

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

288TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

TUESDAY, SEPTEMBER 23, 2008

11:08 O'CLOCK A.M.

**HOUSE OF REPRESENTATIVES
Daily Journal Index
288th Legislative Day**

Action	Page(s)
Adjournment	42
Agreed Resolutions	35
Change of Sponsorship.....	32
Introduction and First Reading – HB 6712-6718	59
Legislative Measures Approved for Floor Consideration.....	4
Legislative Measures Assigned to Committee	5
Messages From The Senate.....	8
Motions Submitted	8
Perfunctory Adjournment.....	59
Perfunctory Session.....	59
Quorum Roll Call	4
Recess.....	41
Resolutions.....	32
Temporary Committee Assignments	4
Veto Motions Submitted	5

Bill Number	Legislative Action	Page(s)
HB 2070	Motion Submitted	8
HB 2070	Senate Message – Passage w/ SA	31
HJR 0143	Resolution.....	34
HR 1509	Resolution	35
HR 1509	Adoption	39
HR 1510	Resolution	35
HR 1510	Adoption	39
HR 1511	Resolution	35
HR 1511	Adoption	39
HR 1512	Resolution	35
HR 1512	Adoption	39
HR 1513	Resolution	35
HR 1513	Adoption	39
HR 1514	Resolution	36
HR 1514	Adoption	39
HR 1518	Resolution	32
HR 1519	Resolution	36
HR 1519	Adoption	39
HR 1520	Resolution	36
HR 1520	Adoption	39
HR 1521	Resolution	33
HR 1522	Resolution	36
HR 1522	Adoption	39
HR 1523	Resolution	36
HR 1523	Adoption	39
HR 1524	Resolution	36
HR 1524	Adoption	39
HR 1525	Resolution	36
HR 1525	Adoption	39
HR 1526	Resolution	36
HR 1526	Adoption	39
HR 1527	Resolution	36
HR 1527	Adoption	39

HR 1528	Resolution	36
HR 1528	Adoption	39
HR 1529	Resolution	37
HR 1529	Adoption	39
HR 1530	Resolution	37
HR 1530	Adoption	39
HR 1531	Resolution	33
HR 1532	Resolution	37
HR 1532	Adoption	39
HR 1533	Resolution	37
HR 1533	Adoption	39
HR 1535	Committee Report	5
HR 1535	Resolution	34
HR 1535	Adoption	40
HR 1536	Adoption	39
SB 0546	Amendatory Veto.....	39
SB 0546	Motion Submitted	6
SB 0780	Senate Message – Passage of Senate Bill	32
SB 1511	Committee Report.....	5
SB 1864	Amendatory Veto.....	38
SB 1864	Motion Submitted	5
SB 1879	Amendatory Veto.....	38
SB 1879	Motion Submitted	6
SB 1975	Amendatory Veto.....	39
SB 1975	Motion Submitted	5
SB 2190	Amendatory Veto.....	39
SB 2190	Motion Submitted	6
SB 2298	Motion Submitted	7
SB 2298	Total Veto	37
SB 2327	Amendatory Veto.....	40
SB 2327	Committee Report – Accept Amendatory Veto	5
SB 2327	Motion Submitted	6
SB 2340	Amendatory Veto.....	41
SB 2340	Committee Report – Accept Amendatory Veto	5
SB 2340	Motion Submitted	6, 7
SB 2380	Amendatory Veto.....	37
SB 2632	Amendatory Veto.....	39
SB 2632	Motion Submitted	6
SB 2676	Total Veto	38
SB 2679	Motion Submitted	7
SB 2679	Total Veto	38, 40
SB 2685	Amendatory Veto.....	37
SB 2685	Motion Submitted	6
SB 2887	Amendatory Veto.....	38
SB 2887	Motion Submitted	5
SB 546	Committee Report – Accept Amendatory Veto	5

The House met pursuant to adjournment.

Speaker of the House Madigan in the chair.

Prayer by Assistant Doorkeeper of the House Wayne Padget.

Representative Patterson 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:

92 present. (ROLL CALL 1)

By unanimous consent, Representatives Arroyo, Bassi, Berrios, Brauer, Burke, Collins, Colvin, Dunn, Ford, Fritchey, Granberg, Hernandez, Jefferies, Joyce, Lindner, Lyons, Mendoza, Molaro, Ryg and Schmitz were excused from attendance. At the hour of 3:57 o'clock p.m., by unanimous consent, Representative Sullivan is excused for the remainder of the day.

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 Golar, should be recorded as present at the hour of 11:15 o'clock a.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Hamos, should be recorded as present at the hour of 11:18 o'clock a.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Nekritz, should be recorded as present at the hour of 11:18 o'clock a.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Colvin, should be recorded as present at the hour of 11:18 o'clock a.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Joyce, should be recorded as present at the hour of 11:19 o'clock a.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Graham, should be recorded as present at the hour of 11:43 o'clock a.m.

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 12:00 o'clock noon.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Osterman, should be recorded as present at the hour of 12:05 o'clock p.m.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Meyer replaced Representative Hassert in the Committee on Rules (A) on September 23, 2008.

Representative Wait replaced Representative Black in the Committee on Rules (A) on September 23, 2008.

REPORTS FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on September 23, 2008, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

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

Motion to Accept Amendatory Veto to SENATE BILL 546.
 Motion to Accept Amendatory Veto to SENATE BILL 2327.
 Motion to Accept Amendatory Veto to SENATE BILL 2340.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:
 HOUSE RESOLUTION 1535.

That the bill be reported "approved for consideration" and be placed on the order of Third Reading--
 Short Debate: SENATE BILL 1511.

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

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

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

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

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on September 23, 2008, (A) reported the same back with the following recommendations:

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Judiciary II - Criminal Law: HOUSE BILL 6683.

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 Hannig(D)
 A Turner(D)

Y Wait(R) (replacing Black)
 Y Meyer(R) (replacing Hassert)

VETO MOTIONS SUBMITTED

Representative McGuire submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that the House concur with the Senate in the passage of SENATE BILL 1975, the Governor's Specific Recommendations for Change notwithstanding.

Representative Ford submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that the House concur with the Senate in the passage of SENATE BILL 1864, the Governor's Specific Recommendations for Change notwithstanding.

Representative Hannig submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that the House concur with the Senate in the passage of SENATE BILL 2887, the Governor's Specific Recommendations for Change notwithstanding.

Representative Cross submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that the House concur with the Senate in the passage of SENATE BILL 2685, the Governor's Specific Recommendations for Change notwithstanding.

Representative Winters submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that the House concur with the Senate in the passage of SENATE BILL 2632, the Governor's Specific Recommendations for Change notwithstanding.

Representative Mathias submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that the House concur with the Senate in the passage of SENATE BILL 2190, the Governor's Specific Recommendations for Change notwithstanding.

Representative McGuire submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that the House concur with the Senate in the passage of SENATE BILL 2340, the Governor's Specific Recommendations for Change notwithstanding.

Representative Colvin submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that the House concur with the Senate in the passage of SENATE BILL 1879, the Governor's Specific Recommendations for Change notwithstanding.

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

MOTION

I move that the House concur with the Senate in the acceptance of the Governor's Specific Recommendations for Change to SENATE BILL 2327 by adoption of the following amendment:

AMENDMENT TO SENATE BILL 2327
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 2327 on page 2, line 5, by replacing "The Department" with "Subject to appropriation, the Department"; and on page 3, lines 9 and 10, by replacing "effective date of this amendatory Act of the 95th General Assembly" with "completion of the study".

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

MOTION

I move that the House concur with the Senate in the acceptance of the Governor's Specific Recommendations for Change to SENATE BILL 546 by adoption of the following amendment:

AMENDMENT TO SENATE BILL 546

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 546 on page 2, line 3, by replacing "July 1, 2011" with "July 1, 2013"; and on page 9, line 24, by replacing "July 1, 2011" with "July 1, 2013"; and on page 9, line 25, by replacing "July 1, 2011" with "July 1, 2013"; and on page 10, line 10, by replacing "July 1, 2011" with "July 1, 2013"; and on page 12, line 22, by replacing "July 1, 2011" with "July 1, 2013"; and on page 26, by replacing lines 13 and 14 with the following:

"Section 99. Effective date. This Act takes effect June 1, 2009."

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

MOTION

I move that the House concur with the Senate in the acceptance of the Governor's Specific Recommendations for Change to SENATE BILL 2340 by adoption of the following amendment:

AMENDMENT TO SENATE BILL 2340
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 2340 on page 2, below line 18, by inserting the following:

"(b) The sheriff or seizing law enforcement agency must file a motion requesting destruction of bulk evidence before the trial judge in the courtroom where the criminal charge is pending. The sheriff or seizing law enforcement agency must give notice of the motion requesting destruction of bulk evidence to the prosecutor of the criminal charge and the defense attorney of record. The trial judge will conduct an evidentiary hearing in which all parties will be given the opportunity to present evidence and arguments relating to whether the evidence should be destroyed, whether such destruction will prejudice the prosecution of the criminal case, and whether the destruction of the evidence will prejudice the defense of the criminal charge. The court's determination whether to grant the motion for destruction of bulk evidence must be based upon the totality of all of the circumstances of the case presented at the evidentiary hearing, the effect such destruction would have upon the defendant's constitutional rights, and the prosecutor's ability to proceed with the prosecution of the criminal charge."; and

on page 2, line 19, by replacing "(b)" with "(c)"; and

on page 3, line 1, by replacing "(c)" with "(d)".

Representative Verschoore submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that the House concur with the Senate in the passage of SENATE BILL 2298, the Veto of the Governor notwithstanding.

Representative McCarthy submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that the House concur with the Senate in the passage of SENATE BILL 2679, the Veto of the Governor notwithstanding.

Representative McCarthy submitted the following written motion, which was placed on the order of Motions:

MOTION #2

I move that the House concur with the Senate in the passage of SENATE BILL 2679, the Veto of the Governor notwithstanding.

MOTION SUBMITTED

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

MOTION

I move to concur with Senate Amendments numbered 1 and 2 to HOUSE BILL 2070.

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 concurred with the House in the passage of a bill of the following title, the veto of the Governor to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 230

A bill for AN ACT concerning imprisonment.

Action taken by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 concurred with the House in the passage of a bill of the following title, the veto of the Governor to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 3106

A bill for AN ACT concerning civil law.

Action taken by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 concurred with the House in the passage of a bill of the following title, the veto of the Governor to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 4548

A bill for AN ACT concerning local government.

Action taken by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 concurred with the House in the passage of a bill of the following title, the veto of the Governor to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 4668

A bill for AN ACT concerning safety.

Action taken by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 concurred with the House in the passage of a bill of the following title, the veto of the Governor to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 4956

A bill for AN ACT concerning courts.

Action taken by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 concurred with the House in the passage of a bill of the following title, the veto of the Governor to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 5022

A bill for AN ACT concerning local government.

Action taken by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 concurred with the House in the passage of a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 824

A bill for AN ACT concerning State government.

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 concurred with the House in the passage of a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 953

A bill for AN ACT concerning insurance coverage.

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 concurred with the House in the passage of a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 1432

A bill for AN ACT concerning insurance.

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 concurred with the House in the passage of a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 4450

A bill for AN ACT concerning civil law.

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 concurred with the House in the passage of a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 4527

A bill for AN ACT concerning local government.

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 concurred with the House in the passage of a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 4602

A bill for AN ACT concerning regulation.

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 concurred with the House in the passage of a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 4653

A bill for AN ACT concerning land.

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of 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 a bill of the following title, the veto of the Governor to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 2298

A bill for AN ACT concerning local government.

I am further directed to transmit to the House of Representatives the following copy of the Governor's veto message to the Senate:

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of the Senate

August 19, 2008

To the Honorable Members of the
Illinois Senate
95th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 2298, entitled "AN ACT concerning local government." I recognize and appreciate the hard work of all the sponsors in passing this legislation. However, I do not agree with certain aspects of this legislation.

For this reason, I hereby veto and return Senate Bill 2298.

Sincerely,
ROD R. BLAGOJEVICH
Governor

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 a bill of the following title, the veto of the Governor to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 2676

A bill for AN ACT concerning local government.

I am further directed to transmit to the House of Representatives the following copy of the Governor's veto message to the Senate:

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of the Senate

August 26, 2008

To the Honorable Members of the
Illinois Senate
95th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 2676, entitled "AN ACT concerning local government." I recognize and appreciate the hard work of the sponsors in passing this legislation. However, I cannot sign this legislation because it raises taxes on consumers.

For this reason, I hereby veto and return Senate Bill 2676.

Sincerely,
ROD R. BLAGOJEVICH
Governor

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 a bill of the following title, the veto of the Governor to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 2679

A bill for AN ACT concerning local government.

I am further directed to transmit to the House of Representatives the following copy of the Governor's veto message to the Senate:

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of the Senate

August 19, 2008

To the Honorable Members of the
Illinois Senate
95th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 2679, entitled "AN ACT concerning local government." I recognize and appreciate the hard work of all the sponsors in passing this legislation. However, I do not agree with certain aspects of this legislation.

For this reason, I hereby veto and return Senate Bill 2679.

Sincerely,

ROD R. BLAGOJEVICH

Governor

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 a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 1864

A bill for AN ACT concerning fatherhood.

I am further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change to the Senate:

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of the Senate

August 26, 2008

To the Honorable Members of the
Illinois Senate
95th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 1864, entitled "AN ACT concerning fatherhood.", with the following specific recommendations for change:

on page 4, line 26, by replacing "January 1 of each" with "July 1, 2010,"; and

on page 5, line 1, by deleting "year,".

With these changes, Senate Bill 1864 will have my approval. I respectfully request your concurrence.

Sincerely,
 ROD R. BLAGOJEVICH
 Governor

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 a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 1879

A bill for AN ACT concerning regulation.

I am further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change to the Senate:

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of the Senate

August 26, 2008
 To the Honorable Members of the
 Illinois Senate
 95th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 1879, entitled "AN ACT concerning regulation.", with the following specific recommendations for change:

on page 1, line 5, by replacing "Sections 15-1504.5" with "Sections 15-1501.5, 1504.5,"; and
 on page 1, below line 6, by inserting the following:

“(735 ILCS 5/15-1501.5 new)

Sec. 15-1501.5. Counseling prior to perfecting foreclosure proceedings.

(a) Except for home loans in which any borrower has filed for relief under the United States Bankruptcy Code, if a home loan becomes delinquent by more than 30 days, the servicer shall send a notice advising the borrower that he or she may wish to seek approved credit counseling.

(b) The notice required in subsection (a) of this Section shall state the date on which the notice was mailed, shall be headed in bold, 14-point type, "GRACE PERIOD NOTICE", and shall state the following in 14-point type: "YOUR LOAN IS OR WAS MORE THAN 30 DAYS PAST DUE. YOU MAY BE EXPERIENCING FINANCIAL DIFFICULTY. IT MAY BE IN YOUR BEST INTEREST TO SEEK APPROVED HOUSING OR CREDIT COUNSELING. YOU HAVE A GRACE PERIOD OF 30 DAYS FROM THE DATE OF THIS FORM TO OBTAIN APPROVED HOUSING OR CREDIT COUNSELING. DURING THE GRACE PERIOD, THE LAW PROHIBITS US FROM TAKING ANY LEGAL ACTION AGAINST YOU. A LIST OF APPROVED COUNSELING AGENCIES MAY BE OBTAINED FROM THE ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION." The notice shall also list the Department's current consumer hotline, the Department's website, and the telephone number, fax number, and mailing address of the servicer's loss mitigation department. No language, other than the language prescribed in this subsection (b), shall be included in the notice. The requirements of this subsection (b) shall be deemed satisfied if the language and format prescribed in this subsection (b) is included in a counseling notification required under federal law.

(c) Upon mailing the notice provided for under subsection (b) of this Section, neither the lender, servicer, nor lender's agent shall institute legal action under this Part 15 of Article XV for 30 days. Only one such 30-day period of forbearance is allowed under this subsection (c) per subject loan.

(d) If, within the 30-day period provided under subsection (c) of this Section, an approved counseling agency notifies the lender, servicer, or lender's agent that the borrower is seeking approved counseling services, then the lender, servicer, or lender's agent shall not institute legal action under this Part 15 of Article XV for 30 days after the date of that notice. During the 30-day period provided under this subsection (d), the borrower or counselor or both may prepare and proffer to the lender, servicer, or lender's agent a proposed debt management plan. The lender, servicer, or lender's agent shall then determine whether to accept the proposed debt management plan. If the lender, servicer, or lender's agent and the borrower agree to a debt management plan, then the lender, servicer, or lender's agent shall not institute legal action under this Part 15 of Article XV for as long as the debt management plan is complied with by the borrower. The agreed debt management plan and any modifications thereto must be in writing and signed by the lender, servicer, or lender's agent and the borrower. Upon written notice to the lender, servicer, or lender's agent, the borrower may change approved counseling agencies, but such a change does not entitle the borrower to any additional period of forbearance.

(e) If the borrower fails to comply with the agreed debt management plan, then nothing in this Section shall be construed to impair the legal right of the lender, servicer, or lender's agent to enforce the contract.

(f) As used in this Section:

"Approved counseling agency" means a housing counseling agency approved by the U.S. Department of Housing and Urban Development, a credit counseling agency approved by the Secretary, or any other person or entity approved by the Secretary.

"Borrower" means a natural person who seeks or obtains a home loan.

"Delinquent" means past due with respect to payments on a home loan.

"Department" means the Department of Financial and Professional Regulation.

"Home loan" means a loan to or for the benefit of any natural person made primarily for personal, family, or household use, primarily secured by either a mortgage on residential real property, title to a mobile home, or certificates of stock or other evidence of ownership interests in and proprietary from corporations, partnerships, or limited liability companies formed for the purpose of cooperative ownership of residential real property, all located in this State.

"Lender" means any person, partnership, association, corporation, or any other entity who either transfers, offers, lends, or invests money in home loans.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation or other person authorized to act in the Secretary's stead.

"Servicer" means any entity chartered under the Illinois Banking Act, the Savings Bank Act, the Illinois Credit Union Act, or the Illinois Savings and Loan Act of 1985 and any person or entity licensed under the Residential Mortgage License Act of 1987, the Consumer Installment Loan Act, or the Sales Finance Agency Act who is responsible for the collection or remittance for or has the right or obligation to collect or remit for any lender, note owner, or note holder or for a lender's own account of payments, interest, principal, and escrow items (such as hazard insurance and taxes on a residential mortgage loan) in accordance with the terms of the home loan, including loan payment follow up, delinquency loan follow up, loan analysis, and any notifications to the borrower that are necessary to enable the borrower to keep the loan current and in good standing."

With these changes, Senate Bill 1879 will have my approval. I respectfully request your concurrence.

Sincerely,
 ROD R. BLAGOJEVICH
 Governor

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 a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 1975

A bill for AN ACT concerning criminal law.

I am further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change to the Senate:

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of the Senate

August 29, 2008

To the Honorable Members of the
Illinois Senate
95th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 1975, entitled "AN ACT concerning criminal law", with the following specific recommendation for change:

on page 7, line 26, by deleting "(v), (vi), (vii), (ix), (x)".

With this change, Senate Bill 1975 will have my approval. I respectfully request your concurrence.

Sincerely,
ROD R. BLAGOJEVICH
Governor

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 a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 2190

A bill for AN ACT concerning elections.

I am further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change to the Senate:

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of the Senate

August 29, 2008

To the Honorable Members of the
Illinois Senate
95th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 2190, entitled "AN ACT concerning elections.", with the following specific recommendations for change:

on page 1, line 5, after "9-1.8", by inserting "and adding Section 9-35"; and
on page 4, below line 14, by inserting the following:

"(10 ILCS 5/9-35 new)

Sec. 9-35. Prohibited Contributions. Any political committee established to promote the individual candidacy of a candidate for Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, Treasurer, or for membership in the General Assembly may not accept any contribution made by an employee of a State agency, or an employee of a municipality or unit of local government. Nothing in this Section shall prohibit an individual from making a contribution to a political committee established to promote his or her own candidacy for public office. If a political committee receives a contribution in violation of this Section, then the State Board may assess a civil penalty up to \$10,000 for each violation.”.

With these changes, Senate Bill 2190 will have my approval. I respectfully request your concurrence.

Sincerely,
ROD R. BLAGOJEVICH
Governor

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 a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 2380

A bill for AN ACT concerning regulation.

I am further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change to the Senate:

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of the Senate

August 26, 2008
To the Honorable Members of the
Illinois Senate
95th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 2380, entitled "AN ACT concerning regulation.", with the following specific recommendations for change:

on page 3, line 1, by replacing "1.35." with "1.20 for uninsured patients with family income above 200% of the federal poverty level and 1.0 for uninsured patients with family income at or below 200% of federal poverty level."; and

on page 3, line 14, by replacing "600%" with "800%"; and

on page 3, line 21, by replacing "300%" with "600%"; and

on page 3, line 25, after "Discount.", by inserting "(1)"; and

on page 4, line 5, by inserting the following:

"(2) For all children with juvenile diabetes, a hospital shall provide children with juvenile diabetes who are admitted for a diagnoses related to juvenile diabetes a 50 percent discount on any co-pay, coinsurance or deductible that they would have otherwise owed if such a discount were not available."; and

on page 4, by deleting lines 17 through 22; and

on page 4, line 23, by replacing “(4)” with “(3)”; and

on page 6, line 3, by replacing “60” with “120”; and

on page 8, by deleting lines 1 through 7; and

on page 8, line 8, by replacing “(e)” with “(d)”; and

on page 8, line 10, by replacing “of the” with “material”; and

on page 9, line 14, by replacing “Attorney General” with “Illinois Department of Public Health”; and

on page 9, line 18, by replacing “Attorney General” with “Illinois Department of Public Health”;
and

on page 9, line 21, by replacing “Attorney General” with “Illinois Department of Public Health”;
and

on page 9, by replacing line 23 with “any hospital and may.”; and

on page 9, by deleting line 24; and

on page 10, line 3, by deleting “under oath”; and

on page 10, line 8, by replacing “Attorney General” with “Illinois Department of Public Health”;
and

on page 10, line 10, by replacing “Attorney General” with “Illinois Department of Public Health”;
and

on page 10, line 14, by replacing “Attorney General” with “Illinois Department of Public Health”;
and

on page 10, line 15, by deleting “the Attorney”; and

on page 10, line 16, by deleting “General’s”; and

on page 10, line 19, by replacing “Attorney General” with “Illinois Department of Public Health”;
and

on page 10, line 20, by replacing “Office of the Attorney General” with “Illinois Department of
Public Health”; and

on page 10, line 22, by replacing “Attorney General” with “Illinois Department of Public Health”;
and

on page 10, line 23, by replacing “Attorney General” with “Illinois Department of Public
Health”;and

on page 10, line 25 and 26, by replacing “Attorney General Court Ordered and Voluntary
Compliance Payment Projects Fund.” with “General Revenue Fund.”; and

on page 11, by deleting lines 1 through 7; and

on page 11, line 8, by replacing “Attorney General” with “Illinois Department of Public Health”; and

on page 11, lines 13 and 14, by replacing “Attorney General” with “Illinois Department of Public Health”; and

on page 11, lines 19 and 20, by replacing “Attorney General” with “Illinois Department of Public Health”; and

on page 11, line 22, by replacing “Attorney General” with “Illinois Department of Public Health”.

With these changes, Senate Bill 2380 will have my approval. I respectfully request your concurrence.

Sincerely,
ROD R. BLAGOJEVICH
Governor

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 a bill of the following title, the Governor’s specific recommendations for change to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 2685

A bill for AN ACT concerning education.

I am further directed to transmit to the House of Representatives the following copy of the Governor’s specific recommendations for change to the Senate:

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of the Senate

August 26, 2008
To the Honorable Members of the
Illinois Senate
95th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 2685, entitled “AN ACT concerning education.”, with the following specific recommendations for change:

on page 1, line 5, after “3-11”, by inserting “ and by adding Section 2-3.148”; and

on page 1, immediately below line 5, by inserting the following:

“(105 ILCS 5/2-3.148 new)

Sec. 2-3.148. Food allergy guidelines.

(a) Not later than July 1, 2009, the State Board of Education, in conjunction with the Department of Public Health, shall develop and make available to each school board guidelines for the management of students with life-threatening food allergies. The guidelines shall include, but need not be limited to, the following:

(1) education and training for school personnel on the management of students with life-threatening food allergies, including training related to the administration of medication with a cartridge injector;

(2) procedures for responding to life-threatening allergic reactions to food;

(3) a process for the implementation of individualized health care and food allergy action plans for every student with a life-threatening food allergy; and

(4) protocols to prevent exposure to food allergens.

(b) Not later than January 1, 2010, each school board shall implement a policy based on the guidelines developed pursuant to subsection (a) of this Section for the management of students with life-threatening food allergies enrolled in the schools under its jurisdiction.”.

With these changes, Senate Bill 2685 will have my approval. I respectfully request your concurrence.

Sincerely,
 ROD R. BLAGOJEVICH
 Governor

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 a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 2632

A bill for AN ACT concerning economic development.

I am further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change to the Senate:

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of the Senate

August 25, 2008
 To the Honorable Members of the
 Illinois Senate
 95th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 2632, entitled "AN ACT concerning economic development.", with the following specific recommendations for change:

on page 1, line 8, by deleting "Subject"; and

on page 1, line 9, by replacing "to appropriation, the" with "The"; and

on page 1, line 13, after "identified shortages.", by inserting the following:

"The study shall also assess any changes in economic activity in Illinois that could reasonably be expected to occur if the State of Illinois' Individual Income Tax Rate were increased from the current rate of 3 percent to a new rate of 5 percent, including the impact on total employment, employment by sector, wages, disposable income, import and export activity, and other economic indicators as may be relevant."; and

on page 2, line 2, by replacing "February 1, 2009" with "March 15, 2009".

With these changes, Senate Bill 2632 will have my approval. I respectfully request your concurrence.

Sincerely,
 ROD R. BLAGOJEVICH
 Governor

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 a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, in the passage of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 2887

A bill for AN ACT concerning finance.

I am further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change to the Senate:

Passed by the Senate, September 22, 2008, by a three-fifths vote.

Deborah Shipley, Secretary of the Senate

August 15, 2008

To the Honorable Members of the
Illinois Senate
95th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 2887, entitled "AN ACT concerning finance.", with the following specific recommendation for change:

on page 1, line 17, after "outstanding.", by inserting "An installment purchase contract executed by a State public university in connection with financing a purchase of capital improvements (including non-capital related costs), commodities, facilities or services by selling certificates of participation in the installment payments made under such installment purchase contract may be entered into (without any required termination options) for any period of time less than or equal to (i) 120% of the average reasonably expected economic life of the improvements, facilities, commodities and/or services being purchased or refinanced, as determined by the State public university in accordance with the requirements of Section 147(b) of the Internal Revenue Code of 1986 or any successor provision, or (ii) if the useful life of the improvements, facilities, commodities and/or services cannot be determined with reference to such Section 147(b), 20 years. Each State public university that enters into an installment purchase contract in connection with such sale of certificates of participation shall file a statement promptly at the end of the fiscal year in which such contract is executed with the Commission on Government Forecasting and Accountability, stating the purpose for which such contract was executed and delivered. For purposes of this Section, "State public university" means Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northern Illinois University, Northeastern Illinois University, Southern Illinois University, the University of Illinois, Western Illinois University and their successors.".

With this change, Senate Bill 2887 will have my approval. I respectfully request your concurrence.

Sincerely,

ROD R. BLAGOJEVICH
Governor

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has accepted the Governor's specific recommendations for change, which are attached, to a bill of the following title, the acceptance of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 546

A bill for AN ACT concerning government.

I am further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change to the Senate:

Action taken by the Senate, September 23, 2008.

Deborah Shipley, Secretary of the Senate

August 15, 2008

To the Honorable Members of the
Illinois Senate
95th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 546, entitled "AN ACT concerning government.", with the following specific recommendations for change:

on page 2, line 3, by replacing "July 1, 2011" with "July 1, 2013"; and
on page 9, line 24, by replacing "July 1, 2011" with "July 1, 2013"; and
on page 9, line 25, by replacing "July 1, 2011" with "July 1, 2013"; and
on page 10, line 10, by replacing "July 1, 2011" with "July 1, 2013"; and
on page 12, line 22, by replacing "July 1, 2011" with "July 1, 2013"; and
on page 26, by replacing lines 13 and 14 with "Section 99. Effective date. This Act takes effect June 1, 2009.".

With these changes, Senate Bill 546 will have my approval. I respectfully request your concurrence.

Sincerely,
ROD R. BLAGOJEVICH
Governor

I move to accept the specific recommendations of the Governor as to Senate Bill 546 in manner and form as follows:

AMENDMENT TO SENATE BILL 546
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 546 on page 2, line 3, by replacing "July 1, 2011" with "July 1, 2013"; and
on page 9, line 24, by replacing "July 1, 2011" with "July 1, 2013"; and
on page 9, line 25, by replacing "July 1, 2011" with "July 1, 2013"; and
on page 10, line 10, by replacing "July 1, 2011" with "July 1, 2013"; and
on page 12, line 22, by replacing "July 1, 2011" with "July 1, 2013"; and
on page 26, by replacing lines 13 and 14 with the following:

"Section 99. Effective date. This Act takes effect June 1, 2009."

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has accepted the Governor's specific recommendations for change, which are attached, to a bill of the following title, the acceptance of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 2327

A bill for AN ACT concerning State government.

I am further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change to the Senate:

Action taken by the Senate, September 23, 2008.

Deborah Shipley, Secretary of the Senate

August 26, 2008
To the Honorable Members of the
Illinois Senate
95th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 2327, entitled "AN ACT concerning State government.", with the following specific recommendations for change:

on page 2, line 5, by replacing "The Department" with "Subject to appropriation, the Department";
and
on page 3, lines 9 and 10, by replacing "effective date of this amendatory Act of the 95th General Assembly" with "completion of the study".

With these changes, Senate Bill 2327 will have my approval. I respectfully request your concurrence.

Sincerely,
ROD R. BLAGOJEVICH
Governor

I move to accept the specific recommendations of the Governor as to Senate Bill 2327 in manner and form as follows:

AMENDMENT TO SENATE BILL 2327

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 2327 on page 2, line 5, by replacing "The Department" with "Subject to appropriation, the Department"; and
on page 3, lines 9 and 10, by replacing "effective date of this amendatory Act of the 95th General Assembly" with "completion of the study".

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has accepted the Governor's specific recommendations for change, which are attached, to a bill of the following title, the acceptance of which I am instructed to ask the concurrence of the House, to-wit:

Senate Bill No. 2340

A bill for AN ACT concerning criminal law.

I am further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change to the Senate:

Action taken by the Senate, September 23, 2008.

Deborah Shipley, Secretary of the Senate

August 26, 2008

To the Honorable Members of the
Illinois Senate
95th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 2340, entitled "AN ACT concerning criminal law.", with the following specific recommendations for change:

on page 2, below line 18, by inserting the following:

“(b) The sheriff or seizing law enforcement agency must file a motion requesting destruction of bulk evidence before the trial judge in the courtroom where the criminal charge is pending. The sheriff or seizing law enforcement agency must give notice of the motion requesting destruction of bulk evidence to the prosecutor of the criminal charge and the defense attorney of record. The trial judge will conduct an evidentiary hearing in which all parties will be given the opportunity to present evidence and arguments relating to whether the evidence should be destroyed, whether such destruction will prejudice the prosecution of the criminal case, and whether the destruction of the evidence will prejudice the defense of the criminal charge. The court’s determination whether to grant the motion for destruction of bulk evidence must be based upon the totality of all of the circumstances of the case presented at the evidentiary hearing, the effect such destruction would have upon the defendant’s constitutional rights, and the prosecutor’s ability to proceed with the prosecution of the criminal charge.”; and

on page 2, line 19, by replacing “(b)” with “(c)”; and

on page 3, line 1, by replacing “(c)” with “(d)”.

With these changes, Senate Bill 2340 will have my approval. I respectfully request your concurrence.

Sincerely,
 ROD R. BLAGOJEVICH
 Governor

I move to accept the specific recommendations of the Governor as to Senate Bill 2340 in manner and form as follows:

AMENDMENT TO SENATE BILL 2340
 IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 2340 on page 2, below line 18, by inserting the following:

“(b) The sheriff or seizing law enforcement agency must file a motion requesting destruction of bulk evidence before the trial judge in the courtroom where the criminal charge is pending. The sheriff or seizing law enforcement agency must give notice of the motion requesting destruction of bulk evidence to the prosecutor of the criminal charge and the defense attorney of record. The trial judge will conduct an evidentiary hearing in which all parties will be given the opportunity to present evidence and arguments relating to whether the evidence should be destroyed, whether such destruction will prejudice the prosecution of the criminal case, and whether the destruction of the evidence will prejudice the defense of the criminal charge. The court's determination whether to grant the motion for destruction of bulk evidence must be based upon the totality of all of the circumstances of the case presented at the evidentiary hearing, the effect such destruction would have upon the defendant's constitutional rights, and the prosecutor's ability to proceed with the prosecution of the criminal charge.”; and

on page 2, line 19, by replacing “(b)” with “(c)”; and

on page 3, line 1, by replacing “(c)” with “(d)”.

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House to accept the Governor’s specific recommendations for change, which are attached, to a bill of the following title, to-wit:

HOUSE BILL NO. 1533

A bill for AN ACT concerning insurance.

Concurred in by the Senate, September 23, 2008.

Deborah Shipley, Secretary of the Senate

I move to accept the specific recommendations of the Governor as to House Bill 1533 in manner and form as follows:

AMENDMENT TO HOUSE BILL 1533
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 1533 as follows:
on page 1, by replacing line 16 with the following:

"The Department shall annually publish electronically on a State website and in no less than 2 newspapers in".

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House to accept the Governor's specific recommendations for change, which are attached, to a bill of the following title, to-wit:

HOUSE BILL NO. 3286

A bill for AN ACT concerning education.
Concurred in by the Senate, September 23, 2008.

Deborah Shipley, Secretary of the Senate

I move to accept the specific recommendations of the Governor as to House Bill 3286 in manner and form as follows:

AMENDMENT TO HOUSE BILL 3286
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 3286 as follows:
on page 2, line 6, by replacing "may" with "shall"; and
on page 2, line 7, by replacing "other" with "all other"; and
on page 3, line 11, by replacing "9" with "13"; and
on page 3, below line 25, by inserting the following:

- "(4) The Director of the Department of Human Services, or his designee.
- (5) The Director of the Department of Healthcare and Family Services, or his designee.
- (6) The Director of the Department of Public Health, or his designee.
- (7) One additional member, appointed by the Governor."; and

on page 4, below line 3, by inserting the following:

"(c) The Illinois Health Policy Center shall submit a report each calendar year to the Governor and the General Assembly. The report shall contain:

- (1) An itemized list of the source and amount of funds of the Illinois Health Policy Center.
- (2) An itemized list of expenditures made by the Illinois Health Policy Center.
- (3) A summary of research activities undertaken since the submission of the preceding report.
- (4) A description of advocacy activities undertaken since the submission of the preceding report."

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House to accept the Governor's specific recommendations for change, which are attached, to a bill of the following title, to-wit:

HOUSE BILL NO. 5318

A bill for AN ACT concerning regulation.
 Concurred in by the Senate, September 23, 2008.

Deborah Shipley, Secretary of the Senate

I move to accept the specific recommendations of the Governor as to House Bill 5318 in manner and form as follows:

AMENDMENT TO HOUSE BILL 5318
 IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 5318
 on page 3, by deleting lines 9 through 13.

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

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

HOUSE BILL 2070

A bill for AN ACT concerning regulation.

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

Senate Amendment No. 1 to HOUSE BILL NO. 2070

Senate Amendment No. 2 to HOUSE BILL NO. 2070

Passed the Senate, as amended, September 23, 2008.

Deborah Shipley, Secretary of the Senate

AMENDMENT NO. 1. Amend House Bill 2070 by replacing everything after the enacting clause with the following:

"Section 5. The Collection Agency Act is amended by changing Section 3 as follows:

(225 ILCS 425/3) (from Ch. 111, par. 2006)

(Section scheduled to be repealed on January 1, 2016)

Sec. 3. A person, association, partnership, corporation, or other legal entity acts as a collection agency when he or it:

(a) Engages in ~~the~~ the business of collection for others of any account, bill or other indebtedness;

(b) Receives, by assignment or otherwise, accounts, bills, or other indebtedness from any person owning or controlling 20% or more of the business receiving the assignment, with the purpose of collecting monies due on such account, bill or other indebtedness;

(c) Sells or attempts to sell, or gives away or attempts to give away to any other person, other than one registered under this Act, any system of collection, letters, demand forms, or other printed matter where the name of any person, other than that of the creditor, appears in such a manner as to indicate, directly or indirectly, that a request or demand is being made by any person other than the creditor for the payment of the sum or sums due or asserted to be due;

(d) Buys accounts, bills or other indebtedness and engages in collecting the same; or

(e) Uses a fictitious name in collecting its own accounts, bills, or debts with the intention of conveying to the debtor that a third party has been employed to make such collection.

(Source: P.A. 94-414, eff. 12-31-05; 95-437, eff. 1-1-08.)"

AMENDMENT NO. 2. Amend House Bill 2070, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.11 as follows:

(5 ILCS 375/6.11)

(Text of Section before amendment by P.A. 95-958)

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, 356u, 356w, 356x, 356z.2, 356z.4, 356z.6, 356z.9, ~~and 356z.10~~ , and 356z.13 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; 95-876, eff. 8-21-08.)

(Text of Section after amendment by P.A. 95-958)

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, 356u, 356w, 356x, 356z.2, 356z.4, 356z.6, 356z.9, 356z.10, 356z.11, ~~and 356z.12~~ , and 356z.13 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; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09.)

Section 10. The Counties Code is amended by changing Section 5-1069.3 as follows:

(55 ILCS 5/5-1069.3)

(Text of Section before amendment by P.A. 95-958)

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, 356u, 356w, 356x, 356z.6, 356z.9, ~~and 356z.10~~ , and 356z.13 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; 95-876, eff. 8-21-08.)

(Text of Section after amendment by P.A. 95-958)

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, 356u, 356w, 356x, 356z.6, 356z.9, 356z.10, 356z.11, ~~and 356z.12~~ , and 356z.13 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; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09.)

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

(65 ILCS 5/10-4-2.3)

(Text of Section before amendment by P.A. 95-958)

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, 356u, 356w, 356x, 356z.6, 356z.9, ~~and 356z.10~~ , and 356z.13 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; 95-876, eff. 8-21-08.)

(Text of Section after amendment by P.A. 95-958)

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, 356u, 356w, 356x,

356z.6, 356z.9, 356z.10, 356z.11, ~~and~~ 356z.12 and 356z.13 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; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09.)

Section 20. The School Code is amended by changing Section 10-22.3f as follows:

(105 ILCS 5/10-22.3f)

(Text of Section before amendment by P.A. 95-958)

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, 356u, 356w, 356x, 356z.6, ~~and~~ 356z.9 and 356z.13 of the Illinois Insurance Code.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-876, eff. 8-21-08.)

(Text of Section after amendment by P.A. 95-958)

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, 356u, 356w, 356x, 356z.6, 356z.9, 356z.11, ~~and~~ 356z.12 and 356z.13 of the Illinois Insurance Code.

(Source: P.A. 95-189, eff. 8-16-07; 95-422, eff. 8-24-07; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09.)

Section 25. The Illinois Insurance Code is amended by adding Section 356z.13 as follows:

(215 ILCS 5/356z.13 new)

Sec. 356z.13. Autism spectrum disorders.

(a) 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 provide individuals under 21 years of age coverage for the diagnosis of autism spectrum disorders and for the treatment of autism spectrum disorders to the extent that the diagnosis and treatment of autism spectrum disorders are not already covered by the policy of accident and health insurance or managed care plan.

(b) Coverage provided under this Section shall be subject to a maximum benefit of \$36,000 per year, but shall not be subject to any limits on the number of visits to a service provider. After December 30, 2009, the Director of the Division of Insurance shall, on an annual basis, adjust the maximum benefit for inflation using the Medical Care Component of the United States Department of Labor Consumer Price Index for All Urban Consumers. Payments made by an insurer on behalf of a covered individual for any care, treatment, intervention, service, or item, the provision of which was for the treatment of a health condition not diagnosed as an autism spectrum disorder, shall not be applied toward any maximum benefit established under this subsection.

(c) Coverage under this Section shall be subject to co-payment, deductible, and coinsurance provisions of a policy of accident and health insurance or managed care plan to the extent that other medical services covered by the policy of accident and health insurance or managed care plan are subject to these provisions.

(d) This Section shall not be construed as limiting benefits that are otherwise available to an individual under a policy of accident and health insurance or managed care plan and benefits provided under this Section may not be subject to dollar limits, deductibles, copayments, or coinsurance provisions that are less favorable to the insured than the dollar limits, deductibles, or coinsurance provisions that apply to physical illness generally.

(e) An insurer may not deny or refuse to provide otherwise covered services, or refuse to renew, refuse to reissue, or otherwise terminate or restrict coverage under an individual contract to provide services to an individual because the individual or their dependent is diagnosed with an autism spectrum disorder or due to the individual utilizing benefits in this Section.

(f) Upon request of the reimbursing insurer, a provider of treatment for autism spectrum disorders shall furnish medical records, clinical notes, or other necessary data that substantiate that initial or continued medical treatment is medically necessary and is resulting in improved clinical status. When treatment is anticipated to require continued services to achieve demonstrable progress, the insurer may request a treatment plan consisting of diagnosis, proposed treatment by type, frequency, anticipated duration of treatment, the anticipated outcomes stated as goals, and the frequency by which the treatment plan will be updated.

(g) When making a determination of medical necessity for a treatment modality for autism spectrum

disorders, an insurer must make the determination in a manner that is consistent with the manner used to make that determination with respect to other diseases or illnesses covered under the policy, including an appeals process. During the appeals process, any challenge to medical necessity must be viewed as reasonable only if the review includes a physician with expertise in the most current and effective treatment modalities for autism spectrum disorders.

(h) Coverage for medically necessary early intervention services must be delivered by certified early intervention specialists, as defined in the early intervention operational standards by the Department of Human Services and in accordance with applicable certification requirements.

(i) As used in this Section:

"Autism spectrum disorders" means pervasive developmental disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, including autism, Asperger's disorder, and pervasive developmental disorder not otherwise specified.

"Diagnosis of autism spectrum disorders" means a diagnosis of an individual with an autism spectrum disorder by (A) a physician licensed to practice medicine in all its branches or (B) a licensed clinical psychologist with expertise in diagnosing autism spectrum disorders.

"Medically necessary" means any care, treatment, intervention, service or item which will or is reasonably expected to do any of the following: (i) prevent the onset of an illness, condition, injury, disease or disability; (ii) reduce or ameliorate the physical, mental or developmental effects of an illness, condition, injury, disease or disability; or (iii) assist to achieve or maintain maximum functional activity in performing daily activities.

"Treatment for autism spectrum disorders" shall include the following care prescribed, provided, or ordered for an individual diagnosed with an autism spectrum disorder by (A) a physician licensed to practice medicine in all its branches or (B) a certified, registered, or licensed health care professional with expertise in treating effects of autism spectrum disorders when the care is determined to be medically necessary and ordered by a physician licensed to practice medicine in all its branches:

(1) Psychiatric care, including diagnostic services.

(2) Psychological assessments and treatments.

(3) Rehabilitative treatments.

(4) Therapeutic care, including behavioral speech, occupational, and physical therapies that provide treatment in the following areas: (i) self care and feeding, (ii) pragmatic, receptive, and expressive language, (iii) cognitive functioning, (iv) applied behavior analysis, intervention, and modification, (v) motor planning, and (vi) sensory processing.

Section 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)

(Text of Section before amendment by P.A. 95-958)

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, 356m, 356v, 356w, 356x, 356y, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.13, 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; 95-876, eff. 8-21-08.)

(Text of Section after amendment by P.A. 95-958)

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, 356m, 356v, 356w, 356x, 356y, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 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; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09.)

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

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

(Text of Section before amendment by P.A. 95-958)

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, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.13, 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; 95-876, eff. 8-21-08.)

(Text of Section after amendment by P.A. 95-958)

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, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.4, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 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; 95-876, eff. 8-21-08; 95-958, eff. 6-1-09.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

The foregoing message from the Senate reporting Senate Amendments numbered 1 and 2 to HOUSE BILL 2070 was placed on the Calendar on the order of Concurrence.

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 a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 780

A bill for AN ACT concerning State government.

Passed by the Senate, September 23, 2008.

Deborah Shipley, Secretary of the Senate

The foregoing SENATE BILL 780 was ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by

Ms. Shipley, Secretary:

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

SENATE BILL NO. 790

A bill for AN ACT concerning finance.

House Amendment No. 1 to SENATE BILL NO. 790.

House Amendment No. 5 to SENATE BILL NO. 790.

House Amendment No. 9 to SENATE BILL NO. 790.

Action taken by the Senate, September 23, 2008.

Deborah Shipley, Secretary of 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 concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 1103

A bill for AN ACT concerning appropriations.

House Amendment No. 1 to SENATE BILL NO. 1103.

House Amendment No. 7 to SENATE BILL NO. 1103.

Action taken by the Senate, September 23, 2008.

Deborah Shipley, Secretary of the Senate

CHANGE OF SPONSORSHIPS

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

With the consent of the affected members, Representative Colvin was removed as principal sponsor, and Representative Hannig became the new principal sponsor of SENATE BILL 1511.

HOUSE RESOLUTIONS

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

HOUSE RESOLUTION 1518

Offered by Representative Tryon:

WHEREAS, In 2008, the Pioneer Center for Human Services in McHenry will celebrate its 50th anniversary; and

WHEREAS, Founded in 1958 to serve the needs of the developmentally disabled, the Pioneer Center for Human Services has grown into an agency that now provides services to over 1,700 individuals annually in McHenry County; and

WHEREAS, In addition to services for the developmentally disabled, over the years the Pioneer Center has expanded its scope to include persons with mental illness and traumatic brain injury, as well as early

intervention therapies for children from birth to age five; and

WHEREAS, The Pioneer Center also serves victims of sexual assault through the VOICE program and homeless men, women, and children through the PADS (Public Action to Deliver Shelter) program; and

WHEREAS, Over the past 50 years, the Pioneer Center for Human Services has made significant contributions to McHenry County and the State of Illinois; and

WHEREAS, The commemoration of the Pioneer Center's 50th anniversary provides an opportunity to recognize the center's great work over the past 50 years; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the staff and administration of the Pioneer Center for Human Services in McHenry on the occasion of the center's 50th anniversary and declare September 15, 2008 as "Pioneer Center for Human Services Day" in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to a representative of the Pioneer Center for Human Services as a symbol of our esteem and respect.

HOUSE RESOLUTION 1521

Offered by Representative Coladipietro:

WHEREAS, Each school day more than 1,100,000 children from public and private schools are transported to and from school in school buses in cities, towns, and suburbs across the State of Illinois; and

WHEREAS, School bus drivers additionally transport over 18,000 pre-kindergarten pupils and over 300,000 pupils on field trips; and

WHEREAS, School bus drivers travel each year over 122,000,000 miles on regular routes, 4,200,000 miles of field trip routes, 3,700,000 miles of vocational routes, and 8,800,000 miles of special education routes; and

WHEREAS, The safety and well-being of these children are of utmost concern to all Illinois parents; school administrators entrust school bus drivers with the welfare of these children; the position of a school bus driver requires tremendous responsibility; they have to maneuver through traffic regardless of road conditions while maintaining the conduct of children on the bus and are looked to for leadership and life-saving decision-making in the event of an emergency; and

WHEREAS, School bus drivers direct children while they are exiting the bus at their destination and when an adult who is normally at a bus stop to meet a child is not present, the bus driver will keep that child in their safe care until adult supervision is located or the child can be returned to school; school bus drivers are able to observe any suspicious activity or people along their bus route and communicate that information to proper authorities; and

WHEREAS, The National Safety Council has documented the far smaller number of accidents and fatalities per capita on school buses than in automobiles; and

WHEREAS, There are over 29,000 licensed school bus drivers in the State of Illinois, operating approximately 30,000 registered school buses; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare October 22, 2008, and each year thereafter, as School Bus Driver Appreciation Day in the State of Illinois as a tribute to the hard work and dedication of the men and women who provide a safe ride to school for our children.

HOUSE RESOLUTION 1531

Offered by Representative Coulson:

WHEREAS, Record-breaking rainfall from September 12, 2008 to September 14, 2008 caused widespread property damage to homeowners and owners of commercial and industrial property throughout Illinois, including the greater Chicago area; and

WHEREAS, Current federal law requires the State's designated coordinator of emergency support services, the Illinois Emergency Management Agency (IEMA), to complete a preliminary damage assessment before an application can be made to the Federal Emergency Management Agency (FEMA) to

have affected Illinois counties declared federal disaster areas; and

WHEREAS, The declaration by FEMA that an affected area is a federal disaster area is a necessary triggering event that must take place if the individuals and businesses that have suffered flooding damage are to be eligible for federal disaster assistance; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Illinois Emergency Management Agency complete and submit its preliminary damage assessment for the flooding events of September 2008 to the Federal Emergency Management Agency as soon as possible; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Governor of Illinois and to the Director of the Illinois Emergency Management Agency.

HOUSE RESOLUTION 1535

Offered by Representative Black:

WHEREAS, Mitochondria are the power plants in every cell of a person's body and create more than 90% of the energy needed by the body to sustain life and support growth; and

WHEREAS, Mitochondria may not function correctly due to genetic defects, damage caused by drugs, or damage caused by destructive molecules called free radicals; and

WHEREAS, When mitochondria fail, cell injury and cell death follow, and if the process is repeated throughout the body, whole systems begin to fail; and

WHEREAS, Mitochondrial diseases can cause isolated symptoms like seizures, low blood counts, blindness, deafness, dementia, heart failure, and progressive muscle weakness, but more often they cause failure of several organ systems in sequence; and

WHEREAS, Although mitochondrial diseases can affect any person at any age it is estimated that more than one in 4,000 children born in the United States each year will develop a mitochondrial disease by ten years of age; and

WHEREAS, Since mitochondrial disorders mimic other diseases, it is believed that they are under-diagnosed; and

WHEREAS, Currently no cures or effective therapies exist, but early diagnosis can help patients and their families use proper medication and nutritional supplements to improve the quality of life and even prolong life; and

WHEREAS, It is important that citizens of the State of Illinois be better informed about mitochondrial diseases and their impact; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the third week of September of 2008 as Mitochondrial Disease Awareness Week in the State of Illinois and the citizens of the State of Illinois are urged to observe the week with appropriate activities and programs; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the United Mitochondrial Disease Foundation as a symbol of our support for raising awareness about mitochondrial disease.

HOUSE JOINT RESOLUTION 143

Offered by Representative Boland:

WHEREAS, The proposed wording of the statewide referendum on whether to call a constitutional convention, set to appear on the November 4, 2008 General Election ballot, contains an inappropriately biased "explanation of proposed call" paragraph, which, among other things, informs voters that the 1988 constitutional convention referendum was defeated by a margin of 75% to 25%; and

WHEREAS, Recounting the results of the 1988 referendum, apart from being irrelevant to the consideration of the merits of this year's question, violates State and federal constitutional guarantees of a neutral, fairly-arbitrated election; and

WHEREAS, The abrupt insertion of this fact, out of its historical context, amounts to a subtle and derogatory argument against the affirmative case for the calling of a convention; and

WHEREAS, In addition to containing an impermissibly prejudicial statement, the entire "explanation of

proposed call" paragraph is illegally appended to the constitutional convention referendum question in blatant defiance of the express command of Section 16-6 of the Election Code; and

WHEREAS, Illinois voters have the right, under the federal Constitution, and the existing State constitution, to have free and fair elections, devoid of misleading and superfluous ballot language which, under the guise of educating voters, in fact expresses the biases and preferences of political elites; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the proposed ballot question wording for the constitutional convention referendum is, unconstitutional on its face, violative of State statute, and therefore unacceptable; and be it further

RESOLVED, That House Joint Resolution 137 notwithstanding, the question of whether to call a constitutional convention required by Article XIV of the Illinois Constitution to appear on the November 4, 2008 general election ballot should be reworded, and all ballots altered accordingly, to conform to the Constitution of the United States and the Constitution of the State of Illinois, as well as the laws of the State of Illinois, particularly Section 16-6 of the Election Code, such that voters are presented with the following question:

YES	For the calling
-----	of a Constitutional
NO	Convention.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 1509

Offered by Representative Washington:
Honors Bishop William Haven Bonner for his work in the community.

HOUSE RESOLUTION 1510

Offered by Representative Cole:
Congratulates Joseph Wolyn III of Gurnee on the occasion of his achievement of the coveted rank of Eagle Scout.

HOUSE RESOLUTION 1511

Offered by Representative Joyce:
Congratulates Katie Schumacher-Cawley on her induction into the Chicagoland Hall of Fame for sports.

HOUSE RESOLUTION 1512

Offered by Representative Howard:
Congratulates the Monarch Award Foundation of Xi Nu Omega Chapter Alpha Kappa Alpha Sorority, Inc. on their 26th annual fundraiser, Chapeaux and Fedoras: A Jazzy Afternoon.

HOUSE RESOLUTION 1513

Offered by Representative Meyer:
Mourns the death of U.S. Marine Corps Corporal Tony Mihalo.

HOUSE RESOLUTION 1514

Offered by Representative Currie:
Congratulates Reverend Doctor Lena McLin of Chicago on her 80th birthday.

HOUSE RESOLUTION 1519

Offered by Representative Tryon:
Congratulates the staff and administration of the Family Service and Community Mental Health Center on the occasion of the center's 50th anniversary.

HOUSE RESOLUTION 1520

Offered by Representative Berrios:
Congratulates the administration and staff of New Moms, Inc. on the occasion of their 25th anniversary of serving the needs of homeless and at risk pregnant and/or parenting teenage girls in the Chicago community.

HOUSE RESOLUTION 1522

Offered by Representative Lyons:
Congratulates the members of Group 819 Polish Women's Alliance on the occasion of the group's 20th anniversary.

HOUSE RESOLUTION 1523

Offered by Representative Acevedo:
Congratulates Rubin Lopez of Chicago on the occasion of his 80th birthday.

HOUSE RESOLUTION 1524

Offered by Representative Granberg:
Congratulates the Jefferson County recipients of the 2008 Senior Saints Hall of Fame Honors on the occasion of their accomplishments.

HOUSE RESOLUTION 1525

Offered by Representative Granberg:
Congratulates Dr. Preecha Tawjareon of Salem on receiving the Fourth Annual Illinois Rural Physician of Excellence Award.

HOUSE RESOLUTION 1526

Offered by Representative McGuire:
Congratulates Manhattan Fire Chief Jack Fitzgerald on his retirement from the Manhattan Fire Department.

HOUSE RESOLUTION 1527

Offered by Representative Hannig:
Honors the life of Bruce Hohenstein of Mt. Auburn.

HOUSE RESOLUTION 1528

Offered by Representative McCarthy:
Congratulates Sharon Wsol on the occasion of her retirement as Library Director of the Orland Park Public Library.

HOUSE RESOLUTION 1529

Offered by Representative Black:
Congratulates Molly Melching on her placement on the Danville High School Wall of Fame.

HOUSE RESOLUTION 1530

Offered by Representative Ryg:
Mourns the death of Leon Shlofrock of Skokie.

HOUSE RESOLUTION 1532

Offered by Representative Monique Davis:
Mourns the death of Bernard Jeffrey McCullough, more famously known as the comedian Bernie Mac.

HOUSE RESOLUTION 1533

Offered by Representative Ramey:
Mourns the death of United States Army Private First Class Leonard J. Gulczynski of Carol Stream.

ACTION ON VETO MOTIONS

Pursuant to the Motion submitted previously, Representative May moved that the House concur with the Senate in the passage of SENATE BILL 2380, the Governor's Specific Recommendations for change notwithstanding. A three-fifths vote is required.

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

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

(ROLL CALL 2)

The Motion, having received the votes of three-fifths of the Members elected, prevailed and the House concurred with the Senate in the passage of the bill, the Governor's Specific Recommendations for Change notwithstanding.

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative Verschoore moved that the House concur with the Senate in the passage of SENATE BILL 2298, the Veto of the Governor notwithstanding. A three-fifths vote is required.

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

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

(ROLL CALL 3)

The Motion, having received the votes of three-fifths of the Members elected, prevailed and the House does concur with the Senate in the passage of the bill, the Veto of the Governor notwithstanding.

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative Coulson moved that the House concur with the Senate in the passage of SENATE BILL 2685, the Governor's Specific Recommendations for change notwithstanding. A three-fifths vote is required.

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

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

(ROLL CALL 4)

The Motion, having received the votes of three-fifths of the Members elected, prevailed and the House concurred with the Senate in the passage of the bill, the Governor's Specific Recommendations for Change notwithstanding.

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative Hannig moved that the House concur with the Senate in the passage of SENATE BILL 2887, the Governor's Specific Recommendations for change notwithstanding. A three-fifths vote is required.

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

54, Yeas; 43, Nays; 0, Answering Present.

(ROLL CALL 5)

Having failed to receive the votes of three-fifths of the Members elected, the motion was declared lost.

And the House refused to concur with the Senate in the passage of the bill, over the Governor's Specific Recommendations for Change.

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative Ford moved that the House concur with the Senate in the passage of SENATE BILL 1864, the Governor's Specific Recommendations for change notwithstanding. A three-fifths vote is required.

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

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

(ROLL CALL 6)

The Motion, having received the votes of three-fifths of the Members elected, prevailed and the House concurred with the Senate in the passage of the bill, the Governor's Specific Recommendations for Change notwithstanding.

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative Smith moved that the House concur with the Senate in the passage of SENATE BILL 2676, the Veto of the Governor notwithstanding. A three-fifths vote is required.

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

74, Yeas; 23, Nays; 0, Answering Present.

(ROLL CALL 7)

The Motion, having received the votes of three-fifths of the Members elected, prevailed and the House does concur with the Senate in the passage of the bill, the Veto of the Governor notwithstanding.

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative McCarthy moved that the House concur with the Senate in the passage of SENATE BILL 2679, the Veto of the Governor notwithstanding. A three-fifths vote is required.

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

63, Yeas; 34, Nays; 0, Answering Present.

(ROLL CALL 8)

Having failed to receive the votes of three-fifths of the Members elected, the motion was declared lost.

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative Colvin moved that the House concur with the Senate in the passage of SENATE BILL 1879, the Governor's Specific Recommendations for change notwithstanding. A three-fifths vote is required.

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

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

(ROLL CALL 9)

The Motion, having received the votes of three-fifths of the Members elected, prevailed and the House concurred with the Senate in the passage of the bill, the Governor's Specific Recommendations for Change notwithstanding.

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative McGuire moved that the House concur with the Senate in the passage of SENATE BILL 1975, the Governor's Specific Recommendations for change notwithstanding. A three-fifths vote is required.

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

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

(ROLL CALL 10)

The Motion, having received the votes of three-fifths of the Members elected, prevailed and the House concurred with the Senate in the passage of the bill, the Governor's Specific Recommendations for Change notwithstanding.

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative Mathias moved that the House concur with the Senate in the passage of SENATE BILL 2190, the Governor's Specific Recommendations for change notwithstanding. A three-fifths vote is required.

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

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

(ROLL CALL 11)

The Motion, having received the votes of three-fifths of the Members elected, prevailed and the House concurred with the Senate in the passage of the bill, the Governor's Specific Recommendations for Change notwithstanding.

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative Winters moved that the House concur with the Senate in the passage of SENATE BILL 2632, the Governor's Specific Recommendations for change notwithstanding. A three-fifths vote is required.

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

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

(ROLL CALL 12)

The Motion, having received the votes of three-fifths of the Members elected, prevailed and the House concurred with the Senate in the passage of the bill, the Governor's Specific Recommendations for Change notwithstanding.

Ordered that the Clerk inform the Senate.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 1509, 1510, 1511, 1512, 1513, 1514, 1519, 1520, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1532, 1533 and 1536 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 1 was distributed to the Members at 11:56 o'clock a.m.

ACTION ON VETO MOTIONS

Pursuant to the Motion submitted previously, Representative Brosnahan moved that the House concur with the Senate in the acceptance of the Governor's Specific Recommendations for Change to SENATE BILL 546, by adoption of the following amendment:

I move to accept the specific recommendations of the Governor as to Senate Bill 546 in manner and form as follows:

AMENDMENT TO SENATE BILL 546
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 546 on page 2, line 3, by replacing "July 1, 2011" with "July 1, 2013"; and on page 9, line 24, by replacing "July 1, 2011" with "July 1, 2013"; and on page 9, line 25, by replacing "July 1, 2011" with "July 1, 2013"; and on page 10, line 10, by replacing "July 1, 2011" with "July 1, 2013"; and on page 12, line 22, by replacing "July 1, 2011" with "July 1, 2013"; and on page 26, by replacing lines 13 and 14 with the following:
"Section 99. Effective date. This Act takes effect June 1, 2009."

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

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

(ROLL CALL 13)

The Motion, having received the votes of a constitutional majority of the Members elected, prevailed and the House concurred with the Senate in the adoption of the Governor's Specific Recommendations for Change.

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative Fortner moved that the House concur with the Senate in the acceptance of the Governor's Specific Recommendations for Change to SENATE BILL 2327, by adoption of the following amendment:

I move to accept the specific recommendations of the Governor as to Senate Bill 2327 in manner and form as follows:

AMENDMENT TO SENATE BILL 2327
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 2327 on page 2, line 5, by replacing "The Department" with "Subject to appropriation, the Department"; and on page 3, lines 9 and 10, by replacing "effective date of this amendatory Act of the 95th General Assembly" with "completion of the study".

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

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

(ROLL CALL 14)

The Motion, having received the votes of a constitutional majority of the Members elected, prevailed and the House concurred with the Senate in the adoption of the Governor's Specific Recommendations for Change.

Ordered that the Clerk inform the Senate.

RESOLUTION

Having been reported out of the Committee on Rules on September 23, 2008, HOUSE RESOLUTION 1535 was taken up for consideration.

Representative Black moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

ACTION ON VETO MOTIONS

Pursuant to Motion #2 submitted previously, Representative McCarthy moved that the House concur with the Senate in the passage of SENATE BILL 2679, the Veto of the Governor notwithstanding. A three-fifths vote is required.

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

75, Yeas; 25, Nays; 0, Answering Present.
(ROLL CALL 15)

The Motion, having received the votes of three-fifths of the Members elected, prevailed and the House does concur with the Senate in the passage of the bill, the Veto of the Governor notwithstanding.

Ordered that the Clerk inform the Senate.

RECESS

At the hour of 12:14 o'clock p.m., Speaker of the House Madigan moved that the House do now take a recess until the call of the Chair.

The motion prevailed.

At the hour of 3:56 o'clock p.m., the House resumed its session.

Speaker of the House Madigan in the Chair.

ACTION ON VETO MOTIONS

Pursuant to Motion #2 submitted previously, Representative McGuire moved that the House concur with the Senate in the acceptance of the Governor's Specific Recommendations for Change to SENATE BILL 2340, by adoption of the following amendment:

I move to accept the specific recommendations of the Governor as to Senate Bill 2340 in manner and form as follows:

AMENDMENT TO SENATE BILL 2340

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 2340 on page 2, below line 18, by inserting the following:

"(b) The sheriff or seizing law enforcement agency must file a motion requesting destruction of bulk evidence before the trial judge in the courtroom where the criminal charge is pending. The sheriff or seizing law enforcement agency must give notice of the motion requesting destruction of bulk evidence to the prosecutor of the criminal charge and the defense attorney of record. The trial judge will conduct an evidentiary hearing in which all parties will be given the opportunity to present evidence and arguments relating to whether the evidence should be destroyed, whether such destruction will prejudice the prosecution of the criminal case, and whether the destruction of the evidence will prejudice the defense of the criminal charge. The court's determination whether to grant the motion for destruction of bulk evidence must be based upon the totality of all of the circumstances of the case presented at the evidentiary hearing, the effect such destruction would have upon the defendant's constitutional rights, and the prosecutor's ability to proceed with the prosecution of the criminal charge."; and

on page 2, line 19, by replacing "(b)" with "(c)"; and

on page 3, line 1, by replacing "(c)" with "(d)".

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

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

(ROLL CALL 16)

The Motion, having received the votes of three-fifths of the Members elected, prevailed and the House concurred with the Senate in the adoption of the Governor's Specific Recommendations for Change.

Ordered that the Clerk inform the Senate.

RECESS

At the hour of 4:12 o'clock p.m., Speaker of the House Madigan moved that the House do now take a recess until the call of the Chair.

The motion prevailed.

At the hour of 5:37 o'clock p.m., the House resumed its session.

Speaker of the House Madigan in the Chair.

At the hour of 5:38 o'clock p.m., Representative Currie moved that the House do now adjourn, allowing perfunctory time for the Clerk.

The motion prevailed.

And in accordance therewith and pursuant to SENATE JOINT RESOLUTION 105, the House stood adjourned until Wednesday, November 12, 2008, at 12:00 o'clock noon, or subject to the call of the Chair.

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

September 23, 2008

0 YEAS

0 NAYS

100 PRESENT

P Acevedo	P Dugan	P Krause	P Reboletti
E Arroyo	P Dunkin	P Lang	P Reis
E Bassi	E Dunn	P Leitch	P Reitz
P Beaubien	P Durkin	E Lindner	P Riley
P Beiser	P Eddy	E Lyons	P Rita
P Bellock	P Feigenholtz (ADDED)	P Mathias	P Rose
E Berrios	P Flider	P Mautino	E Ryg
P Biggins	P Flowers	P May	P Sacia
P Black	E Ford	P McAuliffe	P Saviano
P Boland	P Fortner	P McCarthy	E Schmitz
P Bost	P Franks	P McGuire	P Schock
P Bradley, John	E Fritchey	E Mendoza	P Scully
P Bradley, Richard	P Froehlich	P Meyer	P Smith
P Brady	P Golar (ADDED)	P Miller	P Sommer
E Brauer	P Gordon	P Mitchell, Bill	P Soto
P Brosnahan	P Graham (ADDED)	P Mitchell, Jerry	P Stephens
E Burke	E Granberg	P Moffitt	P Sullivan
P Chapa LaVia	P Hamos (ADDED)	E Molaro	P Tracy
P Coladipietro	P Hannig	P Mulligan	P Tryon
P Cole	P Harris	P Munson	P Turner
E Collins	P Hassert	P Myers	P Verschoore
P Colvin (ADDED)	E Hernandez	P Nekritz (ADDED)	P Wait
P Coulson	P Hoffman	P Osmond	P Washington
P Crespo	P Holbrook	P Osterman (ADDED)	P Watson
P Cross	P Howard	P Patterson	P Winters
P Cultra	P Jakobsson	P Phelps	P Yarbrough
P Currie	E Jefferies	P Pihos	P Younge
P D'Amico	P Jefferson	P Poe	P Mr. Speaker
P Davis, Monique	P Joyce (ADDED)	P Pritchard	
P Davis, William	P Kosel	P Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2380
 CHIP-ELGIBILITY-PLAN COVERAGE
 MOTION TO OVERRIDE AMENDATORY VETO
 PREVAILED
 THREE-FIFTHS VOTE REQUIRED

September 23, 2008

97 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2298
 MUNI CD-TIF EXTENSIONS
 MOTION TO OVERRIDE TOTAL VETO
 PREVAILED
 THREE-FIFTHS VOTE REQUIRED

September 23, 2008

95 YEAS

2 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2685
 EDUCATION-TECH
 MOTION TO OVERRIDE AMENDATORY VETO
 PREVAILED
 THREE-FIFTHS VOTE REQUIRED

September 23, 2008

97 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2887
 STATE CONTRACT DURATION
 MOTION TO OVERRIDE AMENDATORY VETO
 FAILED
 THREE-FIFTHS VOTE REQUIRED

September 23, 2008

54 YEAS

43 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 1864
COUNCIL RESPONSIBLE FATHERHOOD
MOTION TO OVERRIDE AMENDATORY VETO
PREVAILED
THREE-FIFTHS VOTE REQUIRED

September 23, 2008

97 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2676
 MUNICIPAL HOTEL OPERATORS TAX
 MOTION TO OVERRIDE TOTAL VETO
 PREVAILED
 THREE-FIFTHS VOTE REQUIRED

September 23, 2008

74 YEAS

23 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2679
 LOCAL GOVERNMENT-TECH
 MOTION TO OVERRIDE TOTAL VETO
 FAILED
 THREE-FIFTHS VOTE REQUIRED

September 23, 2008

63 YEAS

34 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 1879
 HUMAN RTS, FAIRNESS IN LENDING
 MOTION TO OVERRIDE AMENDATORY VETO
 PREVAILED
 THREE-FIFTHS VOTE REQUIRED

September 23, 2008

98 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 1975
 CRIM CD-CONTRABAND-PENAL INST
 MOTION TO OVERRIDE AMENDATORY VETO
 PREVAILED
 THREE-FIFTHS VOTE REQUIRED

September 23, 2008

98 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2190
 ELEC CD-POLITICAL COMMITTEES
 MOTION TO OVERRIDE AMENDATORY VETO
 PREVAILED
 THREE-FIFTHS VOTE REQUIRED

September 23, 2008

98 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2632
DCEO-SKILL SHORTAGE STUDY
MOTION TO OVERRIDE AMENDATORY VETO
PREVAILED
THREE-FIFTHS VOTE REQUIRED

September 23, 2008

98 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 546
 NOTARY PUBLIC-TECH
 MOTION TO ACCEPT AMENDATORY VETO
 PREVAILED

September 23, 2008

85 YEAS

13 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2327
CMS-STUDY
MOTION TO ACCEPT AMENDATORY VETO
PREVAILED

September 23, 2008

98 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2679
 LOCAL GOVERNMENT-TECH
 MOTION #2 TO OVERRIDE TOTAL VETO
 PREVAILED

September 23, 2008

75 YEAS

25 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2340
 CONT SUB-EVIDENCE
 MOTION #2 TO ACCEPT AMENDATORY VETO
 PREVAILED
 THREE-FIFTHS VOTE REQUIRED

September 23, 2008

99 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

288TH LEGISLATIVE DAY**Perfunctory Session****TUESDAY, SEPTEMBER 23, 2008**

At the hour of 5:43 o'clock p.m., the House convened perfunctory session.

INTRODUCTION AND FIRST READING OF BILLS

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

HOUSE BILL 6712. Introduced by Representative Mitchell, Bill, AN ACT concerning criminal law.

HOUSE BILL 6713. Introduced by Representative Mitchell, Bill, AN ACT concerning vendors' claims against the State.

HOUSE BILL 6714. Introduced by Representative Soto, AN ACT concerning public employee benefits.

HOUSE BILL 6715. Introduced by Representative Lindner, AN ACT concerning safety.

HOUSE BILL 6716. Introduced by Representative Osmond, AN ACT concerning the use of motor fuel tax funds.

HOUSE BILL 6717. Introduced by Representatives Verschoore - Beiser, AN ACT concerning appropriations.

HOUSE BILL 6718. Introduced by Representatives Brauer - Wait - Myers - Watson, AN ACT concerning public employee benefits.

At the hour of 5:44 o'clock p.m., the House Perfunctory Session adjourned.