through 16 with the following:

"Section 25. Posting of Act. Every Director subject to any provision of this Act shall keep a summary of this Act approved by the Department posted in a conspicuous and accessible place in or about the premises wherever any person subject to this Act is employed."; and

on page 4, by replacing lines 2 through 4 with the following:

"to make that employee whole."; and

on page 4, by inserting after line 12 the following:

"Section 40. No authority to make or promulgate rules. 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 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 Act, "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 5141.

HOUSE BILL 5101. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5101 on page 8, line 15, by inserting "eligibility for" after "prisoner's"; and on page 8, line 22, by replacing "60 days" with "30 days, whenever possible.".

AMENDMENT NO. 2. Amend House Bill 5101 on page 21, line 20, by inserting after "must" the following: "either register under the statewide victim and witness notification system as provided in Section 8.5 of the Rights of Crime Victims and Witnesses Act or".

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 BILLS ON THIRD READING

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

On motion of Representative William Davis, HOUSE BILL 5115 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 107, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 36)

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

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

On motion of Representative Munson, HOUSE BILL 5585 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 37)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 5069. 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 5069 by replacing all of Section 99 with the following: "Section 99. Effective date. This Act takes effect January 1, 2009."

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 4877. Having been reproduced, was taken up and read by title a second time. Representative Biggins offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 4877 on page 5, by inserting immediately below line 10 the following:

"(1.5) Telecommunications carriers, commercial mobile service providers, and providers of information services, including, but not limited to, Internet service providers and hosting service providers, are not liable under this Section by virtue of the transmission, storage, or caching of electronic communications or messages of others or by virtue of the provision of other related telecommunications, commercial mobile services, or information services used by others in violation of this Section."

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

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

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 4252.

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 4290, 4720, 4754, 5524 and 5891.

HOUSE BILL 4843. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Agriculture & Conservation, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 4843 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Veterinary Student Loan Repayment Program Act.

Section 15. Definitions. In this Act:

"College" means the College of Veterinary Medicine of the University of Illinois.

"Program" means the Veterinary Student Loan Repayment Program established under to this Act.

"University" means the University of Illinois.

Section 20. Veterinary Student Loan Repayment Program.

(a) There is hereby created a veterinary training program for large animal and public health veterinary medicine, which shall be known as the Veterinary Student Loan Repayment Program and administered through the University of Illinois.

(b) The purpose of the Program is to provide encouragement, opportunities, and incentives for persons pursuing a veterinary medicine degree program at the University of Illinois to engage, upon completion of such education program, in (i) veterinary practice that is at least 51% devoted to large animal medicine that enhances agricultural animal health and productivity or (ii) regulatory veterinary medicine that supports public health and safety, livestock biosecurity, or food animal disease diagnosis.

(c) Subject to appropriation and upon recommendation of the College, the University may enter into a program agreement with up to 4 veterinary students during the first year of operation of the Program; up to 8 veterinary students during the second year of operation of the Program; up to 12 veterinary students during the third year of operation of the Program; and up to 16 veterinary students during the fourth year of operation of the Program and every year thereafter until the expiration of the Program, as set forth in Section 40 of this Act. Preference must be given to those students who are Illinois residents. Each student entering into a program agreement shall receive a loan in the amount of \$20,000 per year to cover tuition, books, supplies and other school expenses and travel and training expenses incurred by the student in pursuing a veterinary medicine degree. A student may be the recipient of a loan under the Program for no more than 4 years.

(d) Upon the satisfaction of all commitments made under the Program and all provisions of the program agreement, all loans disbursed to a student under the Program shall be deemed satisfied and forgiven.

Section 25. Program agreement.

(a) Prior to receiving a loan under the Program, each loan recipient must sign an agreement pledging that he or she shall:

- (1) complete the veterinary medicine degree program at the College;
- (2) complete all advanced training in public health, livestock biosecurity, foreign animal disease diagnosis, regulatory veterinary medicine and zoonotic disease and complete an externship and mentorship with a licensed, accredited veterinarian in Illinois who practices in one of the areas of veterinary service need identified in this Act and as required by the University;
- (3) engage in the full-time practice of veterinary medicine in any of the identified areas of veterinary service need identified in this Act;
- (4) practice full-time for a period of at least 12 continuous months for each separate year that he or she received a loan under the Program, unless such obligation is otherwise satisfied as provided in this Act; and
- (5) commence the full-time practice required under this Section within 180 days after completion of his or her degree program or, if he or she enters a post-degree training program such as a graduate school or internship or residency program, within 90 days after completion of that post-degree training program.

(b) The fulfillment of obligations set forth in the program agreement may be postponed under any of the following circumstances:

- (1) Any period of temporary medical disability during which the loan recipient is unable to practice veterinary medicine due to such disability.
- (2) Any period of time in which the loan recipient is engaged in mandatory military service as part of the U.S. Armed Forces.
- (3) Any other period of postponement agreed to or determined in accordance with criteria agreed to in the program agreement.

(c) The obligations of a program agreement shall be discharged prematurely upon the death of the loan recipient or in the event that the loan recipient is unable to practice veterinary medicine due to permanent disability.

Section 30. Failure to satisfy program agreement. Upon the failure of a loan recipient to satisfy the obligations set forth in the program agreement, he or she must repay to the University the amount equal to the amount loaned to the recipient less a prorated amount based on any periods of practice of veterinary medicine meeting the requirements of the program agreement, plus interest at the prime rate of interest from the date the loan accrued. Such interest shall be compounded annually.

Section 35. No authority to make or promulgate rules. Notwithstanding any other rulemaking authority that may exist, neither the Governor or University 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 or University believes that rules are necessary to implement or enforce the provisions of this Act, the Governor or University 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 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 Act, "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 40. Expiration of Program. The University may not enter into any program agreement under the Program or the provisions of this Act after July 1, 2018. All program agreements entered into prior to July 1, 2018 shall continue in full force and effect, subject to the requirements of this Act.

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 5908. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5908 on page 10, by inserting immediately below line 14 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 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."; and

on page 12, by inserting immediately below line 4 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 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."; and

on page 18, by inserting immediately below line 20 the following:

"(i) 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 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."; and

on page 22, by inserting immediately below line 4 the following:

"(i) 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 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."; and on page 26, by inserting immediately below line 13 the following:

"(j) 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 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."; and on page 27, by inserting immediately below line 18 the following:

"(e) 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 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.".

AMENDMENT NO. 2. Amend House Bill 5908 on page 7, by replacing line 11 with the following: "7 days after the prisoner has been granted parole"; and on page 7, by replacing lines 16 through 18 with the following: "Parole Hearings Act. When the victim, concerned citizens, or the State's Attorney has opposed parole for an inmate sentenced before February 1, 1978, the additional provisions in paragraphs (5.1) through (5.4) apply."; and

by replacing lines 12 through 26 on page 8 and lines 1 through 9 on page 9 with the following:

"(5.2) If the Prisoner Review Board makes a preliminary determination that parole may be allowed to an inmate sentenced before February 1, 1978, the victims, concerned citizens, and the State's Attorney shall be notified and advised within 3 days thereafter of their right to address the full Prisoner Review Board with any opposition to parole at a hearing which shall be held no sooner than 28 days after the preliminary determination. The notice shall include the date, time, and location of the hearing at which they may voice their opposition to parole. These objections to parole may be made in person, in writing, on film, videotape, or other electronic means or in the form of a recording.

(5.3) At this hearing, the victims, concerned citizens, and the State's Attorney may also suggest and request certain conditions of parole. A written request may also be made through the State's Attorney's Office or directly to the Prisoner Review Board.

(5.4) Subsequent to this hearing, if the Board grants the inmate parole, all registered victims, concerned citizens, and the State's Attorney shall be notified. The actual release of the inmate shall not take place until these notifications are made. A copy of the parole order including all conditions and terms of parole shall be served upon all victims, concerned citizens, and the State's Attorney within 7 days of the Board's order granting the inmate parole."; and

on page 11, by replacing lines 12 through 21 with the following:

"or"; and

on page 12, by replacing lines 18 through 19 with the following:

"(1) hear by at least one member and through a panel of ~~at least~~ 3 members decide, cases of prisoners"; and

on page 13, by replacing lines 9 through 11 with the following:

"the Prisoner Review Board after all members have heard presentations in support of and, if the parole is opposed, in objection to the parole request;"; and

on page 20, line 11, by replacing "~~and~~" with "and"; and

on page 20, by replacing lines 16 through 18 with the following:

"Victims and Witnesses Act."; and

on page 20, by replacing line 20 with the following:

"receive reasonable written notice not less than 60 ~~45~~ days"; and

on page 21, by replacing lines 19 through 23 with the following:

"to be considered at the parole hearing."; and

on page 22, by replacing line 18 with the following:

"custody of the Department, ~~at least~~ one member of the"; and

on page 23, by replacing lines 4 through 17 with the following:

"(b-1) If the Prisoner Review Board makes a preliminary determination that parole may be allowed to an inmate sentenced before February 1, 1978, the full Prisoner Review Board shall listen to opposition presented by the victims, concerned citizens, or State's Attorney at a subsequent hearing. If the inmate is granted parole, the victims, concerned citizens, and the State's Attorney shall be notified. A copy of the parole order including all conditions and terms of parole shall be served upon all victims, concerned citizens and the State's Attorney within 7 days of the Board's order granting the inmate parole."; and

on page 24, by replacing lines 12 through 18 with the following:

"whose application it has acted. The Prisoner Review Board shall also give written notice of its decision to the parties opposing parole including a copy of the parole order and conditions of parole."; and

on page 24, by replacing line 24 with the following:

"schedule a rehearing no later than 5 ~~3~~ years from the date of the"; and

on page 25, by replacing lines 9 through 22 with the following:

"date of the sentence, the date of the parole, and the basis for the decision of the Board ~~to grant parole and the vote of the Board~~ on any such decisions. The registry shall be made available for"; and

on page 26, by deleting lines 2 through 13.

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 4766 and 5653.

HOUSE BILL 5906. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5906 on page 2, by replacing lines 24 through 26 with the following:

"(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 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.

HOUSE BILL 5066. 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 5066 on page 4, line 9, 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 Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 5866. 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 5866 on page 22, in line 2 by deleting "by rule"; and on page 28, by inserting below line 17 the following:

"(x) 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"; and

on page 49, in line 19 by deleting "by rule"; and

on page 56, by inserting below line 8 the following:

"(x) 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."; and

on page 59, by inserting below line 3 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 64, in line 6, by inserting after the period 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 73, by inserting below line 23 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 bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 4723 and 5321.

HOUSE BILL 5192. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on Health & Healthcare Disparities, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5192 by replacing everything after the enacting clause with the following:

"Article 1. Legislative Intent

Section 1-1. Legislative intent. The General Assembly finds that the mortality associated with breast cancer for minority women in Illinois is significantly higher compared to non-minority women. This disparity has grown over the last 2 decades and is unacceptable. A recent New England Journal of Medicine article found that even modest cost-sharing deters women from getting a mammogram. The reduction was most pronounced for those with lower income and less education. Many other studies have found that women with lower family income and those relying on public programs for healthcare access mammography at a lower rate. It is, therefore, the intent of this legislation to decrease health disparities as they relate to breast cancer and to improve access for all women to quality breast cancer screening and treatment where necessary.

Article 5. Improving State Healthcare Programs
With Respect To

Mammography And Breast Cancer Treatment

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

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant women; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State, but not including abortions, or induced miscarriages or premature births, unless, in the opinion of a physician, such procedures are necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live viable child and such procedure is necessary for the health of the mother or her unborn child. The Illinois Department, by rule, shall prohibit any physician from providing medical assistance to anyone eligible therefor under this Code where such physician has been found guilty of performing an abortion procedure in a wilful and wanton manner upon a woman who was not pregnant at the time such abortion procedure was performed. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and Drug administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.

Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other

appropriate requirements regarding laboratory test order documentation.

The Department of Healthcare and Family Services shall provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

- (1) dental services, which shall include but not be limited to prosthodontics; and
- (2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide coverage and reimbursement for amino acid-based elemental formulas, regardless of delivery method, for the diagnosis and treatment of (i) eosinophilic disorders and (ii) short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the presence of occult breast cancer for women 35 years of age or older who are eligible for medical assistance under this Article, as follows:

(A) A baseline mammogram for women 35 to 39 years of age, and an

(B) An annual mammogram for women 40 years of age or older.

(C) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

(D) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. For purposes of As used in this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, and cassettes, with an average radiation exposure delivery of less than one rad per breast for mid-breast, with 2 views of an average size for each breast. The term also includes digital mammography.

On and after July 1, 2008, screening and diagnostic mammography shall be reimbursed at the same rate as the Medicare program's rates, including the increased reimbursement for digital mammography.

The Department shall convene an expert panel including representatives of hospitals, free-standing mammography facilities, and doctors, including radiologists, to establish quality standards. Based on these quality standards, the Department shall provide for bonus payments to mammography facilities meeting the standards for screening and diagnosis. The bonus payments shall be at least 15% higher than the Medicare rates for mammography.

Subject to federal approval, the Department shall establish a rate methodology for mammography at federally qualified health centers and other encounter-rate clinics. These clinics or centers may also collaborate with other hospital-based mammography facilities.

The Department shall establish a methodology to remind women who are age-appropriate for screening mammography, but who have not received a mammogram within the previous 18 months, of the importance and benefit of screening mammography.

The Department shall establish a performance goal for primary care providers with respect to their female patients over age 40 receiving an annual mammogram. This performance goal shall be used to provide additional reimbursement in the form of a quality performance bonus to primary care providers who meet that goal.

The Department shall devise a means of case-managing or patient navigation for beneficiaries diagnosed with breast cancer. This program shall initially operate as a pilot program in areas of the State with the highest incidence of mortality related to breast cancer. At least one pilot program site shall be in the metropolitan Chicago area and at least one site shall be outside the metropolitan Chicago area. An evaluation of the pilot program shall be carried out measuring health outcomes and cost of care for those served by the pilot program compared to similarly situated patients who are not served by the pilot program.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and

Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

- (1) Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.
- (2) The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.
- (3) Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.

The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be

required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after the effective date of this amendatory Act of 1984, the Illinois Department shall establish a current list of acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

The rules and regulations of the Illinois Department shall require that a written statement including the required opinion of a physician shall accompany any claim for reimbursement for abortions, or induced miscarriages or premature births. This statement shall indicate what procedures were used in providing such medical services.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor that provides non-emergency medical transportation, defined by the Department by rule, shall be conditional for 180 days. During that time, the Department of Healthcare and Family Services may terminate the vendor's eligibility to participate in the medical assistance program without cause. That termination of eligibility is not subject to the Department's hearing process.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients without medical authorization; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Such rules shall enable a recipient to temporarily acquire and use alternative or substitute devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department.

The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

- (a) actual statistics and trends in utilization of medical services by public aid recipients;
- (b) actual statistics and trends in the provision of the various medical services by medical vendors;

(c) current rate structures and proposed changes in those rate structures for the various medical vendors; and

(d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one copy with the Legislative Research Unit, and such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section. (Source: P.A. 95-331, eff. 8-21-07; 95-520, eff. 8-28-07.)

Article 10. Breast Cancer Patients'
Access To Pain Relief

Section 10-5. The Illinois Insurance Code is amended by adding Section 356g.5-1 as follows:
(215 ILCS 5/356g.5-1 new)

Sec. 356g.5-1. Breast cancer pain medication and therapy. A group or individual policy of accident and health insurance or managed care plan that is amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 95th General Assembly must provide coverage for all medically necessary pain medication and pain therapy related to the treatment of breast cancer on the same terms and conditions that are generally applicable to coverage for other conditions. For purposes of this Section, "pain therapy" means pain therapy that is medically based and includes reasonably defined goals, including, but not limited to, stabilizing or reducing pain, with periodic evaluations of the efficacy of the pain therapy against these goals. The provisions of this Section do not apply to short-term travel, accident-only, limited, or specified-disease policies, or to policies or contracts designed for issuance to persons eligible for coverage under Title XVIII of the Social Security Act, known as Medicare, or any other similar coverage under State or federal governmental plans.

Section 10-10. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.11 as follows:

(5 ILCS 375/6.11)

Sec. 6.11. Required health benefits; Illinois Insurance Code requirements. The program of health benefits shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Sections 356g.5, ~~356g.5-1~~, 356u, 356w, 356x, 356z.2, 356z.4, 356z.6, ~~and 356z.9~~, and ~~356z.10 356z.9~~ of the Illinois Insurance Code. The program of health benefits must comply with Section 155.37 of the Illinois Insurance Code.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-4-07.)

Section 10-15. The Counties Code is amended by changing Section 5-1069.3 as follows:
(55 ILCS 5/5-1069.3)

Sec. 5-1069.3. Required health benefits. If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g.5, ~~356g.5-1~~, 356u, 356w, 356x, 356z.6, ~~and 356z.9~~, and ~~356z.10 356z.9~~ of the Illinois Insurance Code. The requirement that health benefits be covered as provided in this Section is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule county to which this Section applies must comply with every provision of this Section.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-4-07.)

Section 10-20. The Illinois Municipal Code is amended by changing Section 10-4-2.3 as follows:
(65 ILCS 5/10-4-2.3)

Sec. 10-4-2.3. Required health benefits. If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g.5, ~~356g.5-1~~, 356u, 356w, 356x, 356z.6, ~~and 356z.9~~, and ~~356z.10 356z.9~~ of the Illinois Insurance Code. The requirement that health benefits be covered as provided in this is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule municipality to which this Section applies must comply with every provision of this Section.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-4-07.)

Section 10-25. The School Code is amended by changing Section 10-22.3f as follows:

(105 ILCS 5/10-22.3f)

Sec. 10-22.3f. Required health benefits. Insurance protection and benefits for employees shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g.5, 356g.5-1, 356u, 356w, 356x, 356z.6, and 356z.9 of the Illinois Insurance Code.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; revised 12-4-07.)

Section 10-30. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

(215 ILCS 125/5-3) (from Ch. 111 1/2, par. 1411.2)

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 137, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 355.2, 356g.5-1, 356m, 356v, 356w, 356x, 356y, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, ~~356z.9~~, 364.01, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370c, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code.

(b) For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, Health Maintenance Organizations in the following categories are deemed to be "domestic companies":

(1) a corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act;

(2) a corporation organized under the laws of this State; or

(3) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a "domestic company" under Article VIII 1/2 of the Illinois Insurance Code.

(c) In considering the merger, consolidation, or other acquisition of control of a Health Maintenance Organization pursuant to Article VIII 1/2 of the Illinois Insurance Code,

(1) the Director shall give primary consideration to the continuation of benefits to enrollees and the financial conditions of the acquired Health Maintenance Organization after the merger, consolidation, or other acquisition of control takes effect;

(2)(i) the criteria specified in subsection (1)(b) of Section 131.8 of the Illinois Insurance Code shall not apply and (ii) the Director, in making his determination with respect to the merger, consolidation, or other acquisition of control, need not take into account the effect on competition of the merger, consolidation, or other acquisition of control;

(3) the Director shall have the power to require the following information:

(A) certification by an independent actuary of the adequacy of the reserves of the Health Maintenance Organization sought to be acquired;

(B) pro forma financial statements reflecting the combined balance sheets of the acquiring company and the Health Maintenance Organization sought to be acquired as of the end of the preceding year and as of a date 90 days prior to the acquisition, as well as pro forma financial statements reflecting projected combined operation for a period of 2 years;

(C) a pro forma business plan detailing an acquiring party's plans with respect to the operation of the Health Maintenance Organization sought to be acquired for a period of not less than 3 years; and

(D) such other information as the Director shall require.

(d) The provisions of Article VIII 1/2 of the Illinois Insurance Code and this Section 5-3 shall apply to the sale by any health maintenance organization of greater than 10% of its enrollee population (including without limitation the health maintenance organization's right, title, and interest in and to its health care certificates).

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be managed or serviced, and (ii) need not take into account the effect of the management contract or service

agreement on competition.

(f) Except for small employer groups as defined in the Small Employer Rating, Renewability and Portability Health Insurance Act and except for medicare supplement policies as defined in Section 363 of the Illinois Insurance Code, a Health Maintenance Organization may by contract agree with a group or other enrollment unit to effect refunds or charge additional premiums under the following terms and conditions:

(i) the amount of, and other terms and conditions with respect to, the refund or additional premium are set forth in the group or enrollment unit contract agreed in advance of the period for which a refund is to be paid or additional premium is to be charged (which period shall not be less than one year); and

(ii) the amount of the refund or additional premium shall not exceed 20% of the Health Maintenance Organization's profitable or unprofitable experience with respect to the group or other enrollment unit for the period (and, for purposes of a refund or additional premium, the profitable or unprofitable experience shall be calculated taking into account a pro rata share of the Health Maintenance Organization's administrative and marketing expenses, but shall not include any refund to be made or additional premium to be paid pursuant to this subsection (f)). The Health Maintenance Organization and the group or enrollment unit may agree that the profitable or unprofitable experience may be calculated taking into account the refund period and the immediately preceding 2 plan years.

The Health Maintenance Organization shall include a statement in the evidence of coverage issued to each enrollee describing the possibility of a refund or additional premium, and upon request of any group or enrollment unit, provide to the group or enrollment unit a description of the method used to calculate (1) the Health Maintenance Organization's profitable experience with respect to the group or enrollment unit and the resulting refund to the group or enrollment unit or (2) the Health Maintenance Organization's unprofitable experience with respect to the group or enrollment unit and the resulting additional premium to be paid by the group or enrollment unit.

In no event shall the Illinois Health Maintenance Organization Guaranty Association be liable to pay any contractual obligation of an insolvent organization to pay any refund authorized under this Section.

(Source: P.A. 94-906, eff. 1-1-07; 94-1076, eff. 12-29-06; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-4-07.)

Section 10-35. The Voluntary Health Services Plans Act is amended by changing Section 10 as follows:
(215 ILCS 165/10) (from Ch. 32, par. 604)

Sec. 10. Application of Insurance Code provisions. Health services plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA and XII 1/2 and Sections 3.1, 133, 140, 143, 143c, 149, 155.37, 354, 355.2, 356g.5, ~~356g.5-1~~, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, ~~356z.10~~ ~~356z.9~~, 364.01, 367.2, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7) and (15) of Section 367 of the Illinois Insurance Code.

(Source: P.A. 94-1076, eff. 12-29-06; 95-189, eff. 8-16-07; 95-331, eff. 8-21-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-5-07.)

Article 15. Reducing Financial Barriers To Mammography

Section 15-5. The Illinois Insurance Code is amended by changing Section 356g as follows:

(215 ILCS 5/356g) (from Ch. 73, par. 968g)

Sec. 356g. Mammograms; mastectomies.

(a) Every insurer shall provide in each group or individual policy, contract, or certificate of insurance issued or renewed for persons who are residents of this State, coverage for screening by low-dose mammography for all women 35 years of age or older for the presence of occult breast cancer within the provisions of the policy, contract, or certificate. The coverage shall be as follows:

(1) A baseline mammogram for women 35 to 39 years of age.

(2) An annual mammogram for women 40 years of age or older.

(3) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

(4) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

~~These benefits shall be at least as favorable as for other radiological examinations and subject to the~~

~~same dollar limits, deductibles, and co-insurance factors.~~ For purposes of this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with radiation exposure delivery of less than 1 rad per breast for 2 views of an average size breast. The term also includes digital mammography.

(a-5) Coverage as described by subsection (a) shall be provided at no cost to the insured and shall not be applied to an annual or lifetime maximum benefit.

(a-10) When health care services are available through contracted providers and a person does not comply with plan provisions specific to the use of contracted providers, the requirements of subsection (a-5) are not applicable. When a person does not comply with plan provisions specific to the use of contracted providers, plan provisions specific to the use of non-contracted providers must be applied without distinction for coverage required by this Section and shall be at least as favorable as for other radiological examinations covered by the policy or contract.

(b) No policy of accident or health insurance that provides for the surgical procedure known as a mastectomy shall be issued, amended, delivered, or renewed in this State unless that coverage also provides for prosthetic devices or reconstructive surgery incident to the mastectomy. Coverage for breast reconstruction in connection with a mastectomy shall include:

- (1) reconstruction of the breast upon which the mastectomy has been performed;
- (2) surgery and reconstruction of the other breast to produce a symmetrical appearance;
- and
- (3) prostheses and treatment for physical complications at all stages of mastectomy, including lymphedemas.

Care shall be determined in consultation with the attending physician and the patient. The offered coverage for prosthetic devices and reconstructive surgery shall be subject to the deductible and coinsurance conditions applied to the mastectomy, and all other terms and conditions applicable to other benefits. When a mastectomy is performed and there is no evidence of malignancy then the offered coverage may be limited to the provision of prosthetic devices and reconstructive surgery to within 2 years after the date of the mastectomy. As used in this Section, "mastectomy" means the removal of all or part of the breast for medically necessary reasons, as determined by a licensed physician.

Written notice of the availability of coverage under this Section shall be delivered to the insured upon enrollment and annually thereafter. An insurer may not deny to an insured eligibility, or continued eligibility, to enroll or to renew coverage under the terms of the plan solely for the purpose of avoiding the requirements of this Section. An insurer may not penalize or reduce or limit the reimbursement of an attending provider or provide incentives (monetary or otherwise) to an attending provider to induce the provider to provide care to an insured in a manner inconsistent with this Section.

(Source: P.A. 94-121, eff. 7-6-05; 95-431, eff. 8-24-07.)

Section 15-10. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.11 as follows:

(5 ILCS 375/6.11)

Sec. 6.11. Required health benefits; Illinois Insurance Code requirements. The program of health benefits shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Sections ~~356g~~, 356g.5, 356u, 356w, 356x, 356z.2, 356z.4, 356z.6, ~~and 356z.9~~, and ~~356z.10~~ ~~356z.9~~ of the Illinois Insurance Code. The program of health benefits must comply with Section 155.37 of the Illinois Insurance Code.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-4-07.)

Section 15-15. The Counties Code is amended by changing Sections 5-1069 and 5-1069.3 as follows:

(55 ILCS 5/5-1069) (from Ch. 34, par. 5-1069)

Sec. 5-1069. Group life, health, accident, hospital, and medical insurance.

(a) The county board of any county may arrange to provide, for the benefit of employees of the county, group life, health, accident, hospital, and medical insurance, or any one or any combination of those types of insurance, or the county board may self-insure, for the benefit of its employees, all or a portion of the employees' group life, health, accident, hospital, and medical insurance, or any one or any combination of those types of insurance, including a combination of self-insurance and other types of insurance authorized by this Section, provided that the county board complies with all other requirements of this Section. The insurance may include provision for employees who rely on treatment by prayer or spiritual means alone for healing in accordance with the tenets and practice of a well recognized religious denomination. The

county board may provide for payment by the county of a portion or all of the premium or charge for the insurance with the employee paying the balance of the premium or charge, if any. If the county board undertakes a plan under which the county pays only a portion of the premium or charge, the county board shall provide for withholding and deducting from the compensation of those employees who consent to join the plan the balance of the premium or charge for the insurance.

(b) If the county board does not provide for self-insurance or for a plan under which the county pays a portion or all of the premium or charge for a group insurance plan, the county board may provide for withholding and deducting from the compensation of those employees who consent thereto the total premium or charge for any group life, health, accident, hospital, and medical insurance.

(c) The county board may exercise the powers granted in this Section only if it provides for self-insurance or, where it makes arrangements to provide group insurance through an insurance carrier, if the kinds of group insurance are obtained from an insurance company authorized to do business in the State of Illinois. The county board may enact an ordinance prescribing the method of operation of the insurance program.

(d) If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the insurance coverage shall include screening by low-dose mammography for all women 35 years of age or older for the presence of occult breast cancer unless the county elects to provide mammograms itself under Section 5-1069.1. The coverage shall be as follows:

(1) A baseline mammogram for women 35 to 39 years of age.

(2) An annual mammogram for women 40 years of age or older.

(3) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

(4) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

~~Those benefits shall be at least as favorable as for other radiological examinations and subject to the same dollar limits, deductibles, and co-insurance factors. For purposes of this subsection, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, screens, and image receptor receptors, with an average radiation exposure delivery of less than one rad per breast for mid-breast, with 2 views of an average size for each breast. The term also includes digital mammography.~~

(d-5) Coverage as described by subsection (d) shall be provided at no cost to the insured and shall not be applied to an annual or lifetime maximum benefit.

(d-10) When health care services are available through contracted providers and a person does not comply with plan provisions specific to the use of contracted providers, the requirements of subsection (d-5) are not applicable. When a person does not comply with plan provisions specific to the use of contracted providers, plan provisions specific to the use of non-contracted providers must be applied without distinction for coverage required by this Section and shall be at least as favorable as for other radiological examinations covered by the policy or contract.

(d-15) If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the insurance coverage shall include mastectomy coverage, which includes coverage for prosthetic devices or reconstructive surgery incident to the mastectomy. Coverage for breast reconstruction in connection with a mastectomy shall include:

(1) reconstruction of the breast upon which the mastectomy has been performed;

(2) surgery and reconstruction of the other breast to produce a symmetrical appearance; and

(3) prostheses and treatment for physical complications at all stages of mastectomy, including lymphedemas.

Care shall be determined in consultation with the attending physician and the patient. The offered coverage for prosthetic devices and reconstructive surgery shall be subject to the deductible and coinsurance conditions applied to the mastectomy, and all other terms and conditions applicable to other benefits. When a mastectomy is performed and there is no evidence of malignancy then the offered coverage may be limited to the provision of prosthetic devices and reconstructive surgery to within 2 years after the date of the mastectomy. As used in this Section, "mastectomy" means the removal of all or part of the breast for medically necessary reasons, as determined by a licensed physician.

A county, including a home rule county, that is a self-insurer for purposes of providing health insurance coverage for its employees, may not penalize or reduce or limit the reimbursement of an attending provider

or provide incentives (monetary or otherwise) to an attending provider to induce the provider to provide care to an insured in a manner inconsistent with this Section.

(d-20) The requirement that mammograms be included in health insurance coverage as provided in ~~subsections this subsection~~ (d) through (d-15) is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution of home rule county powers. A home rule county to which subsections (d) through (d-15) apply ~~this subsection applies~~ must comply with every provision of those subsections ~~this subsection~~.

(e) The term "employees" as used in this Section includes elected or appointed officials but does not include temporary employees.

(f) The county board may, by ordinance, arrange to provide group life, health, accident, hospital, and medical insurance, or any one or a combination of those types of insurance, under this Section to retired former employees and retired former elected or appointed officials of the county.

(Source: P.A. 90-7, eff. 6-10-97; 91-217, eff. 1-1-00.)

(55 ILCS 5/5-1069.3)

Sec. 5-1069.3. Required health benefits. If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356u, 356w, 356x, 356z.6, and 356z.9, and 356z.10 ~~356z.9~~ of the Illinois Insurance Code. The requirement that health benefits be covered as provided in this Section is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule county to which this Section applies must comply with every provision of this Section.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-4-07.)

Section 15-20. The Illinois Municipal Code is amended by changing Sections 10-4-2 and 10-4-2.3 as follows:

(65 ILCS 5/10-4-2) (from Ch. 24, par. 10-4-2)

Sec. 10-4-2. Group insurance.

(a) The corporate authorities of any municipality may arrange to provide, for the benefit of employees of the municipality, group life, health, accident, hospital, and medical insurance, or any one or any combination of those types of insurance, and may arrange to provide that insurance for the benefit of the spouses or dependents of those employees. The insurance may include provision for employees or other insured persons who rely on treatment by prayer or spiritual means alone for healing in accordance with the tenets and practice of a well recognized religious denomination. The corporate authorities may provide for payment by the municipality of a portion of the premium or charge for the insurance with the employee paying the balance of the premium or charge. If the corporate authorities undertake a plan under which the municipality pays a portion of the premium or charge, the corporate authorities shall provide for withholding and deducting from the compensation of those municipal employees who consent to join the plan the balance of the premium or charge for the insurance.

(b) If the corporate authorities do not provide for a plan under which the municipality pays a portion of the premium or charge for a group insurance plan, the corporate authorities may provide for withholding and deducting from the compensation of those employees who consent thereto the premium or charge for any group life, health, accident, hospital, and medical insurance.

(c) The corporate authorities may exercise the powers granted in this Section only if the kinds of group insurance are obtained from an insurance company authorized to do business in the State of Illinois, or are obtained through an intergovernmental joint self-insurance pool as authorized under the Intergovernmental Cooperation Act. The corporate authorities may enact an ordinance prescribing the method of operation of the insurance program.

(d) If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the insurance coverage shall include screening by low-dose mammography for all women 35 years of age or older for the presence of occult breast cancer unless the municipality elects to provide mammograms itself under Section 10-4-2.1. The coverage shall be as follows:

(1) A baseline mammogram for women 35 to 39 years of age.

(2) An annual mammogram for women 40 years of age or older.

(3) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

(4) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

~~Those benefits shall be at least as favorable as for other radiological examinations and subject to the same dollar limits, deductibles, and co-insurance factors. For purposes of this subsection, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, screens, and image receptor receptors, with an average radiation exposure delivery of less than one rad per breast for mid-breast, with 2 views of an average size for each breast. The term also includes digital mammography.~~

(d-5) Coverage as described by subsection (d) shall be provided at no cost to the insured and shall not be applied to an annual or lifetime maximum benefit.

(d-10) When health care services are available through contracted providers and a person does not comply with plan provisions specific to the use of contracted providers, the requirements of subsection (d-5) are not applicable. When a person does not comply with plan provisions specific to the use of contracted providers, plan provisions specific to the use of non-contracted providers must be applied without distinction for coverage required by this Section and shall be at least as favorable as for other radiological examinations covered by the policy or contract.

(d-15) If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the insurance coverage shall include mastectomy coverage, which includes coverage for prosthetic devices or reconstructive surgery incident to the mastectomy. Coverage for breast reconstruction in connection with a mastectomy shall include:

(1) reconstruction of the breast upon which the mastectomy has been performed;

(2) surgery and reconstruction of the other breast to produce a symmetrical appearance; and

(3) prostheses and treatment for physical complications at all stages of mastectomy, including lymphedemas.

Care shall be determined in consultation with the attending physician and the patient. The offered coverage for prosthetic devices and reconstructive surgery shall be subject to the deductible and coinsurance conditions applied to the mastectomy, and all other terms and conditions applicable to other benefits. When a mastectomy is performed and there is no evidence of malignancy then the offered coverage may be limited to the provision of prosthetic devices and reconstructive surgery to within 2 years after the date of the mastectomy. As used in this Section, "mastectomy" means the removal of all or part of the breast for medically necessary reasons, as determined by a licensed physician.

A municipality, including a home rule municipality, that is a self-insurer for purposes of providing health insurance coverage for its employees, may not penalize or reduce or limit the reimbursement of an attending provider or provide incentives (monetary or otherwise) to an attending provider to induce the provider to provide care to an insured in a manner inconsistent with this Section.

(d-20) The requirement that mammograms be included in health insurance coverage as provided in subsections ~~this subsection~~ (d) through (d-15) is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution of home rule municipality powers. A home rule municipality to which subsections (d) through (d-15) apply ~~this subsection applies~~ must comply with every provision of through subsections this subsection.

(Source: P.A. 90-7, eff. 6-10-97; 91-160, eff. 1-1-00.)

(65 ILCS 5/10-4-2.3)

Sec. 10-4-2.3. Required health benefits. If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections ~~356g, 356g.5, 356u, 356w, 356x, 356z.6, and 356z.9, and 356z.10 356z.9~~ of the Illinois Insurance Code. The requirement that health benefits be covered as provided in this is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule municipality to which this Section applies must comply with every provision of this Section.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-4-07.)

Section 15-25. The School Code is amended by changing Section 10-22.3f as follows:

(105 ILCS 5/10-22.3f)

Sec. 10-22.3f. Required health benefits. Insurance protection and benefits for employees shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections ~~356g, 356g.5, 356u, 356w, 356x, 356z.6, and~~

356z.9 of the Illinois Insurance Code.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; revised 12-4-07.)

Section 15-30. The Health Maintenance Organization Act is amended by changing Section 4-6.1 as follows:

(215 ILCS 125/4-6.1) (from Ch. 111 1/2, par. 1408.7)

Sec. 4-6.1. Mammograms; mastectomies.

(a) Every contract or evidence of coverage issued by a Health Maintenance Organization for persons who are residents of this State shall contain coverage for screening by low-dose mammography for all women 35 years of age or older for the presence of occult breast cancer. The coverage shall be as follows:

(1) A baseline mammogram for women 35 to 39 years of age.

(2) An annual mammogram for women 40 years of age or older.

(3) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.

(4) A comprehensive ultrasound screening of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.

~~These benefits shall be at least as favorable as for other radiological examinations and subject to the same dollar limits, deductibles, and co-insurance factors.~~ For purposes of this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with radiation exposure delivery of less than 1 rad per breast for 2 views of an average size breast. The term also includes digital mammography.

(a-5) Coverage as described in subsection (a) shall be provided at no cost to the enrollee and shall not be applied to an annual or lifetime maximum benefit.

(b) No contract or evidence of coverage issued by a health maintenance organization that provides for the surgical procedure known as a mastectomy shall be issued, amended, delivered, or renewed in this State on or after the effective date of this amendatory Act of the 92nd General Assembly unless that coverage also provides for prosthetic devices or reconstructive surgery incident to the mastectomy, providing that the mastectomy is performed after the effective date of this amendatory Act. Coverage for breast reconstruction in connection with a mastectomy shall include:

(1) reconstruction of the breast upon which the mastectomy has been performed;

(2) surgery and reconstruction of the other breast to produce a symmetrical appearance;

and

(3) prostheses and treatment for physical complications at all stages of mastectomy, including lymphedemas.

Care shall be determined in consultation with the attending physician and the patient. The offered coverage for prosthetic devices and reconstructive surgery shall be subject to the deductible and coinsurance conditions applied to the mastectomy and all other terms and conditions applicable to other benefits. When a mastectomy is performed and there is no evidence of malignancy, then the offered coverage may be limited to the provision of prosthetic devices and reconstructive surgery to within 2 years after the date of the mastectomy. As used in this Section, "mastectomy" means the removal of all or part of the breast for medically necessary reasons, as determined by a licensed physician.

Written notice of the availability of coverage under this Section shall be delivered to the enrollee upon enrollment and annually thereafter. A health maintenance organization may not deny to an enrollee eligibility, or continued eligibility, to enroll or to renew coverage under the terms of the plan solely for the purpose of avoiding the requirements of this Section. A health maintenance organization may not penalize or reduce or limit the reimbursement of an attending provider or provide incentives (monetary or otherwise) to an attending provider to induce the provider to provide care to an insured in a manner inconsistent with this Section.

(Source: P.A. 94-121, eff. 7-6-05; 95-431, eff. 8-24-07.)

Section 15-35. The Voluntary Health Services Plans Act is amended by changing Section 10 as follows:

(215 ILCS 165/10) (from Ch. 32, par. 604)

Sec. 10. Application of Insurance Code provisions. Health services plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA and XII 1/2 and Sections 3.1, 133, 140, 143, 143c, 149, 155.37, 354, 355.2, 356g, 356g.5, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10 ~~356z.9~~, 364.01, 367.2, 368a,

401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7) and (15) of Section 367 of the Illinois Insurance Code.

(Source: P.A. 94-1076, eff. 12-29-06; 95-189, eff. 8-16-07; 95-331, eff. 8-21-07; 95-422, eff. 8-24-07; 95-520, eff. 8-28-07; revised 12-5-07.)

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

AMENDMENT NO. 2. Amend House Bill 5192, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 16, after line 4, 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."; and

on page 17, after line 6, 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."; and

on page 17, after line 19, 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."; and

on page 18, after line 15, 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."; and

on page 19, after line 11, 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."; and

on page 19, after line 22, 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."; and

on page 24, after line 19, by inserting 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 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."; and

on page 25, after line 9, 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."; and

on page 28, after line 22, by inserting the following:

"(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 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."; and

on page 29, after line 11, 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."; and

on page 34, after line 22, by inserting 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 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."; and
on page 35, 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."; and

on page 40, after line 12, by inserting the following:

"(e) 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."; and

on page 41, after line 3, 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."; and

on page 41, after line 14, 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."; and on page 44, after line 19, by inserting the following:

"(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 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."; and on page 45, after line 8, 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."

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 4710. Having been read by title a second time on March 13, 2008, and held on the order of Second Reading, the same was again taken up.

Representative Holbrook offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 4710 on page 9, by deleting lines 9 through 13.

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

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

HOUSE BILL 5285. Having been reproduced, was taken up and read by title a second time.

Representative Jefferson offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 5285, on page 4, by replacing lines 2 through 10 with the following:

"(215 ILCS 5/356z.11 new)

Sec. 356z.11. Dependent students; medical leave of absence. A group or individual policy of accident and health insurance or managed care plan amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 95th General Assembly must continue to provide coverage for a dependent college student who takes a medical leave of absence or reduces his or her course load to part-time status because of a catastrophic illness or injury.

Continuation of coverage under this Section is subject to all of the policy's terms and conditions applicable to those forms of insurance. Continuation of insurance under the policy shall terminate 12 months after notice of the illness or injury or until the coverage would have otherwise lapsed pursuant to the terms and conditions of the policy, whichever comes first, provided the need for part-time status or medical leave of absence is supported by a clinical certification of need from a physician licensed to practice medicine in all its branches.

The provisions of this Section do not apply to short-term travel, accident-only, limited, or specified disease policies or to policies or contracts designed for issuance to persons eligible for coverage under Title XVIII of the Social Security Act, known as Medicare, or any other similar coverage under State or federal governmental plans."

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

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

HOUSE BILL 5318. 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 5318 by replacing line 22 on page 1 through line 11 on page 2 with the following:

"(c) In the event that proposed rules or changes are properly submitted to the Task Force and the Task Force fails to advise the Department within 90 days after receipt of the proposed rules or changes, final action shall be deemed to have been taken by the Task Force concerning the proposed rules or changes. The Task Force shall issue an interim report to the Governor and General Assembly no later than January 1, 2004. The final report shall be issued no later than September 30, 2005, and shall include specific statutory changes recommended, if any."; and

on page 3, line 18, by replacing "Board" with "Task Force"; and

on page 3, by replacing lines 19 through 21 with the following:

"shall serve until a replacement is sworn and qualified. Nine members appointed to the Task Force constitutes a quorum."

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 4830. 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 4830 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 367e as follows:

(215 ILCS 5/367e) (from Ch. 73, par. 979e)

Sec. 367e. Continuation of Group Hospital, Surgical and Major Medical Coverage After Termination of Employment or Membership. A group policy delivered, issued for delivery, renewed or amended in this state which insures employees or members for hospital, surgical or major medical insurance on an expense incurred or service basis, other than for specific diseases or for accidental injuries only, shall provide that employees or members whose insurance under the group policy would otherwise terminate because of termination of employment or membership or because of a reduction in hours below the minimum required by the group plan shall be entitled to continue their hospital, surgical and major medical insurance under

that group policy, for themselves and their eligible dependents, subject to all of the group policy's terms and conditions applicable to those forms of insurance and to the following conditions:

1. Continuation shall only be available to an employee or member who has been continuously insured under the group policy (and for similar benefits under any group policy which it replaced) during the entire 3 months period ending with such termination or reduction in hours below the minimum required by the group plan.

2. Continuation shall not be available for any person who is covered by Medicare, except for those individuals who have been covered under a group Medicare supplement policy. Neither shall continuation be available for any person who is covered by any other insured or uninsured plan which provides hospital, surgical or medical coverage for individuals in a group and under which the person was not covered immediately prior to such termination or reduction in hours below the minimum required by the group plan or who exercises his conversion privilege under the group policy.

3. Continuation need not include dental, vision care, prescription drug benefits, disability income, specified disease, or similar supplementary benefits which are provided under the group policy in addition to its hospital, surgical or major medical benefits.

4. Upon termination or reduction in hours below the minimum required by the group plan written notice of continuation shall be presented to the employee or member and the insurer by the employer or mailed by the employer to the last known address of the employee. This written notice must be given directly to the employee or sent via certified mail within 10 days after the employee's termination or reduction in hours below the minimum required by the group plan. An employee or member who wishes continuation of coverage must request such continuation in writing within the 30 day ten day period following the later of: (i) the date of such termination or reduction in hours below the minimum required by the group plan, or (ii) the date the employee is given written notice of the right of continuation by either the employer, ~~or the group policyholder~~, or insurer. The written notice provided to an employee must include an explanation that his or her option for continuation coverage will expire within the 30 day period following the later of (i) the date of such termination of employment or reduction in hours below the minimum required by the group plan, or (ii) the date the employee is given written notice of the right of continuation by either the employer, group policyholder, or insurer. ~~In no event, however, may the employee or member elect continuation more than 60 days after the date of such termination or reduction in hours below the minimum required by the group plan.~~ Written notice of continuation presented to the employee or member by the policyholder, or mailed by the policyholder to the last known address of the employee, shall constitute the giving of notice for the purpose of this provision.

In the event the employer fails or refuses to provide notice of continuation rights to the employee or member, the insurer is required to mail notice of the continuation rights to the employee or member at the last known address of the employee. In the event the employee or member contacts the insurer regarding continuation rights and advises that notice has not been provided by the employer or group policyholder, the insurer shall mail out notice to that individual. An employee or member shall have 30 days from receipt of the notice to elect continuation.

Any employer who fails to provide the notice required in this subsection 4. is guilty of a petty offense and shall be fined \$500.

5. An employee or member electing continuation must pay to the group policyholder or his employer, on a monthly basis in advance, the total amount of premium required by the insurer, including that portion of the premium contributed by the policyholder or employer, if any, but not more than the group rate for the insurance being continued with appropriate reduction in premium for any supplementary benefits which have been discontinued under paragraph (3) of this Section. The premium rate required by the insurer shall be the applicable premium required on the due date of each payment.

6. Continuation of insurance under the group policy for any person shall terminate when he becomes eligible for Medicare or is covered by any other insured or uninsured plan which provides hospital, surgical or medical coverage for individuals in a group and under which the person was not covered immediately prior to such termination or reduction in hours below the minimum required by the group plan as provided in condition 2 above or, if earlier, at the first to occur of the following:

(a) The date ~~18~~ 9 months after the date the employee's or member's insurance under the policy would otherwise have terminated because of termination of employment or membership or reduction in hours below the minimum required by the group plan.

(b) If the employee or member fails to make timely payment of a required contribution, the end of the period for which contributions were made.

(c) The date on which the group policy is terminated or, in the case of an employee, the date his employer terminates participation under the group policy. However, if this (c) applies and the coverage ceasing by reason of such termination is replaced by similar coverage under another group policy, the following shall apply:

(i) The employee or member shall have the right to become covered under that other group policy, for the balance of the period that he would have remained covered under the prior group policy in accordance with condition 6 had a termination described in this (c) not occurred.

(ii) The prior group policy shall continue to provide benefits to the extent of its accrued liabilities and extensions of benefits as if the replacement had not occurred.

7. A notification of the continuation privilege shall be included in each certificate of coverage.

8. Continuation shall not be available for any employee who was discharged because of the commission of a felony in connection with his work, or because of theft in connection with his work, for which the employer was in no way responsible; provided the employee admitted his commission of the felony or theft or such act has resulted in a conviction or order of supervision by a court of competent jurisdiction.

The requirements of this amendatory Act of 1983 shall apply to any group policy as defined in this Section, delivered or issued for delivery on or after 180 days following the effective date of this amendatory Act of 1983.

The requirements of this amendatory Act of 1985 shall apply to any group policy as defined in this Section, delivered, issued for delivery, renewed or amended on or after 180 days following the effective date of this amendatory Act of 1985.

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.

(Source: P.A. 93-477, eff. 1-1-04.)

Section 10. The Health Maintenance Organization Act is amended by changing Section 4-9.2 as follows: (215 ILCS 125/4-9.2) (from Ch. 111 1/2, par. 1409.2-2)

Sec. 4-9.2. Continuation of group HMO coverage after termination of employee or membership. A group contract delivered, issued for delivery, renewed, or amended in this State that covers employees or members for health care services shall provide that employees or members whose coverage under the group contract would otherwise terminate because of termination of employment or membership or because of a reduction in hours below the minimum required by the group contract shall be entitled to continue their coverage under that group contract, for themselves and their eligible dependents, subject to all of the group contract's terms and conditions applicable to those forms of coverage and to the following conditions:

(1) Continuation shall only be available to an employee or member who has been continuously covered under the group contract (and for similar benefits under any group contract that it replaced) during the entire 3 month period ending with the termination of employment or membership or reduction in hours below the minimum required by the group contract.

(2) Continuation shall not be available for any enrollee who is covered by Medicare, except for those individuals who have been covered under a group Medicare supplement policy. Continuation shall not be available for any enrollee who is covered by any other insured or uninsured plan that provides hospital, surgical, or medical coverage for individuals in a group and under which the enrollee was not covered immediately before termination or reduction in hours below the minimum required by the group contract or who exercises his or her conversion privilege under the group policy.

(3) Continuation need not include dental, vision care, prescription drug, or similar supplementary benefits that are provided under the group contract in addition to its basic health care services.

(4) Upon termination or reduction in hours below the minimum required by the group contract, written notice of continuation shall be presented to the employee or member and the HMO by the employer or mailed by the employer to the last known address of the employee. This written notice must be given directly to the employee or sent via certified mail within 10 days after the employee's termination or reduction in hours below the minimum required by the group plan. An employee or member who wishes continuation of coverage must request continuation in writing within the ~~30~~ 10 day period following the later of (i) the date of termination or reduction in hours below the minimum required by the group contract or (ii) the date the employee is given written notice of the right of continuation by either the employer, ~~or the group policyholder,~~ or HMO. ~~In no event, however, shall the employee or member elect continuation more than 60 days after the date of termination or reduction in hours below the minimum required by the group contract.~~ Written notice of continuation presented to the employee or member by the policyholder or HMO, or mailed by the policyholder or HMO to the last known address of the employee, shall constitute the giving of notice for the purpose of this paragraph.

The written notice provided to an employee must include an explanation that his or her option for continuation coverage will expire within the 30 day period following the later of (i) the date of such termination of employment or reduction in hours below the minimum required by the group plan, or (ii) the date the employee is given written notice of the right of continuation by either the employer, group policyholder, or HMO.

In the event the employer fails or refuses to provide notice of continuation rights to the employee or member, the HMO is required to mail notice of the continuation rights to the employee or member at the last known address of the employee. In the event the employee or member contacts the HMO regarding continuation rights and advises that notice has not been provided by the employer or group policyholder, the HMO shall mail out notice to that individual. An employee or member shall have 30 days from receipt of the notice to elect continuation.

Any employer who fails to provide the notice required in this subsection (4) is guilty of a petty offense and shall be fined \$500.

(5) An employee or member electing continuation must pay to the group policyholder or his employer, on a monthly basis in advance, the total amount of premium required by the HMO, including that portion of the premium contributed by the policyholder or employer, if any, but not more than the group rate for the coverage being continued with appropriate reduction in premium for any supplementary benefits that have been discontinued under paragraph (3) of this Section. The premium rate required by the HMO shall be the applicable premium required on the due date of each payment.

(6) Continuation of coverage under the group contract for any person shall terminate when the person becomes eligible for Medicare or is covered by any other insured or uninsured plan that provides hospital, surgical, or medical coverage for individuals in a group and under which the person was not covered immediately before termination or reduction in hours below the minimum required by the group contract as provided in paragraph (2) of this Section or, if earlier, at the first to occur of the following:

(a) The expiration of ~~18~~ 9 months after the employee's or member's coverage because of termination of employment or membership or reduction in hours below the minimum required by the group contract.

(b) If the employee or member fails to make timely payment of a required contribution, the end of the period for which contributions were made.

(c) The date on which the group contract is terminated or, in the case of an employee, the date his or her employer terminates participation under the group contract. If, however, this paragraph applies and the coverage ceasing by reason of termination is replaced by similar coverage under another group contract, then (i) the employee or member shall have the right to become covered under the replacement group contract for the balance of the period that he or she would have remained covered under the prior group contract in accordance with paragraph (6) had a termination described in this item (c) not occurred and (ii) the prior group contract shall continue to provide benefits to the extent of its accrued liabilities and extensions of benefits as if the replacement had not occurred.

(7) A notification of the continuation privilege shall be included in each evidence of coverage.

(8) Continuation shall not be available for any employee who was discharged because of the commission of a felony in connection with his or her work, or because of theft in connection with his or her work, for which the employer was in no way responsible if the employee (i) admitted to committing the felony or theft or (ii) was convicted or placed under supervision by a court of competent jurisdiction.

The requirements of this amendatory Act of 1992 shall apply to any group contract, as defined in this Section, delivered or issued for delivery on or after 180 days following the effective date of this amendatory Act of 1992.

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.

(Source: P.A. 93-477, eff. 1-1-04.)

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 4725.

HOUSE BILL 5331. 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 5331 by replacing everything after the enacting clause with the following:

"Section 5. The Covering ALL KIDS Health Insurance Act is amended by adding Section 52.5 as follows:

(215 ILCS 170/52.5 new)

Sec. 52.5. Specialty physician care; fee schedule.

(a) Beginning January 1, 2009, the physician fee schedule for the Covering ALL KIDS Insurance Program must increase to become competitive with those of non-governmental, third party health insurance programs. By January 1, 2011, the payment for a pediatric specialty physician service must not be lower than Medicare reimbursement in accordance with the Medicare payment localities for Illinois. Reimbursement rules and policies shall not be more restrictive than Medicare physician payment rules and policies except as specifically required by federal Medicaid and SCHIP laws. Payment for services must be made within 30 days after receipt of a bill or claim for payment in accordance with Section 368a of the Illinois Insurance Code.

(b) Transition period. For payments made or authorized by the Department of Healthcare and Family Services, the Department shall annually increase pediatric specialty physician payments under subsection (a) by an amount approximately equal to one third of the difference between the actual rates available for such purposes on January 1, 2008 and the Medicare reimbursement rates effective on January 1, 2007. If the General Assembly determines that resources are not available to fully fund the fee schedule for pediatric specialty physician care required by this subsection, then, until such time as the General Assembly determines that such funding is available, the Department shall increase any payment for physicians who

provide pediatric specialty care services under the Covering ALL KIDS Health Insurance Program by an amount proportionately equivalent to any other increases for physicians, federally qualified health centers, rural health centers, or other non-institutional providers providing services to children for any services provided under this Act.

(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 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.

Section 10. The Illinois Public Aid Code is amended by adding Section 5-5.05 as follows:

(305 ILCS 5/5-5.05 new)

Sec. 5-5.05. Physician payments; pediatric specialty physician services.

(a) Notwithstanding any other provision of this Article, beginning January 1, 2009, the physician fee schedule for pediatric physician specialists must increase to become competitive with those of non-governmental, third party health insurance programs. By January 1, 2011, the payment for a pediatric specialty physician service must not be lower than Medicare reimbursement in accordance with the Medicare payment localities for Illinois. Reimbursement rules and policies shall not be more restrictive than Medicare physician payment rules and policies except as specifically required by federal Medicaid and SCHIP laws. Payment for services must be made within 30 days after receipt of a bill or claim for payment in accordance with Section 368a of the Illinois Insurance Code.

(b) Transition period. For payments made or authorized by the Department of Healthcare and Family Services, the Department shall annually increase pediatric specialty physician payments under subsection (a) by an amount approximately equal to one third of the difference between the actual rates available for such purposes on January 1, 2008 and the Medicare reimbursement rates effective on January 1, 2007. If the General Assembly determines that resources are not available to fully fund the fee schedule for pediatric specialty physician care required by this subsection, then, until such time as the General Assembly determines that such funding is available, the Department shall increase any payment for physicians who provide pediatric specialty care services under the medical assistance program by an amount proportionately equivalent to any other increases for physicians, federally qualified health centers, rural health centers, or other non-institutional providers providing services to children for any services provided under this Act.

(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 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.

HOUSE BILL 4451. Having been reproduced, was taken up and read by title a second time.
The following amendment was offered in the Committee on Revenue, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 4451 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Lottery Law is amended by adding Sections 7.9 and 27.5 as follows:

(20 ILCS 1605/7.9 new)

Sec. 7.9. Study of demographic data.

(a) At least once every 2 years, the Department shall employ an independent firm that is experienced in demographic analysis to conduct a demographic study of lottery players in the State. The study must include the income, age, sex, race, education, and frequency of participation of the players.

(b) The Director shall report the results of the demographic study under this Section to the Governor and to the General Assembly before the convening of the regular legislative session that immediately follows the completion of the study.

(20 ILCS 1605/27.5 new)

Sec. 27.5. No rulemaking authority. Notwithstanding any other provision of this Act or any other rulemaking authority that may exist, on and after the effective date of this amendatory Act of the 95th General Assembly, 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 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 Act, "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 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 4862. 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 4862 on page 2, after line 2, 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."; and

on page 3, 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."

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

HOUSE BILL ON THIRD READING

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

On motion of Representative Howard, HOUSE BILL 842 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 38)

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

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

HOUSE BILL ON SECOND READING

HOUSE BILL 4393. 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 4393 on page 11, by replacing lines 9 through 13 with the following:

"Bureau of Alcohol, Tobacco and Firearms (ATF)"; and
on page 11, line 22, by deleting "and under its rules"; and
on page 13, by inserting immediately below line 22 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."

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.

RECALLS

At the request of the principal sponsor, Representative Dugan, HOUSE BILL 4771 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Colvin, HOUSE BILL 4379 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 1090, 1091, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1112, 1113, 1114, 1119 and HOUSE JOINT RESOLUTION 116 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

At the hour of 4:57 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, April 2, 2008, at 11:00 o'clock a.m., allowing perfunctory time for the Clerk.

The motion prevailed.

And the House stood adjourned.

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

April 01, 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	P Leitch	P Reitz
P Beaubien	P Durkin	P Lindner	P Riley
P Beiser	P Eddy	P Lyons	P Rita
P Bellock	P Feigenholtz (ADDED)	P Mathias	P Rose
P Berrios	P Flider	P Mautino	P Ryg
P Biggins	P Flowers	P May	P Sacia
E Black	P Ford	P McAuliffe	P Saviano
P Boland	E Fortner	P McCarthy	P 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	P Mitchell, Jerry	P Stephens
P Burke	A Granberg (REMOVED)	P Moffitt	P Sullivan
P Chapa LaVia	P Hamos	P Molaro	P Tracy
P Coladipietro	P Hannig	P Mulligan (ADDED)	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	P Hoffman	P Osmond	E Washington
P Crespo	P Holbrook	E Osterman	E Watson
P Cross	P Howard	P Patterson	P Winters
P Cultra	P Jakobsson	P Phelps	P Yarbrough
P Currie	P Jefferies	E 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

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4159
SOLID WASTE-SCHOOL RECYCLING
THIRD READING
PASSED

April 01, 2008

107 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4881
EMERGING TECH INDUSTRIES GRANT
THIRD READING
PASSED

April 01, 2008

107 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4628
CRIM CD-SALE FIREARMS
THIRD READING
PASSED

April 01, 2008

107 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5930
ST GREEN BUILDINGS-LED LIGHTS
THIRD READING
PASSED

April 01, 2008

106 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4705
SCHOOL CD-PRESCHOOL FOR ALL
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 5017
 HEALTH FACILITIES-TASK FORCE
 THIRD READING
 PASSED

April 01, 2008

97 YEAS

11 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5768
DOC LAND TRANSFER-PARIS
THIRD READING
PASSED

April 01, 2008

107 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 5898
 PROMPT PAYMENT-BUDGET/PENALTY
 THIRD READING
 PASSED

April 01, 2008

101 YEAS

3 NAYS

4 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5717
SCH CD-HEALTH EXAM-5TH GRADE
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 5699
 PEN CD-TRS-DISABILITY RETURN
 THIRD READING
 PASSED

April 01, 2008

75 YEAS

33 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4456
CHILDREN-YOUTH COMMISSION
THIRD READING
PASSED

April 01, 2008

107 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 5212
 UTILITIES-CONSUMER EDUCATION
 THIRD READING
 PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 4232
 EDUCATION-TECH
 THIRD READING
 PASSED

April 01, 2008

86 YEAS

21 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4165
ILLINOIS ID CARD-RENEW-PHONE
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5648
CHIP-ELGIBILITY-PLAN COVERAGE
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4251
VEH CD-FARM TRACTOR-SHOULDER
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4391
PROHIBIT INTERNET PRESCRIBING
THIRD READING
PASSED

April 01, 2008

79 YEAS

28 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 5109
 HIGHER ED-MAP CHALLENGE PROG
 THIRD READING
 PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4726
ETHICS-ADMIN LEAVE-CRIMINAL
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5655
ID CARD-VEH CD-OPTOMETRISTS
THIRD READING
PASSED

April 01, 2008

107 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5776
FAIRS-PREMISES ID-LIVESTOCK
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 5505
 TWP CD-AGENDA/MEETINGS
 THIRD READING
 PASSED

April 01, 2008

107 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5572
MECHANICS LIEN-RESIDENTL IMPRV
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 5193
 HOSPITAL-MED STAFF GOVERNANCE
 THIRD READING
 PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4179
PROP TX-SENIOR EXEMPTIONS
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4765
CMS-ACCOUNTABILITY PORTAL
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1054
 EDUCATION-TECH
 THIRD READING
 PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 5038
 SCH CD-EARLY CHILDHOOD ED GRNT
 THIRD READING
 PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4573
PUBLIC AID-APPLICATION-RIGHTS
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5494
IDOT-CONVEYANCES
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 4642
SCH CD-GIFTED/TWICE EXCEPTIONL
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5614
PHARMACY BENEFIT MANAGER LIC
THIRD READING
PASSED

April 01, 2008

106 YEAS

0 NAYS

2 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 892
BLACK NURSES DAY
ADOPTED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 1026
YMCA HEALTHY KIDS DAY
ADOPTED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5115
EDUC-COMM SERVICE-LT GOVERNOR
THIRD READING
PASSED

April 01, 2008

107 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 5585
DCEO-RETOOLING PROGRAM
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 842
GOOD SAM COMPUTER PROGRAM
THIRD READING
PASSED

April 01, 2008

108 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

244TH LEGISLATIVE DAY**Perfunctory Session****TUESDAY, APRIL 1, 2008**

At the hour of 6:46 o'clock p.m., the House convened perfunctory session.

HOUSE RESOLUTIONS

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

HOUSE RESOLUTION 1092

Offered by Representative Ryg:

WHEREAS, Modern medicine has made amazing advances in fighting pediatric cancer; pediatric cancer survivors are faced with a unique set of problems because of these advances; and

WHEREAS, Cure rates for pediatric cancers have risen dramatically during the past 20 years, and it is estimated that one in every 900 adults, aged 16 to 44, is a survivor of pediatric cancer; and

WHEREAS, Almost 70 percent of children diagnosed with brain cancer survive treatment today, a statistic that calls into focus the need to look at a child's quality of life in the years following treatment; and

WHEREAS, Pediatric cancer survivorship can come with a price in the form of long-term medical, financial, psychosocial, and/or neurocognitive problems due to chemotherapy, radiation, or surgery; and

WHEREAS, The major expenses of a pediatric cancer diagnosis and treatment are associated with the direct costs of medical care, including charges for hospitalizations, clinic visits, medications, tests and procedures, home health services, services of doctors and other professionals, and treatment including surgery, chemotherapy, radiation therapy, and bone marrow or peripheral stem cell transplant; and

WHEREAS, Even well-insured, middle-class families with health insurance can find themselves in financial distress because of a single catastrophic illness, and even when insurance doesn't run out, health care costs can be staggering for the families of children with cancer; and

WHEREAS, The State of Illinois recognizes that amazing advances have been made in the treatment of pediatric cancer and survivor rates; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we proclaim April 6-12, 2008 as the Second Annual Pediatric Cancer Survivorship Week in the State of Illinois.

HOUSE RESOLUTION 1093

Offered by Representative Soto:

WHEREAS, The Illinois Measure of Annual Growth in English (IMAGE) Test is administered to students with limited proficiency in English to measure individual student achievement relative to the Illinois Learning Standards; and

WHEREAS, The U.S. Department of Education ruled that the IMAGE Test did not serve as a valid measure of assessing students' abilities under federal law; and

WHEREAS, The State Board of Education has not produced an acceptable replacement test to administer to students who are learning English; instead, the State Board of Education recently announced that the IMAGE Test will not be given in 2008 and that students with limited proficiency in English will take the same assessment test as English-speaking students; and

WHEREAS, Discontinuing the IMAGE Test and failing to implement a similar alternative examination will negatively impact students, schools, and districts throughout the State; assessment data may be swayed by poor test scores of students who simply do not understand English, resulting in schools or districts failing to meet federal standards; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the State Board of Education is urged to request a

one-year extension from the U.S. Department of Education so that the IMAGE Test may be administered in 2008; and be it further

RESOLVED, That the U.S. Department of Education is urged to grant the extension to the State of Illinois, thereby ensuring that the most accurate assessment of student progress is obtained; and be it further

RESOLVED, That if the U.S. Department of Education grants the State of Illinois an additional year to use the IMAGE Test, then the State Board of Education is urged to develop an alternative test for use in subsequent years that will meet federal requirements; and be it further

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

HOUSE RESOLUTION 1101

Offered by Representative Madigan:

WHEREAS, It has been more than 30 years since the enactment of the Illinois Marriage and Dissolution of Marriage Act; and

WHEREAS, American society and law have undergone significant and numerous changes particularly affecting families and family law; and

WHEREAS, The General Assembly has dealt with these changes only by amending individual sections of the Act without regard to the overall statutory scheme of the Act; and

WHEREAS, It is time for a thorough and comprehensive review of the Act to improve and update it in the context of these changes in the last 30 years; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Illinois Family-Law Study Committee is created to study and recommend how the Illinois Marriage and Dissolution of Marriage Act should be amended to improve and update it; and be it further

RESOLVED, That the Committee shall consist of the following members:

- (1) Two members appointed by the Speaker of the House of Representatives;
- (2) Two members appointed by the Minority Leader of the House of Representatives;
- (3) Two members appointed by the Supreme Court of Illinois, one each from (1) an Illinois statewide bar association and (2) a metropolitan bar association; and

(4) Two members appointed by the Illinois Child Support Advisory Committee, one of whom is (1) its chairperson or designee and (2) a member of a statewide organization whose membership is exclusively comprised of matrimonial lawyers; and be it further

RESOLVED, That the Committee should seek voluntary assistance from education, legal, civic, and professional organizations and institutions in its review; and be it further

RESOLVED, That the members of the Committee shall serve without compensation but may be reimbursed for actual expenses incurred while serving on this Committee from funds appropriated to the Department of Healthcare and Family Services' budget for that purpose; and be it further

RESOLVED, That the Committee shall submit its final report to the Governor and the House of Representatives on or before December 31, 2008.

HOUSE RESOLUTION 1111

Offered by Representative Patterson:

WHEREAS, In February of 2008, the State of Florida suffered a massive power outage; and

WHEREAS, A problem that apparently started in South Florida quickly cascaded through much of the state's power grid and sparked widespread outages throughout the state; and

WHEREAS, The power outage affected as many as 3,000,000 Florida residents; and

WHEREAS, A similar outage in the State of Illinois could be catastrophic to the health and welfare of the State; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Emergency Management Agency and any other relevant State agency to conduct a study of the causes of Florida's power outage and determine whether the State of Illinois is susceptible to a similar incident; and be it further

RESOLVED, That a copy of this resolution be delivered to the Governor and to the Director of the

Illinois Emergency Management Agency.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Lyons replaced Representative Phelps in the Committee on Elementary & Secondary Education on April 1, 2008.

Representative Jefferson replaced Representative Crespo in the Committee on Elementary & Secondary Education on April 1, 2008.

Representative Hassert replaced Representative Mulligan in the Committee on Elementary & Secondary Education on April 1, 2008.

Representative Berrios replaced Representative May in the Committee on Health & Healthcare Disparities on April 1, 2008.

Representative Lyons replaced Representative Beiser in the Committee on Higher Education on April 1, 2008.

Representative Gordon replaced Representative Phelps in the Committee on Agriculture & Conservation on April 1, 2008.

REPORTS FROM STANDING COMMITTEES

Representative Reitz, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken on April 1, 2008, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 2825.

The committee roll call vote on Amendment No. 1 to House Bill 2825 is as follows:
9, Yeas; 0, Nays; 0, Answering Present.

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

Representative McCarthy, Chairperson, from the Committee on Higher Education to which the following were referred, action taken on April 1, 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 4380.

The committee roll call vote on House Bill 4380 is as follows:
13, Yeas; 0, Nays; 0, Answering Present.

Y McCarthy(D), Chairperson	Y Jakobsson(D), Vice-Chairperson
Y Bost(R), Republican Spokesperson	Y Lyons(D) (replacing Beiser)
A Black(R)	Y 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 Harris, Chairperson, from the Committee on Health Care Availability and Access to which the following were referred, action taken on April 1, 2008, reported the same back with the following recommendations:

That the Floor Amendment be reported “recommends be adopted”:

Amendment No. 3 to HOUSE BILL 4223.

The committee roll call vote on Amendment No. 3 to House Bill 4223 is as follows:

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

Y Flowers(D), Chairperson	Y Berrios(D) (replacing May)
N Osmond(R), Republican Spokesperson	Y Crespo(D)
Y Dugan(D)	Y Golar(D)
Y Harris(D)	Y Howard(D)
N Krause(R)	Y McGuire(D)
N Mulligan(R)	A Sommer(R)
A Tryon(R)	

Representative Smith, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on April 1, 2008, reported the same back with the following recommendations:

That the Floor Amendment be reported “recommends be adopted”:

Amendment No. 1 to HOUSE BILL 2210.

That the resolution be reported “recommends be adopted” and be placed on the House Calendar: HOUSE JOINT RESOLUTION 99.

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 3642.

The committee roll call vote on House Bill 3642 and Amendment No. 1 to House Bill 2210 is as follows:

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

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

The committee roll call vote on House Joint Resolution 99 is as follows:

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

Y Smith(D), Chairperson	Y Davis, Monique(D), Vice-Chairperson
Y Mitchell, Jerry(R), Republican Spokesperson	Y Bassi(R)
Y ChapaLaVia(D)	Y Jefferson(D) (replacing Crespo)
Y Dugan(D)	Y Eddy(R)
Y Flider(D)	Y Froehlich(D)
Y Golar(D)	Y Joyce(D)
Y Kosel(R)	A Miller(D)

Y Hassert(R) (replacing Mulligan)
 A Osterman(D)
 A Pihos(R)
 Y Reis(R)
 Y Yarbrough(D)

Y Munson(R)
 Y Lyons(D) (replacing Phelps)
 Y Pritchard(R)
 A Watson(R)

INTRODUCTION OF EXECUTIVE ORDERS

Having been reproduced, the following Executive Orders were taken up, read by title a first time and placed in the Committee on Rules:

2008-1

EXECUTIVE ORDER TO CONSOLIDATE CERTAIN APPLICATION DEVELOPMENT, HUMAN RESOURCES, PERSONNEL, PAYROLL, TIMEKEEPING, PROCUREMENT, AND FINANCIAL PROCESSES

WHEREAS, numerous State agencies independently perform similar administrative functions, including human resources, personnel, payroll, timekeeping, procurement, and financial processes (the “Common Administrative Functions”);

WHEREAS, numerous State agencies independently perform similar application development and maintenance functions (the “Common Application Development Functions”);

WHEREAS, State agencies charged with environmental and economic development duties perform Common Administrative Functions and Common Application Development Functions, including: the Environmental Protection Agency, the Department of Natural Resources, the Department of Commerce and Economic Opportunity, the Department of Transportation, the Department of Agriculture, the Illinois Finance Authority, the Illinois Housing Development Authority, the Department of Labor, the Historic Preservation Agency, and the Capital Development Board (the “Environmental and Economic Development Affected Agencies”);

WHEREAS, State agencies charged with healthcare duties perform Common Administrative Functions, including: the Department of Healthcare and Family Services, Department of Veterans’ Affairs and the Department of Public Health (the “Healthcare Affected Agencies”);

WHEREAS, State agencies charged with social services duties perform Common Administrative Functions, including: the Department of Children and Family Services, the Council on Developmental Disabilities, the Department of Employment Security, the Guardianship and Advocacy Commission, the Department of Human Services, the Department on Aging, and the Violence Prevention Authority (the “Social Services Affected Agencies,” collectively with the Environmental and Economic Development Affected Agencies and the Healthcare Affected Agencies, the “Affected Agencies”);

WHEREAS, State agencies, including the Affected Agencies, employ different standards and procedures to deliver Common Administrative Functions, reducing the ability of all State agencies to share management knowledge and capitalize on synergies and economies of scale to the ultimate benefit of the taxpayers and all Illinoisans;

WHEREAS, State agencies, including the Environmental and Economic Development Affected Agencies, employ different standards and procedures to deliver Common Application Development Functions, reducing the ability of all State agencies to share management knowledge and capitalize on synergies and economies of scale and skill to the ultimate benefit of taxpayers and all Illinoisans;

WHEREAS, combining Common Administrative Functions and Common Application Development Functions would, among other things, improve the State’s ability to effectively provide services to State

agencies, promote cross-training, improve career development for State employees, improve interactivity of State operations, and eliminate duplicate functions within State agencies;

WHEREAS, combining Common Administrative Functions facilitates the establishment of uniform accounting, payroll, and human resource processes with the Illinois Office of the Comptroller and the Office of the Auditor General;

WHEREAS, Article V, Section 11 of the Illinois Constitution authorizes the Governor to reassign functions or reorganize executive agencies that are directly responsible to him by means of executive order; and

WHEREAS, Section 3.2 of the Executive Reorganization Implementation Act, 15 ILCS 15/3.2, provides that "Reorganization" includes the transfer of functions from one agency to another.

THEREFORE, I hereby order:

I. TRANSFER OF FUNCTIONS AND CREATION OF NEW DIVISIONS

A. Effective June 1, 2008, a Division of Shared Services is created within the Department of Transportation. The Environmental and Economic Development Affected Agencies' Common Application Development Functions and Common Administrative Functions and all associated powers, duties, rights, and responsibilities attendant thereto shall be transferred to and consolidated under the jurisdiction of the Department of Transportation, Division of Shared Services, which will provide services for the benefit of the Environmental and Economic Development Affected Agencies, provided however, that those functions that are unique to an Environmental and Economic Development Affected Agency or that are inextricably integrated with the statutory mandate of such Environmental and Economic Development Affected Agency shall not be deemed Common Administrative Functions and shall not be transferred pursuant to this Executive Order. Functions inextricably integrated with the statutory mandate of Environmental and Economic Development Affected Agencies include, but are not limited to, the authority to: issue certain permits and licenses and collect fees; impose statutory fines and penalties; oversee and manage the natural resources and environmental policies of the State; and plan, develop, and regulate the State's transportation infrastructure.

B. Effective June 1, 2008, a Division of Shared Services is created within the Department of Healthcare and Family Services. The Healthcare Affected Agencies' Common Administrative Functions and all associated powers, duties, rights, and responsibilities attendant thereto shall be transferred to and consolidated under the jurisdiction of the Department of Healthcare and Family Services, Division of Shared Services, which will provide services for the benefit of the Healthcare Affected Agencies, provided however, that those functions that are unique to a Healthcare Affected Agency or that are inextricably integrated with the statutory mandate of such Healthcare Affected Agency shall not be deemed Common Administrative Functions and shall not be transferred pursuant to this Executive Order. Functions inextricably integrated with the statutory mandate of Healthcare Affected Agencies include, but are not limited to: the testing and regulation of the safety of food, water, and drugs; the enforcement of certain standards of quality in hospitals and nursing homes; the enforcement of child support payment; and the oversight of certain healthcare and support programs.

C. Effective June 1, 2008, a Division of Shared Services is created within the Department of Human Services. The Social Services Affected Agencies' Common Administrative Functions and all associated powers, duties, rights, and responsibilities attendant thereto shall be transferred to and consolidated under the jurisdiction of the Department of Human Services, Division of Shared Services, which will provide services for the benefit of the Social Services Affected Agencies, provided however, that those functions that are unique to a Social Services Affected Agency or that are inextricably integrated with the statutory mandate of such Social Services Affected Agency shall not be deemed Common Administrative Functions and shall not be transferred pursuant to this Executive Order. Functions inextricably integrated with the statutory mandate of Social Services Affected Agencies include, but are not limited to: the development and oversight of certain support, employment, care, and training programs; and the oversight of services and health benefit and prevention programs.

D. The statutory powers, duties, rights, responsibilities, and liabilities of the Affected Agencies associated with the Common Administrative Functions derive from, among others, the following statutory provisions:

1. Civil Administrative Code of Illinois (Executive Branch): 20 ILCS 5/5-645.
2. Environmental Protection Agency: 415 ILCS 5/4.
3. Department of Natural Resources: 20 ILCS 801/1-15 *et seq.*; 20 ILCS 805/805 *et seq.*; 20 ILCS 1905/1905-10, 150, 200.
4. Department of Commerce and Economic Opportunity: 20 ILCS 605/605-10 *et seq.*
5. Department of Transportation: 20 ILCS 2705/2705-10, 15, 100 – 175, 550, 555.
6. Department of Agriculture: 20 ILCS 205/205-10, 400, 445.
7. Historic Preservation Agency: 20 ILCS 3405/5, 11, 16.
8. Capital Development Board: 20 ILCS 3105/8 *et seq.*
9. Department of Healthcare and Family Services: 20 ILCS 2205/2205-5; 305 ILCS 5/12-1 *et seq.*
10. Department of Public Health: 20 ILCS 2305/2; 20 ILCS 2310/2310-10 *et seq.*
11. Department on Aging: 20 ILCS 105/4, 4.01, 5, 5.01, 6.05; 20 ILCS 110/110-5.
12. Department of Children and Family Services: 20 ILCS 505/3 *et seq.*; 20 ILCS 510/510-10 *et seq.*
13. Department of Human Services: 20 ILCS 310/310-5; 20 ILCS 1305/1-20 *et seq.*; 20 ILCS 1305/80-15 *et seq.*; 20 ILCS 1705/3, 4, 4.2, 6, 16.1, 19, 20, 21, 28, 44; 20 ILCS 1710/1710-10 *et seq.*
14. Department of Veterans' Affairs: 20 ILCS 2805/2, 2.01a, 2.07, 3.
15. Illinois Finance Authority: 20 ILCS 3501/801-15, 30, 40.
16. Illinois Housing Development Authority: 20 ILCS 3805/4, 7.
17. Department of Labor: 20 ILCS 1505 *et seq.*
18. Department of Employment Security: 20 ILCS 1005/1005-1 *et seq.*
19. Council on Developmental Disabilities: 20 ILCS 4010/2003.
20. Guardianship and Advocacy Commission: 20 ILCS 3955/3 *et seq.*
21. Violence Prevention Authority: 20 ILCS 4027/10, 15.

II. EFFECT OF TRANSFERS

The powers, duties, rights, and responsibilities transferred by the Affected Agencies and consolidated in the new Divisions of Shared Services shall not be affected by this Executive Order, except that such Common Administrative Functions shall be performed by the new Divisions of Shared Services as of the effective date of the transfers.

A. Personnel employed by the Environmental and Economic Development Affected Agencies who are engaged in the performance of those Common Administrative Functions and Common Application Development Functions transferred to the Department of Transportation, Division of Shared Services, by this Executive Order may be transferred to the Department of Transportation, Division of Shared Services, pursuant to the direction of the Governor or his designee. Personnel employed by the Healthcare Affected Agencies who are engaged in the performance of those Common Administrative Functions transferred to the Department of Healthcare and Family Services, Division of Shared Services, by this Executive Order may be transferred to the Department of Healthcare and Family Services, Division of Shared Services, pursuant to the direction of the Governor or his designee. Personnel employed by the Social Services

Affected Agencies who are engaged in the performance of those Common Administrative Functions transferred by this Executive Order may be transferred to the Department of Human Services, Division of Shared Services, pursuant to the direction of the Governor or his designee.

B. All books, records, papers, documents, state property (real and personal), contracts, and pending business pertaining exclusively to the powers, duties, rights, and responsibilities transferred by this Executive Order from the Affected Agencies to the appropriate Division of Shared Services, including but not limited to, material in electronic or magnetic format and necessary computer hardware and software, shall be delivered to the Divisions of Shared Services.

C. All unexpended appropriations and balances and other funds available for use in connection with any of the Common Administrative Functions and Common Application Development Functions of the Affected Agencies transferred by this Executive Order to the appropriate Division of Shared Services may be transferred for use by the appropriate Division of Shared Services for the Common Administrative Functions and Common Application Development Functions pursuant to the direction of the Governor or his designee. Unexpended balances transferred must be expended for the purpose for which the appropriations were originally made.

III. SAVINGS CLAUSE

A. The rights, powers, duties, and functions transferred to the Department of Transportation, the Department of Healthcare and Family Services, and the Department of Human Services by this Executive Order shall be vested in, and shall be exercised by, the respective Departments. Each act done in exercise of such rights, powers, duties, and functions shall have the same legal effect as if done by the Affected Agencies or the divisions, officers, or employees from which they were transferred.

B. Every person or officer shall be subject to the same obligations and duties and any penalties, civil or criminal, arising therefrom, and shall have the same rights arising from the exercise of such rights, powers, and duties as had been exercised by the Affected Agencies from which they were transferred.

C. Whenever reports or notices are now required to be made or given or paper or documents furnished or served by any person in regard to the Common Administrative Functions and the Common Application Development Functions transferred to or upon the Affected Agencies from which the Common Administrative Functions were transferred, the same shall be made, given, furnished, or served in the same manner to or upon the Department of Transportation, Division of Shared Services, the Department of Healthcare and Family Services, Division of Shared Services, or the Department of Human Services, Division of Shared Services, as appropriate.

D. This Executive Order shall not affect any act completed, ratified, or canceled as well as any right occurring or established, or any action or proceeding had or commenced in an administrative, civil, or criminal cause regarding the Common Administrative Functions and the Common Application Development Functions transferred, but such proceedings may be continued by the Department of Transportation, Division of Shared Services, the Department of Healthcare and Family Services, Division of Shared Services, or the Department of Human Services, Division of Shared Services, as appropriate.

E. This Executive Order shall not affect the legality of any rules in the Illinois Administrative Code regarding the Common Administrative Functions and the Common Application Development Functions transferred in this Executive Order that are in force on the effective date of this Executive Order. If necessary, however, the Affected Agencies shall propose, adopt, or repeal rules, rule amendments, and rule recodifications as appropriate to effectuate this Executive Order.

IV. SEVERABILITY

If any provision of this Executive Order or its application to any person or circumstances is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which should be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared severable.

V. EFFECTIVE DATE

This Executive Order shall become effective on the 61st day after its delivery to the General Assembly.

s/ROD R. BLAGOJEVICH
Governor

INTRODUCTION AND FIRST READING OF BILLS

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

HOUSE BILL 6324. Introduced by Representative Mitchell, Bill, AN ACT concerning education.

HOUSE BILL 6325. Introduced by Representatives Bassi - Reboletti - McAuliffe - Cross - Mulligan, Munson, Bellock, Hassert, Biggins, Wait, Coulson and Krause, AN ACT concerning domestic violence, which may be referred to as the Cindy Bischof Law.

HOUSE BILL 6326. Introduced by Representatives Biggins - Bassi - Reboletti - Hassert - Wait, AN ACT concerning domestic violence.

HOUSE BILL 6327. Introduced by Representatives Reboletti - Coulson - Biggins - Wait - Bellock, Hassert, Bassi, Munson, Krause and Cross, AN ACT concerning criminal law.

HOUSE BILL 6328. Introduced by Representatives Mulligan - Coulson - Krause, AN ACT concerning appropriations.

HOUSE BILL 6329. Introduced by Representatives Mulligan - Krause - Coulson - Bassi, AN ACT concerning appropriations.

SENATE BILLS ON FIRST READING

Having been reproduced, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 1881 (Froehlich), 1887 (Froehlich), 1923 (Currie), 1939 (Smith), 1957 (Holbrook), 1979 (Ford), 1981 (Mautino), 1984 (Verschoore), 1997 (Schock), 2012 (Soto), 2014 (Mathias), 2031 (Holbrook), 2047 (Froehlich), 2049 (Franks), 2102 (Brady), 2160 (Dunkin), 2190 (Mathias), 2198 (Mendoza), 2240 (Currie), 2301 (Soto), 2304 (Mathias), 2314 (Mathias), 2336 (Soto), 2352 (Eddy), 2353 (Chapa LaVia), 2382 (Mathias) and 2401 (Mendoza).

At the hour of 7:01 o'clock p.m., the House Perfunctory Session adjourned.