

**STATE OF ILLINOIS**



# **HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-SIXTH GENERAL ASSEMBLY**

**102ND LEGISLATIVE DAY**

**REGULAR & PERFUNCTORY SESSION**

**TUESDAY, FEBRUARY 23, 2010**

**12:04 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES**  
**Daily Journal Index**  
**102nd Legislative Day**

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The House met pursuant to adjournment.

Representative Mautino in the chair.

Prayer by Pastor Dennis Price Sr, who is with Troy United Methodist Church in Troy, IL.

Representative Leitch led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:

107 present. (ROLL CALL 1)

By unanimous consent, Representatives Bassi, Boland, Colvin, Dugan, Careen Gordon, Mathias, Mell and Mulligan were excused from attendance. At the hour of 12:45 o'clock p.m., by unanimous consent, Representative Hatcher was excused from attendance.

The membership of the House was temporarily reduced to 117 as a result of the vacancy created by the resignation of Representative Brosnahan on February 11, 2010.

### **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 Bassi, should be recorded as present at the hour of 12:30 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Holbrook, should be recorded as present at the hour of 12:10 o'clock p.m.

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 1:15 o'clock p.m.

### **REPORTS**

The Clerk of the House acknowledges receipt of the following correspondence:

Regional Office of Education #13: Clinton/Marion/Washington Counties Financial Audit, submitted by Office of the Auditor General, William G. Hollland, Auditor General on February 17, 2010.

Updated Version of the 2010 Perinatal Report, submitted by Illinois Department of Healthcare and Family Services on February 18, 2010.

### **LETTER OF TRANSMITTAL**

February 23, 2010

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

Dear Clerk Mahoney:

Pursuant to House Rule 66(e), I am instructing that SJR 106 be referred to the Rules Committee.

If you have questions, please contact my Chief of Staff, Tim Mapes, at 782-6300.

With kindest personal regards, I remain.

Sincerely yours,

[February 23, 2010]

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s/Michael J. Madigan  
Speaker of the House

February 23, 2010

Mr. Mark Mahoney  
Chief Clerk  
Illinois House of Representatives  
402 Statehouse  
Springfield, IL 62706

Dear Chief Clerk Mahoney,

In the record for February 23, 2010, I am listed as present for attendance roll call and having voted on a motion to discharge from Rules for HB 5008. However, I would like the record to reflect that I was inadvertently voted present for attendance roll call and on the motion to discharge, as I was to be excused for session on this date. I was to be excused from session due to an illness in the family. I was later excused prior to any further votes.

I respectfully request that this letter be included in the journal for February 23, 2010.

Sincerely,  
s/Kay Hatcher  
State Representative  
50<sup>th</sup> District

#### **REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on February 23, 2010, reported the same back with the following recommendations:

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

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 2 to HOUSE BILL 2490.  
Amendment No. 1 to HOUSE BILL 3762.  
Amendment No. 1 to HOUSE BILL 3869.  
Amendment No. 3 to HOUSE BILL 4037.  
Amendment No. 2 to HOUSE BILL 4756.  
Amendment No. 1 to HOUSE BILL 4798.  
Amendment No. 2 to HOUSE BILL 4854.

#### **LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Agriculture & Conservation: HOUSE AMENDMENT No. 1 to HOUSE BILL 462.  
Labor: HOUSE AMENDMENT No. 1 to HOUSE BILL 2100 and HOUSE AMENDMENT No. 1 to HOUSE BILL 3631.

The committee roll call vote on the foregoing Legislative Measures is as follows:  
3, Yeas; 2, Nays; 0, Answering Present.

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

N Black(R), Republican Spokesperson  
N Schmitz(R)

### **MOTIONS SUBMITTED**

Representative Black submitted the following written motion, which was placed on the order of Motions in Writing:

#### **MOTION**

Pursuant to Rule 18(g), I move to discharge the Committee on Rules from further consideration of HOUSE BILL 5008 and advance to the order of Second Reading - Standard Debate.

Representative Black submitted the following written motion, which was placed on the order of Motions in Writing:

#### **MOTION**

Pursuant to Rule 18(g), I move to discharge the Committee on Rules from further consideration of HOUSE BILL 6269 and advance to the order of Second Reading - Standard Debate.

Representative Rose submitted the following written motion, which was placed on the order of Motions in Writing:

#### **MOTION**

Pursuant to Rule 60(b), I move to table HOUSE BILL 4967.

Representative Rose submitted the following written motion, which was placed on the order of Motions in Writing:

#### **MOTION**

Pursuant to Rule 60(b), I move to table HOUSE BILL 6294.

Representative Rose submitted the following written motion, which was placed on the order of Motions in Writing:

#### **MOTION**

Pursuant to Rule 60(b), I move to table HOUSE BILL 5121.

Representative Tracy submitted the following written motion, which was placed on the order of Motions in Writing:

#### **MOTION**

Pursuant to Rule 60(b), I move to table HOUSE BILL 5982.

Representative Tracy submitted the following written motion, which was placed on the order of Motions in Writing:

#### **MOTION**

Pursuant to Rule 60(b), I move to table HOUSE BILL 5971.

Representative Hamos submitted the following written motion, which was placed on the Calendar on the order of Motions in Writing:

#### **MOTION**

Pursuant to Rule 25, I move to suspend the posting requirements of Rule 21 in relation to HOUSE BILL 4661 to be heard in Mass Transit Committee.

### **CHANGE OF SPONSORSHIP**

With the consent of the affected members, Representative Burke was removed as principal sponsor, and Representative Tryon became the new principal sponsor of HOUSE BILL 5837.

**HOUSE RESOLUTION**

The following resolution was offered and placed in the Committee on Rules.

**HOUSE JOINT RESOLUTION 103**

Offered by Representative McCarthy:

WHEREAS, House Joint Resolution 75 of the 96th General Assembly required the Board of Higher Education to undertake a study of the most practical methodology to improve the efficiency and sustainability of the Monetary Award Program and submit a report to the General Assembly before February 28, 2010; and

WHEREAS, House Joint Resolution 75 of the 96th General Assembly was adopted by the House of Representatives and the Senate on October 29, 2009; and

WHEREAS, The report's due date of February 28, 2010 does not allow sufficient time to prepare the report; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the report required by House Joint Resolution 75 of the 96th General Assembly shall be submitted to the General Assembly by March 21, 2010 instead of February 28, 2010; and be it further

RESOLVED, That copies of this resolution be sent to the Clerk of the House of Representatives and the Secretary of the Senate.

**AGREED RESOLUTIONS**

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

**HOUSE RESOLUTION 937**

Offered by Representative Connelly:

Congratulates Terrence J. Freeman on the occasion of his retirement from the Woodridge Police Department.

**HOUSE RESOLUTION 938**

Offered by Representative Bellock:

Congratulates Paul Brachle for being named 2010 Darien Citizen of the Year by the Darien City Council.

**HOUSE RESOLUTION 939**

Offered by Representative Myers:

Mourns the death of Donna S. Phillips.

**HOUSE RESOLUTION 940**

Offered by Representative Flider:

Congratulates Pastor Melvin Weseloh on the occasion of his retirement as pastor of Mt. Zion Lutheran Church.

**HOUSE RESOLUTION 941**

Offered by Representative Flider:

Congratulates Paul Osborne on the occasion of the 40th anniversary of his ownership of the Decatur Tribune.



## HOUSE RESOLUTION 942

Offered by Representative Connelly:

Congratulates former Naperville resident, graduate of Eastern Illinois University, and head coach of the New Orleans Saints, Sean Payton, on leading his team to a victory in Super Bowl XLIV on February 7, 2010.

## HOUSE RESOLUTION 943

Offered by Representative Connelly:

Mourns the death of Richard "Dick" Solomon of Naperville.

## HOUSE RESOLUTION 944

Offered by Representative Connelly:

Congratulates Gary Goforth, head football coach at Benet Academy, on his retirement.

## HOUSE RESOLUTION 945

Offered by Representative Connelly:

Congratulates Donald E. "Don" Perry, Principal of Kennedy Junior High School in Naperville, on his retirement.

## HOUSE RESOLUTION 946

Offered by Representative Connelly:

Congratulates Larry McKeon, head football coach at Naperville North High School, on his retirement.

## HOUSE RESOLUTION 947

Offered by Representative Verschoore:

Mourns the death of John Andrew Gianulis of Andalusia.

## HOUSE JOINT RESOLUTION 102

Offered by Representative Hernandez:

Mourns the victims of a deadly house fire in Cicero on February 15, 2010.

**ACTION ON MOTIONS**

The Chair requested leave to use a single vote for the adoption of motions to table for the following bills: HOUSE BILLS 169, 4716, 4855, 4907, 5162, 5352, 5804, 6104 and HOUSE RESOLUTION 846.

Leave was granted.

The foregoing motions prevailed and the bills were tabled.

**HOUSE BILLS ON SECOND READING**

HOUSE BILL 3323. Having been read by title a second time on April 1, 2009, and held on the order of Second Reading, the same was again taken up.

Representative Brauer offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3323 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 3-616 as follows:

(625 ILCS 5/3-616) (from Ch. 95 1/2, par. 3-616)  
Sec. 3-616. Disability license plates.

(a) Upon receiving an application for a certificate of registration for a motor vehicle of the first division or for a motor vehicle of the second division weighing no more than 8,000 pounds, accompanied with payment of the registration fees required under this Code from a person with disabilities or a person who is deaf or hard of hearing, the Secretary of State, if so requested, shall issue to such person registration plates as provided for in Section 3-611, provided that the person with disabilities or person who is deaf or hard of hearing must not be disqualified from obtaining a driver's license under subsection 8 of Section 6-103 of this Code, and further provided that any person making such a request must submit a statement, certified by a licensed physician, by a physician assistant who has been delegated the authority to make this certification by his or her supervising physician, or by an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to make this certification, to the effect that such person is a person with disabilities as defined by Section 1-159.1 of this Code, or alternatively provide adequate documentation that such person has a Class 1A, Class 2A or Type Four disability under the provisions of Section 4A of the Illinois Identification Card Act. For purposes of this Section, an Illinois Disabled Person Identification Card issued pursuant to the Illinois Identification Card Act indicating that the person thereon named has a disability shall be adequate documentation of such a disability.

(b) The Secretary shall issue plates under this Section to a parent or legal guardian of a person with disabilities if the person with disabilities has a Class 1A or Class 2A disability as defined in Section 4A of the Illinois Identification Card Act or is a person with disabilities as defined by Section 1-159.1 of this Code, and does not possess a vehicle registered in his or her name, provided that the person with disabilities relies frequently on the parent or legal guardian for transportation. Only one vehicle per family may be registered under this subsection, unless the applicant can justify in writing the need for one additional set of plates. Any person requesting special plates under this subsection shall submit such documentation or such physician's, physician assistant's, or advanced practice nurse's statement as is required in subsection (a) and a statement describing the circumstances qualifying for issuance of special plates under this subsection. An optometrist may certify a Class 2A Visual Disability, as defined in Section 4A of the Illinois Identification Card Act, for the purpose of qualifying a person with disabilities for special plates under this subsection.

(c) The Secretary may issue a parking decal or device to a person with disabilities as defined by Section 1-159.1 without regard to qualification of such person with disabilities for a driver's license or registration of a vehicle by such person with disabilities or such person's immediate family, provided such person with disabilities making such a request has been issued a Disabled Person Identification Card indicating that the person named thereon has a Class 1A or Class 2A disability, or alternatively, submits a statement certified by a licensed physician, or by a physician assistant or an advanced practice nurse as provided in subsection (a), to the effect that such person is a person with disabilities as defined by Section 1-159.1. An optometrist may certify a Class 2A Visual Disability as defined in Section 4A of the Illinois Identification Card Act for the purpose of qualifying a person with disabilities for a parking decal or device under this subsection.

(d) The Secretary shall prescribe by rules and regulations procedures to certify or re-certify as necessary the eligibility of persons whose disabilities are other than permanent for special plates or parking decals or devices issued under subsections (a), (b) and (c). The Secretary of State shall not require the re-certification of persons whose disabilities are permanent for special plates or parking decals or devices issued under subsections (a), (b) and (c). Except as provided under subsection (f) of this Section, no such special plates, decals or devices shall be issued by the Secretary of State to or on behalf of any person with disabilities unless such person is certified as meeting the definition of a person with disabilities pursuant to Section 1-159.1 or meeting the requirement of a Type Four disability as provided under Section 4A of the Illinois Identification Card Act for the period of time that the physician, or the physician assistant or advanced practice nurse as provided in subsection (a), determines the applicant will have the disability, but not to exceed 6 months from the date of certification or recertification.

(e) Any person requesting special plates under this Section may also apply to have the special plates personalized, as provided under Section 3-405.1.

(f) The Secretary of State, upon application, shall issue disability registration plates or a parking decal to corporations, school districts, State or municipal agencies, limited liability companies, nursing homes, convalescent homes, or special education cooperatives which will transport persons with disabilities. The Secretary shall prescribe by rule a means to certify or re-certify the eligibility of organizations to receive disability plates or decals and to designate which of the 2 person with disabilities emblems shall be placed

on qualifying vehicles.

(g) The Secretary of State, or his designee, may enter into agreements with other jurisdictions, including foreign jurisdictions, on behalf of this State relating to the extension of parking privileges by such jurisdictions to permanently disabled residents of this State who display a special license plate or parking device that contains the International symbol of access on his or her motor vehicle, and to recognize such plates or devices issued by such other jurisdictions. This State shall grant the same parking privileges which are granted to disabled residents of this State to any non-resident whose motor vehicle is licensed in another state, district, territory or foreign country if such vehicle displays the international symbol of access or a distinguishing insignia on license plates or parking device issued in accordance with the laws of the non-resident's state, district, territory or foreign country.  
(Source: P.A. 94-619, eff. 1-1-06; 95-762, eff. 1-1-09.)

Section 99. Effective date. This Act takes effect January 1, 2010."

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

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

HOUSE BILL 3762. Having been recalled on February 4, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Walker offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3762 on page 1, line 12, immediately after "duty" by inserting the following:

"and serving overseas"; and

on page 1, line 13, immediately after "days" by inserting the following:

"upon application to the court by the mortgagor defendant".

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

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

HOUSE BILL 4700. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4700 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 3-808.1 as follows:

(625 ILCS 5/3-808.1) (from Ch. 95 1/2, par. 3-808.1)

Sec. 3-808.1. (a) Permanent vehicle registration plates shall be issued, at no charge, to the following:

1. Vehicles, other than medical transport vehicles, owned and operated by the State of Illinois or by any State agency financed by funds appropriated by the General Assembly;

2. Special disability plates issued to vehicles owned and operated by the State of Illinois or by any State agency financed by funds appropriated by the General Assembly.

(b) Permanent vehicle registration plates shall be issued, for a one time fee of \$8.00, to the following:

1. Vehicles, other than medical transport vehicles, operated by or for any county, township or municipal corporation;

2. Vehicles owned by counties, townships or municipal corporations for persons with disabilities.

3. Beginning with the 1991 registration year, county-owned vehicles operated by or for any county sheriff and designated deputy sheriffs. These registration plates shall contain the specific county code and unit number.

4. All-terrain vehicles owned by counties, townships, or municipal corporations and used

for law enforcement purposes when the Manufacturer's Statement of Origin is accompanied with a letter from the original manufacturer or a manufacturer's franchised dealer stating that this all-terrain vehicle has been converted to a street worthy vehicle that meets the equipment requirements set forth in Chapter 12 of this Code.

5. Beginning with the 2001 registration year, municipally-owned vehicles operated by or for any police department. These registration plates shall contain the designation "municipal police" and shall be numbered and distributed as prescribed by the Secretary of State.

6. Beginning with the 2011 registration year, vehicles owned by public universities in this State and operated by public university police departments. These registration plates shall contain the designation "university police" and shall be numbered and distributed as prescribed by the Secretary of State. (Source: P.A. 94-619, eff. 1-1-06; revised 11-4-09.)".

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 4704, 4710, 4779, 4780 and 4807.

HOUSE BILL 4860. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4860 on page 1, by replacing lines 15 through 16 with the following:

"called to the location by a law enforcement officer, the Illinois Department of Transportation, the Illinois State Toll Highway Authority, a local agency having jurisdiction over the highway, or the owner or operator of the damaged or disabled vehicle. This Section shall not apply to employees of the Department, the Illinois State Toll Highway Authority, or local agencies when engaged in their official duties."

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4866.

HOUSE BILL 4865. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4865 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Credit Union Act is amended by changing Sections 19 and 34 as follows:  
(205 ILCS 305/19) (from Ch. 17, par. 4420)

Sec. 19. Meeting of members.

(1) The annual meeting shall be held each year during the months of January, February or March or such other month as may be approved by the Department. The meeting shall be held at the time, place and in the manner set forth in the bylaws. Any special meetings of the members of the credit union shall be held at the time, place and in the manner set forth in the bylaws. Unless otherwise set forth in this Act, quorum requirements for meetings of members shall be established by a credit union in its bylaws. Notice of all meetings must be given by the Secretary of the credit union at least 7 days before the date of such meeting, either by handing a written or printed notice to each member of the credit union, by mailing the notice to the member at his address as listed on the books and records of the credit union, or by posting a notice of the meeting in three conspicuous places, including the office of the credit union.

(2) On all questions and at all elections, except election of directors, each member has one vote regardless of the number of his shares. There shall be no voting by proxy except on the election of directors, proposals for merger or voluntary dissolution. All voting on the election of directors shall be by ballot, but when there is no contest, written ballots need not be cast. The record date to be used for the purpose of determining which members are entitled to notice of or to vote at any meeting of members, may be fixed in advance by the directors on a date not more than 90 days nor less than 10 days prior to the date of the meeting. If no record date is fixed by the directors, the first day on which notice of the meeting is given, mailed or posted is the record date.

(3) Regardless of the number of shares owned by a society, association, club, partnership, other credit union or corporation, having membership in the credit union, it shall be entitled to only one vote and it may be represented and have its vote cast by its designated agent acting on its behalf pursuant to a resolution adopted by the organization's board of directors or similar governing authority; provided that the credit union shall obtain a certified copy of such resolution before such vote may be cast.

(4) A member may revoke a proxy by delivery to the credit union of a written statement to that effect, by execution of a subsequently dated proxy, or by attendance at a meeting and voting in person.

(Source: P.A. 89-603, eff. 8-2-96.)

(205 ILCS 305/34) (from Ch. 17, par. 4435)

Sec. 34. Duties of Supervisory Committee.

(1) The Supervisory Committee shall make or cause to be made an annual internal audit of the books and affairs of the credit union to determine that the credit union's accounting records and reports are prepared promptly and accurately reflect operations and results, that internal controls are established and effectively maintained to safeguard the assets of the credit union, and that the policies, procedures and practices established by the Board of Directors and management of the credit union are being properly administered. The Supervisory Committee shall submit a report of that audit to the Board of Directors and a summary of that report to the members at the next annual meeting of the credit union. It shall make or cause to be made such supplementary audits as it deems necessary or as are required by the Director or by the Board of Directors, and submit reports of these supplementary audits to the Director or Board of Directors as applicable. If the Supervisory Committee has not engaged a public accountant registered by the Department of Professional Regulation to make the internal audit, the Supervisory Committee or other officials of the credit union shall not indicate or in any manner imply that such audit has been performed by a public accountant or that the audit represents the independent opinion of a public accountant. The Committee must retain its tapes and working papers of each internal audit for inspection by the Department. The report of this audit must be made on a form approved by the Director. A copy of the report must be promptly mailed to the Director.

(2) The Supervisory Committee shall make or cause to be made at least once each year a reasonable percentage verification of members' share and loan accounts, consistent with rules promulgated by the Director.

(3) The Supervisory Committee of a credit union with assets of \$5,000,000 or more shall engage a public accountant registered by the Department of Professional Regulation to perform an annual external independent audit of the credit union's financial statements in accordance with generally accepted auditing standards. The Supervisory Committee of a credit union with assets of \$3,000,000 or more, but less than \$5,000,000, shall engage a public accountant registered by the Department of Professional Regulation to perform an external independent audit of the credit union's financial statements in accordance with generally accepted auditing standards at least once every 3 years. A copy of an external independent audit shall be completed and mailed to the Director no later than 90 days after December 31 of each year; provided that a credit union or group of credit unions may obtain an extension of the due date upon application to and receipt of written approval from the Director upon completion. If the annual internal audit of such a credit union is conducted by a public accountant registered by the Department of Professional Regulation and the annual internal audit is done in conjunction with the credit union's annual external audit, the requirements of subsection (1) of this Section shall be deemed met.

(4) In determining the appropriate balance in the allowance for loan losses account, a credit union may determine its historical loss rate using a defined period of time of less than 5 years, provided that:

(A) the methodology used to determine the defined period of time is formally documented in the credit union's policies and procedures and is appropriate to the credit union's size, business strategy, and loan portfolio characteristics and the economic environment of the areas and employers served by the credit union;

(B) supporting documentation is maintained for the technique used to develop the credit

union loss rates, including the period of time used to accumulate historical loss data and the factors considered in establishing the time frames; and

(C) the external auditor conducting the credit union's financial statement audit has analyzed the methodology employed by the credit union and concludes that the financial statements, including the allowance for loan losses, are fairly stated in all material respects in accordance with U.S. Generally Accepted Accounting Principles, as promulgated by the Financial Accounting Standards Board.

(5) A majority of the members of the Supervisory Committee shall constitute a quorum.

(Source: P.A. 96-141, eff. 8-7-09.)

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

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 4966 and 5093.

HOUSE BILL 5054. Having been reproduced, was taken up and read by title a second time. The following amendment was offered in the Committee on Human Services, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 5054 as follows:

on page 1, by replacing lines 20 through 23 with the following:

"On or before July 1, 2011, the Department shall cease issuing monthly MediPlan cards and shall instead issue permanent or semi-permanent member cards to individuals enrolled for medical assistance. Furthermore, the Department may employ any reasonable means by which providers may verify an individual's eligibility for medical assistance in place of MediPlan cards."; and

on page 2, by deleting lines 1 through 4; and

on page 2, be deleting lines 6 and 7.

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

HOUSE BILL 5120. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5120 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 6-106.1, 12-813.1, and 12-816 and by adding Section 12-811.5 as follows:

(625 ILCS 5/12-813.1)

Sec. 12-813.1. School bus driver communication devices.

(a) In this Section:

"School bus driver" means a person operating a school bus who has a valid school bus driver permit as required under Sections 6-104 and 6-106.1 of this Code.

"Cellular radio telecommunication device" means a device capable of sending or receiving telephone communications without an access line for service and which requires the operator to dial numbers manually. It does not, however, include citizens band radios or citizens band radio hybrids.

"Possession of a school bus" means the period of time from which a bus driver takes possession until the school bus driver returns possession of the school bus, whether or not the school bus driver is operating the school bus.

"Using a cellular radio telecommunication device" means talking or listening to or dialing a cellular radio telecommunication device.

To "operate" means to have the vehicle in motion while it contains one or more passengers.

(b) A school bus driver may not operate a school bus while using a cellular radio telecommunication device.

(c) Subsection (b) of this Section does not apply:

(1) To the use of a cellular radio telecommunication device for the purpose of communicating with any of the following regarding an emergency situation:

- (A) an emergency response operator;
- (B) a hospital;
- (C) a physician's office or health clinic;
- (D) an ambulance service;
- (E) a fire department, fire district, or fire company; or
- (F) a police department.

(2) To the use of a cellular radio telecommunication device to call for assistance in the event that there is a mechanical breakdown or other mechanical problem that impairs the safe operation of the bus or to communicate with school authorities or their designees about any other issue relating to the operation of the school bus or the welfare and safety of any passenger thereon. In no case may a cellular radio telecommunication device be used for anything not provided for in this Section, including but not limited to, personal use.

~~(3) (Blank). To the use of a cellular radio telecommunication device that has a digital two-way radio service capability owned and operated by the school district, when that device is being used as a digital two-way radio.~~

(4) When the school bus is parked.

(d) A school bus driver who violates subsection (b) of this Section is guilty of a petty offense punishable by a fine of not less than \$100 and not more than \$250.

(e) A school bus must contain either an operating cellular radio telecommunication device or two-way radio while the school bus driver is in possession of a school bus. The cellular radio telecommunication device or two-way radio in this subsection must be turned on and adjusted in a manner that would alert the school bus driver of an incoming communication request.

(Source: P.A. 96-818, eff. 11-17-09.)

(625 ILCS 5/12-816)

Sec. 12-816. Pre and post-trip inspection policy for school buses.

(a) In order to provide for the welfare and safety of children who are transported on school buses throughout the State of Illinois, each school district shall have in place, by January 1, 2008, a policy to ensure that the school bus driver is the last person leaving the bus and that no passenger is left behind or remains on the vehicle at the end of a route, a work shift, or the work day. This policy and procedure shall, at a minimum, require the school bus driver (i) to test the cellular radio telecommunication device or two-way radio and ensure that it is functioning properly before the bus is operated and (ii) before leaving the bus at the end of each route, work shift, or work day, to walk to the rear of the bus and check the bus for children or other passengers in the bus.

(b) If a school district has a contract with a private sector school bus company for the transportation of the district's students, the school district shall require in the contract with the private sector company that the company have a post-trip inspection policy in place. This policy and procedure shall, at a minimum, require the school bus driver (i) to test the cellular radio telecommunication device or two-way radio and ensure that it is functioning properly before the bus is operated and (ii) before leaving the bus at the end of each route, work shift, or work day, to walk to the rear of the bus and check the bus for children or other passengers in the bus.

(c) Before this inspection, the school bus driver shall activate the interior lights of the bus to assist the driver in seeing in and under the seats during a visual sweep of the bus.

(d) This policy may include, at the discretion of the school district, the installation of a mechanical or electronic post-trip inspection reminder system which requires the school bus driver to walk to the rear of the bus to deactivate the system before the driver leaves the bus. The system shall require that when the driver turns off the vehicle's ignition system, the vehicle's interior lights must illuminate to assist the driver in seeing in and under the seats during a visual sweep of the bus.

(Source: P.A. 95-260, eff. 8-17-07; 96-818, eff. 11-17-09.)

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

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

HOUSE BILL 5130. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 5130 on page 1, line 1, by replacing "money laundering" with "law enforcement"; and on page 1, lines 5 and 6, by replacing "Section 2605-585" with "Sections 2605-585 and 2605-590"; and on page 1, by inserting immediately below line 16 the following:

"(20 ILCS 2605/2605-590 new)

Sec. 2605-590. Drug Traffic Prevention Fund. Moneys deposited into the Drug Traffic Prevention Fund pursuant to subsection (e) of Section 5-9-1.1 and subsection (c) of Section 5-9-1.5 of the Unified Code of Corrections shall be appropriated to and administered by the Department of State Police for funding of drug task forces and Metropolitan Enforcement Groups in accordance with the Intergovernmental Drug Laws Enforcement Act."; and

on page 29, by inserting immediately below line 16 the following:

"Section 20. The Unified Code of Corrections is amended by changing Sections 5-9-1.1 and 5-9-1.1-5 as follows:

(730 ILCS 5/5-9-1.1) (from Ch. 38, par. 1005-9-1.1)

(Text of Section from P.A. 94-550, 96-132, and 96-402)

Sec. 5-9-1.1. Drug related offenses.

(a) When a person has been adjudged guilty of a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance, other than methamphetamine, as defined in the Cannabis Control Act, as amended, or the Illinois Controlled Substances Act, as amended, in addition to any other penalty imposed, a fine shall be levied by the court at not less than the full street value of the cannabis or controlled substances seized.

"Street value" shall be determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount seized and such testimony as may be required by the court as to the current street value of the cannabis or controlled substance seized.

(b) In addition to any penalty imposed under subsection (a) of this Section, a fine of \$100 shall be levied by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Trauma Center Fund for distribution as provided under Section 3.225 of the Emergency Medical Services (EMS) Systems Act.

(c) In addition to any penalty imposed under subsection (a) of this Section, a fee of \$5 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of \$5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing.

(d) In addition to any penalty imposed under subsection (a) of this Section for a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, a fee of \$50 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Performance-enhancing Substance Testing Fund. This additional fee of \$50 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. The provisions of this subsection (d), other than this sentence, are inoperative after June 30, 2011.

(e) ~~(d)~~ In addition to any penalty imposed under subsection (a) of this Section, a \$25 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer for deposit into the Drug Traffic Prevention Fund. The moneys deposited into the Drug Traffic Prevention Fund pursuant to this Section shall be appropriated to and administered State Police Services Fund and shall be used for grants by the Department of State Police for funding of drug task forces and Metropolitan Enforcement Groups in accordance with the Intergovernmental Drug Laws Enforcement Act. (Source: P.A. 94-550, eff. 1-1-06; 96-132, eff. 8-7-09; 96-402, eff. 1-1-10, revised 10-6-09.)



(Text of Section from P.A. 94-556, 96-132, and 96-402)

Sec. 5-9-1.1. Drug related offenses.

(a) When a person has been adjudged guilty of a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, in addition to any other penalty imposed, a fine shall be levied by the court at not less than the full street value of the cannabis or controlled substances seized.

"Street value" shall be determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount seized and such testimony as may be required by the court as to the current street value of the cannabis or controlled substance seized.

(b) In addition to any penalty imposed under subsection (a) of this Section, a fine of \$100 shall be levied by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Trauma Center Fund for distribution as provided under Section 3.225 of the Emergency Medical Services (EMS) Systems Act.

(c) In addition to any penalty imposed under subsection (a) of this Section, a fee of \$5 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Spinal Cord Injury Paralysis Cure Research Trust Fund. This additional fee of \$5 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing.

(d) In addition to any penalty imposed under subsection (a) of this Section for a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, a fee of \$50 shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Performance-enhancing Substance Testing Fund. This additional fee of \$50 shall not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing. The provisions of this subsection (d), other than this sentence, are inoperative after June 30, 2011.

(e) ~~(d)~~ In addition to any penalty imposed under subsection (a) of this Section, a \$25 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer for deposit into the Drug Traffic Prevention Fund. The moneys deposited into the Drug Traffic Prevention Fund pursuant to this Section shall be appropriated to and administered State Police Services Fund and shall be used for grants by the Department of State Police for funding of ~~to~~ drug task forces and Metropolitan Enforcement Groups in accordance with the Intergovernmental Drug Laws Enforcement Act. (Source: P.A. 94-556, eff. 9-11-05; 96-132, eff. 8-7-09; 96-402, eff. 1-1-10, revised 10-6-09.)

(730 ILCS 5/5-9-1.1-5)

Sec. 5-9-1.1-5. Methamphetamine related offenses.

(a) When a person has been adjudged guilty of a methamphetamine related offense involving possession or delivery of methamphetamine or any salt of an optical isomer of methamphetamine or possession of a methamphetamine manufacturing material as set forth in Section 10 of the Methamphetamine Control and Community Protection Act with the intent to manufacture a substance containing methamphetamine or salt of an optical isomer of methamphetamine, in addition to any other penalty imposed, a fine shall be levied by the court at not less than the full street value of the methamphetamine or salt of an optical isomer of methamphetamine or methamphetamine manufacturing materials seized.

"Street value" shall be determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount seized and such testimony as may be required by the court as to the current street value of the methamphetamine or salt of an optical isomer of methamphetamine or methamphetamine manufacturing materials seized.

(b) In addition to any penalty imposed under subsection (a) of this Section, a fine of \$100 shall be levied by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer under Section 27.6 of the Clerks of Courts Act for deposit into the Methamphetamine Law Enforcement Fund and allocated as provided in subsection (d) of Section 5-9-1.2.

(c) In addition to any penalty imposed under subsection (a) of this Section, a \$25 assessment shall be assessed by the court, the proceeds of which shall be collected by the Circuit Clerk and remitted to the State Treasurer for deposit into the Drug Traffic Prevention Fund. The moneys deposited into the Drug Traffic Prevention Fund pursuant to this Section shall be appropriated to and administered State Police Services Fund and shall be used for grants by the Department of State Police for funding of ~~to~~ drug task forces and

Metropolitan Enforcement Groups in accordance with the Intergovernmental Drug Laws Enforcement Act. (Source: P.A. 96-200, eff. 8-10-09; 96-402, eff. 1-1-10; revised 9-25-09.)".

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 4647, 4758, 5194, 5206, 5219, 5412, 5463, 5481 and 5486.

HOUSE BILL 4864. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4864 by replacing everything after the enacting clause with the following:

"Section 5. The Professional Counselor and Clinical Professional Counselor Licensing Act is amended by changing Section 45 as follows:

(225 ILCS 107/45)

(Section scheduled to be repealed on January 1, 2013)

Sec. 45. Qualifications for a license.

(a) Professional counselor. A person is qualified to be licensed as a licensed professional counselor, and the Department shall issue a license authorizing the practice of professional counseling to an applicant who:

- (1) has applied in writing on the prescribed form and has paid the required fee;
- (2) is at least 21 years of age and has not engaged in conduct or activities which would constitute grounds for discipline under this Act;
- (3) is a graduate of:

(A) a master's or doctoral level program in the field of counseling, rehabilitation counseling, psychology, or similar degree program approved by the Department; or

(B) in the case of an applicant who applies for licensure before the effective date of this amendatory Act of the 96th General Assembly, an approved baccalaureate program in human services or similar degree program

approved by the Department and can document the equivalent of 5 years of full-time satisfactory supervised experience, as established by rule, under a qualified supervisor;

- (4) has passed an examination for the practice of professional counseling as authorized by the Department; and
- (5) has paid the fees required by this Act.

Any person who has received certification by any State or national organization whose standards are accepted by the Department as being substantially similar to the standards in this Act may apply for a professional counselor license and need not be examined further.

(b) Clinical professional counselor. A person is qualified to be licensed as a clinical professional counselor, and the Department shall issue a license authorizing the practice of clinical professional counseling to an applicant who:

- (1) has applied in writing on the prescribed form and has paid the required fee;
- (2) is at least 21 years of age and has not engaged in conduct or activities which would constitute grounds for discipline under this Act;
- (3) is a graduate of:

(A) a master's level program in the field of counseling, rehabilitation counseling, psychology, or similar degree program approved by the Department and has completed the equivalent of 2 years full-time satisfactory supervised employment or experience working as a clinical counselor under the direction of a qualified supervisor subsequent to the degree; or

(B) a doctoral program in the field of counseling, rehabilitation counseling, psychology, or similar program approved by the Department and has completed the equivalent of 2 years full-time satisfactory supervised employment or experience working as a clinical counselor under the direction of a qualified supervisor, at least one year of which is subsequent to the degree;

- (4) has passed the examination for the practice of clinical professional counseling as

authorized by the Department; and

(5) has paid the fees required by this Act.

Any person who has received certification by any State or national organization whose standards are accepted by the Department as being substantially similar to the standards in this Act may apply for a clinical professional counselor license, and need not be examined further.

(c) Examination for applicants under this Act shall be held at the discretion of the Department from time to time but not less than once each year. The examination used shall be authorized by the Department.

(d) Upon application and payment of the required fee, an applicant who has an active license as a clinical psychologist or a clinical social worker licensed under the laws of this State may, without examination, be granted registration as a licensed clinical professional counselor by the Department.

(Source: P.A. 92-719, eff. 7-25-02.)

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

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 5125.

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 2190.

### **ACTION ON MOTIONS**

Pursuant to Rule 18(g), Representative Black moved for unanimous consent to discharge the Committee on Rules from further consideration of HOUSE BILL 5008, and requested a record vote on the motion.

Representative Currie was recognized and announced her opposition to the motion.

The Chair ruled that a record vote was not necessary because the motion was already lost due to the denial of unanimous consent.

Representative Black moved to appeal from the ruling of the Chair.

On the question of sustaining the ruling of the Chair, a vote was taken resulting as follows:

63, Yeas; 46, Nays; 0, Answering Present.

(ROLL CALL 2)

The motion prevailed.

Pursuant to Rule 18(g), Representative Black moved for unanimous consent to discharge the Committee on Rules from further consideration of HOUSE BILL 6269, and requested a record vote on the motion.

Representative Currie was recognized and announced her opposition to the motion.

The Chair ruled that a record vote was not necessary because the motion was already lost due to the denial of unanimous consent.

Representative Black moved to appeal from the ruling of the Chair.

On the question of sustaining the ruling of the Chair, a vote was taken resulting as follows:

63, Yeas; 45, Nays; 0, Answering Present.

(ROLL CALL 3)

The motion prevailed.

### HOUSE BILL ON THIRD READING

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

On motion of Representative Reitz, HOUSE BILL 4649 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 0, Answering Present.  
(ROLL CALL 4)

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

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

### RECALL

At the request of the principal sponsor, Representative Reis, HOUSE BILL 4835 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

### HOUSE BILLS ON SECOND READING

HOUSE BILL 2360. Having been read by title a second time on April 1, 2009, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL 4587. Having been reproduced, was taken up and read by title a second time. The following amendment was offered in the Committee on Human Services, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 4587 as follows:  
on page 1, by replacing line 15 with the following:  
"(2) National data indicates"; and  
on page 4, by replacing lines 7 and 8 with the following:  
"The Department shall work with a national organization that deals with lupus to implement programs to raise public awareness"; and  
on page 4, line 23, by replacing "the Lupus Foundation of America, Inc." with "a national organization that deals with lupus"; and  
on page 7, line 11, by replacing "the Lupus Foundation of America, Inc." with "a national organization that deals with the treatment of lupus."; and  
on page 8, immediately below line 19, by inserting the following:  
"Section 25. Staffing. The Department of Public Health shall provide staffing and administrative support for the implementation of the provisions of this Act."

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

HOUSE BILL 4683. Having been reproduced, was taken up and read by title a second time. The following amendments were offered in the Committee on Labor, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 4683 on page 5, line 23, by replacing "December" with "February"; and  
on page 5, line 24, by replacing "December" with "February"; and  
on page 5, immediately below line 24, by inserting the following:  
"Section 30. Collective bargaining agreements. The rights of employees covered by a collective bargaining agreement shall not be affected by this Act."

AMENDMENT NO. 2. Amend House Bill 4683, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the African American Employment Plan Act.

Section 5. Purposes. The purposes of this Act are as follows:

- (a) improve the delivery of State services to Illinois' African Americans by increasing the number of African American State employees and the number of African American State employees serving in supervisory, technical, professional, and managerial positions;
- (b) identify State agencies' staffing needs and qualification requirements;
- (c) track hiring practices and promotions of African Americans employed by State agencies;
- (d) increase the number of African Americans employed by State agencies;
- (e) increase the number of African American State employees who are promoted;
- (f) assist State agencies to meet their goals established pursuant to the African American Employment Plan; and
- (g) establish the African American Employment Plan Advisory Council.

Section 10. Definitions. In this Act:

"Department" means the Department of Central Management Services.

"State agency" or "agency", whether used in the singular or plural, means all departments, officers, commissions, boards, institutions, and bodies politic and corporate of the State. The term, however, does not mean the judicial branch, including, without limitation, the several courts of the State, the offices of the clerk of the supreme court and the clerks of the appellate court, and the Administrative Office of the Illinois Courts, nor does it mean the legislature or its committees or commissions.

Section 15. African American Employment Plan.

(a) The Department shall have a full-time position designated as the African American Employment Coordinator to monitor compliance with the African American Employment Plan.

(b) The Department shall develop and implement plans to increase the number of African Americans employed by State agencies and the number of African Americans employed by State agencies at supervisory, technical, professional, and managerial levels.

(c) The Department shall prepare and revise annually an African American Employment Plan in consultation with individuals and organizations knowledgeable on this subject and with the African American Employment Plan Advisory Council. The Department shall report to the General Assembly by February 1 of each year, beginning with February 1, 2011, each State agency's activities that implement the African American Employment Plan.

Section 20. State agency affirmative action and equal employment opportunity goals.

(a) Each State agency shall implement strategies and programs in accordance with the African American Employment Plan to increase the number of African Americans employed by that State agency and the number of African Americans employed by that State agency at supervisory, technical, professional, and managerial levels.

(b) Each State agency shall report annually to the Department and the Department of Human Rights, in a format prescribed by the Department, all of the agency's activities in implementing the African American Employment Plan. Each agency's annual report shall include reports or information related to the agency's African American employment strategies and programs that the agency has received from the Department, the Department of Human Rights, or the Auditor General, pursuant to their periodic review responsibilities; findings made by the Governor in his or her report to the General Assembly; assessments of service needs based upon the agency's service populations; information on the agency's studies and monitoring success concerning the number of African Americans employed by the agency at the supervisory, technical, professional, and managerial levels and any increases in those categories from the prior year; and information concerning the agency's African American employment budget allocations.

(c) The Department shall assist State agencies required to establish preparation and promotion training programs under subsection (H) of Section 7-105 of the Illinois Human Rights Act for failure to meet their affirmative action and equal employment opportunity goals. The Department shall survey State agencies to identify effective existing training programs and shall serve as a resource to other State agencies. The Department shall assist agencies in the development and modification of training programs to enable them to meet their affirmative action and equal employment opportunity goals and shall provide information regarding other existing training and educational resources, such as the Upward Mobility Program, the Illinois Institute for Training and Development, the Central Management Services Training Center, Executive Recruitment Internships, and Graduate Public Service Internships.

Section 25. African American Employment Plan Advisory Council.

(a) The African American Employment Plan Advisory Council is created, consisting of 11 members, each of whom shall be an African American subject matter expert, appointed by the Governor.

(b) All members of the African American Employment Plan Advisory Council shall serve without compensation, but shall be reimbursed for their reasonable and necessary expenses from funds appropriated for that purpose.

(c) The African American Employment Plan Advisory Council shall examine: (1) the prevalence and impact of African Americans employed by State government; (2) the barriers faced by African Americans who seek employment or promotional opportunities in State government; and (3) possible incentives that could be offered to foster the employment of and the promotion of African Americans in State government.

(d) The Council shall meet quarterly to provide consultation to State agencies and the African American Employment Coordinator.

(e) The African American Employment Plan Advisory Council shall receive administrative support from the Department of Central Management Services and shall issue an annual report of its activities each year on or before February 1, beginning with February 1, 2012.

Section 30. Collective bargaining agreements. The rights of employees covered by a collective bargaining agreement shall not be affected by this Act.

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

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

### RECALL

At the request of the principal sponsor, Representative Ford, HOUSE BILL 4587 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

### HOUSE BILLS ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4895.

HOUSE BILL 4896. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4896 on page 4, line 12, by deleting "sweeps"; and on page 4, by replacing lines 14 through 17 with the following:  
"authorized under Section 8h of the State Finance Act. Nothing in the Act".

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

HOUSE BILL 4961. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4961 by replacing everything from line 20 on page 1 through line 2 on page 2 with the following:

"The Illinois Historic Sites Fund is not subject to administrative charges or charge-backs, including but not limited to those authorized under Section 8h of the State Finance Act."; and by replacing everything from line 21 on page 2 through line 3 on page 3 with the following:

"(c) The Presidential Library and Museum Operating Fund is not subject to administrative charges or charge-backs, including but not limited to those authorized under Section 8h of the State Finance Act."

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

HOUSE BILL 3869. Having been recalled on February 10, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Bradley offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3869 on page 1, by inserting immediately below line 3 the following:

"Section 2. The Alcoholism and Other Drug Abuse and Dependency Act is amended by changing Section 40-5 as follows:

(20 ILCS 301/40-5)

Sec. 40-5. Election of treatment. An addict or alcoholic who is charged with or convicted of a crime or any other person charged with or convicted of a Class C misdemeanor violation of the Use of Intoxicating Compounds Act may elect treatment under the supervision of a licensed program designated by the Department, referred to in this Article as "designated program", unless:

(1) the crime is a crime of violence;

(2) the crime is a violation of Section 401(a), 401(b), 401(c) where the person electing treatment has been previously convicted of a non-probationable felony or the violation is non-probationable, 401(d) where the violation is non-probationable, 401.1, 402(a), 405 or 407 of the Illinois Controlled Substances Act, or Section 4(d), 4(e), 4(f), 4(g), 5(d), 5(e), 5(f), 5(g), 5.1, 7 or 9 of the Cannabis Control Act or Section 15, 20, 55, 60, or 65 of the Methamphetamine Control and Community Protection Act;

(3) the person has a record of 2 or more convictions of a crime of violence;

(4) other criminal proceedings alleging commission of a felony are pending against the person;

(5) the person is on probation or parole and the appropriate parole or probation authority does not consent to that election;

(6) the person elected and was admitted to a designated program on 2 prior occasions within any consecutive 2-year period;

(7) the person has been convicted of residential burglary and has a record of one or more felony convictions;

(8) the crime is a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or

(9) the crime is a reckless homicide or a reckless homicide of an unborn child, as defined in Section 9-3 or 9-3.2 of the Criminal Code of 1961, in which the cause of death consists of the driving of a motor vehicle by a person under the influence of alcohol or any other drug or drugs at the time of the violation.

(Source: P.A. 94-556, eff. 9-11-05.)"

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

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

HOUSE BILL 4798. Having been reproduced, was taken up and read by title a second time.

Representative Mautino offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 4798 on page 2, line 16, by changing "products" to "stuffs products"; and

on page 3, line 23, by changing "products" to "stuffs products"; and

on page 6, line 8, by deleting "chief"; and

on page 6, line 10, by deleting "chief".

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

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

### **SUSPEND POSTING REQUIREMENTS**

Pursuant to Rule 25, Representative Hamos moved to suspend the posting requirements of Rule 21 in relation to HOUSE BILL 4661.

The motion prevailed.

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

HOUSE BILL 4863. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 4863 on page 14 by replacing lines 4 through 10 with the following:

"limitations. The Local Government Health Insurance Reserve Fund is not subject to administrative charges or charge-backs, including but not limited to those authorized under Section 8h of the State Finance Act. All revenues arising from the".

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

### **AGREED RESOLUTIONS**

HOUSE RESOLUTIONS 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947 and HOUSE JOINT RESOLUTION 102 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted

At the hour of 1:14 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, February 24, 2010, at 12:00 o'clock noon, allowing perfunctory time for the Clerk.

The motion prevailed.

And the House stood adjourned.



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

February 23, 2010

0 YEAS

0 NAYS

109 PRESENT

P Acevedo	P Davis, William	P Joyce	P Reitz
P Arroyo	P DeLuca	P Kosel	P Riley
P Bassi (ADDED)	E Dugan	P Lang	P Rita
P Beaubien	P Dunkin	P Leitch	P Rose
P Beiser	P Durkin	P Lyons	P Sacia
P Bellock	P Eddy	E Mathias	P Saviano
P Berrios	P Farnham	P Mautino	P Schmitz
P Biggins	P Feigenholtz	P May	P Senger
P Black	P Flider	P McAsey	P Sente
E Boland	P Flowers	P McAuliffe	P Smith
P Bost	P Ford	P McCarthy	P Sommer
P Bradley	P Fortner	P McGuire	P Soto
P Brady	P Franks	E Mell	P Stephens
P Brauer	P Fritchey	P Mendoza	P Sullivan
P Burke	P Froehlich	P Miller	P Thapedi
P Burns	P Golar	P Mitchell, Bill	P Tracy
P Cavaletto	E Gordon, Careen	P Mitchell, Jerry	P Tryon
P Chapa LaVia	P Gordon, Jehan	P Moffitt	P Turner
P Coladipietro	P Graham	E Mulligan	P Verschoore
P Cole	P Hamos	P Myers	P Wait
P Collins	P Hannig	P Nekritz	P Walker
E Colvin	P Harris	P Osmond	P Washington
P Connelly	E Hatcher (CHANGED)	P Osterman (ADDED)	P Watson
P Coulson	P Hernandez	P Phelps	P Winters
P Crespo	P Hoffman	P Pihos	P Yarbrough
P Cross	P Holbrook (ADDED)	P Poe	P Zalewski
P Cultra	P Howard	P Pritchard	P Mr. Speaker
P Currie	P Jackson	P Ramey	
P D'Amico	P Jakobsson	P Reboletti	
P Davis, Monique	P Jefferson	P Reis	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 5008  
 DISCHARGE COMMITTEE  
 SHALL THE RULING OF THE CHAIR BE SUSTAINED  
 PREVAILED

February 23, 2010

63 YEAS

46 NAYS

0 PRESENT

Y Acevedo	Y Davis, William	Y Joyce	Y Reitz
Y Arroyo	Y DeLuca	N Kosel	Y Riley
N Bassi	E Dugan	Y Lang	Y Rita
N Beaubien	Y Dunkin	N Leitch	N Rose
Y Beiser	N Durkin	Y Lyons	N Sacia
N Bellock	N Eddy	E Mathias	N Saviano
Y Berrios	Y Farnham	Y Mautino	N Schmitz
N Biggins	Y Feigenholtz	Y May	N Senger
N Black	Y Flider	Y McAsey	Y Sente
E Boland	Y Flowers	N McAuliffe	Y Smith
N Bost	Y Ford	Y McCarthy	N Sommer
Y Bradley	N Fortner	Y McGuire	Y Soto
N Brady	Y Franks	E Mell	N Stephens
N Brauer	Y Fritchey	Y Mendoza	N Sullivan
Y Burke	Y Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	N Mitchell, Bill	N Tracy
N Cavaletto	E Gordon, Careen	N Mitchell, Jerry	N Tryon
Y Chapa LaVia	Y Gordon, Jehan	N Moffitt	Y Turner
N Coladipietro	Y Graham	E Mulligan	Y Verschoore
N Cole	Y Hamos	N Myers	N Wait
Y Collins	Y Hannig	Y Nekritz	Y Walker
E Colvin	Y Harris	N Osmond	Y Washington
N Connelly	N Hatcher	A Osterman	N Watson
N Coulson	Y Hernandez	Y Phelps	N Winters
Y Crespo	Y Hoffman	N Pihos	Y Yarbrough
N Cross	Y Holbrook	N Poe	Y Zalewski
N Cultra	Y Howard	N Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	N Ramey	
Y D'Amico	Y Jakobsson	N Reboletti	
Y Davis, Monique	Y Jefferson	N Reis	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-SIXTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 HOUSE BILL 6269  
 DISCHARGE COMMITTEE  
 SHALL THE RULING OF THE CHAIR BE SUSTAINED  
 PREVAILED

February 23, 2010

63 YEAS

45 NAYS

0 PRESENT

Y Acevedo	Y Davis, William	Y Joyce	Y Reitz
Y Arroyo	Y DeLuca	N Kosel	Y Riley
N Bassi	E Dugan	Y Lang	Y Rita
N Beaubien	Y Dunkin	N Leitch	N Rose
Y Beiser	N Durkin	Y Lyons	N Sacia
N Bellock	N Eddy	E Mathias	N Saviano
Y Berrios	Y Farnham	Y Mautino	N Schmitz
N Biggins	Y Feigenholtz	Y May	N Senger
N Black	Y Flider	Y McAsey	Y Sente
E Boland	Y Flowers	N McAuliffe	Y Smith
N Bost	Y Ford	Y McCarthy	N Sommer
Y Bradley	N Fortner	Y McGuire	Y Soto
N Brady	Y Franks	E Mell	N Stephens
N Brauer	Y Fritchey	Y Mendoza	N Sullivan
Y Burke	Y Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	N Mitchell, Bill	N Tracy
N Cavaletto	E Gordon, Careen	N Mitchell, Jerry	N Tryon
Y Chapa LaVia	Y Gordon, Jehan	N Moffitt	Y Turner
N Coladipietro	Y Graham	E Mulligan	Y Verschoore
N Cole	Y Hamos	N Myers	N Wait
Y Collins	Y Hannig	Y Nekritz	Y Walker
E Colvin	Y Harris	N Osmond	Y Washington
N Connelly	NV Hatcher	A Osterman	N Watson
N Coulson	Y Hernandez	Y Phelps	N Winters
Y Crespo	Y Hoffman	N Pihos	Y Yarbrough
N Cross	Y Holbrook	N Poe	Y Zalewski
N Cultra	Y Howard	N Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	N Ramey	
Y D'Amico	Y Jakobsson	N Reboletti	
Y Davis, Monique	Y Jefferson	N Reis	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-SIXTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 4649  
CERT OF PUBLIC CONVENIENCE  
THIRD READING  
PASSED

February 23, 2010

108 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Davis, William	Y Joyce	Y Reitz
Y Arroyo	Y DeLuca	Y Kosel	Y Riley
Y Bassi	E Dugan	Y Lang	Y Rita
Y Beaubien	Y Dunkin	Y Leitch	Y Rose
Y Beiser	Y Durkin	Y Lyons	Y Sacia
Y Bellock	Y Eddy	E Mathias	Y Saviano
Y Berrios	Y Farnham	Y Mautino	Y Schmitz
Y Biggins	Y Feigenholtz	Y May	Y Senger
Y Black	Y Flider	Y McAsey	Y Sente
E Boland	Y Flowers	Y McAuliffe	Y Smith
Y Bost	Y Ford	Y McCarthy	Y Sommer
Y Bradley	Y Fortner	Y McGuire	Y Soto
Y Brady	Y Franks	E Mell	Y Stephens
Y Brauer	Y Fritchey	Y Mendoza	Y Sullivan
Y Burke	Y Froehlich	Y Miller	Y Thapedi
Y Burns	Y Golar	Y Mitchell, Bill	Y Tracy
Y Cavaletto	E Gordon, Careen	Y Mitchell, Jerry	Y Tryon
Y Chapa LaVia	Y Gordon, Jehan	Y Moffitt	Y Turner
Y Coladipietro	Y Graham	E Mulligan	Y Verschoore
Y Cole	Y Hamos	Y Myers	Y Wait
Y Collins	Y Hannig	Y Nekritz	Y Walker
E Colvin	Y Harris	Y Osmond	Y Washington
Y Connelly	E Hatcher	A Osterman	Y Watson
Y Coulson	Y Hernandez	Y Phelps	Y Winters
Y Crespo	Y Hoffman	Y Pihos	Y Yarbrough
Y Cross	Y Holbrook	Y Poe	Y Zalewski
Y Cultra	Y Howard	Y Pritchard	Y Mr. Speaker
Y Currie	Y Jackson	Y Ramey	
Y D'Amico	Y Jakobsson	Y Reboletti	
Y Davis, Monique	Y Jefferson	Y Reis	

E - Denotes Excused Absence

**102ND LEGISLATIVE DAY****Perfunctory Session****TUESDAY, FEBRUARY 23, 2010**

At the hour of 5:05 o'clock p.m., the House convened perfunctory session.

**TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Bradley replaced Representative Lang in the Committee on Rules (A) on February 23, 2010.

Representative Saviano replaced Representative Rose in the Committee on Insurance on February 23, 2010.

Representative Froehlich replaced Representative Mell in the Committee on Insurance on February 23, 2010.

Representative Hannig replaced Representative Careen Gordon in the Committee on Insurance on February 23, 2010.

Representative Zalewski replaced Representative Colvin in the Committee on Insurance on February 23, 2010.

Representative Mendoza replaced Representative Dugan in the Committee on Agriculture & Conservation on February 23, 2010.

Representative William Davis replaced Representative Dugan in the Committee on Health Care Availability and Accessibility on February 23, 2010.

Representative Lyons replaced Representative Mell in the Committee on Elections & Campaign Reform on February 23, 2010.

Representative Monique Davis replaced Representative Boland in the Committee on Elections & Campaign Reform on February 23, 2010.

Representative Black replaced Representative Mathias in the Committee on Cities & Villages on February 23, 2010.

**REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on February 23, 2010, (A) reported the same back with the following recommendations:

**LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:**

That the bill be reported "approved for consideration" and be placed on the order of Second Reading--Short Debate: HOUSE BILL 3814.

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Cities & Villages: HOUSE BILLS 5672 and 5787.

Counties & Townships: HOUSE BILL 5788.

Elections & Campaign Reform: HOUSE BILL 4734.  
 Elementary & Secondary Education: HOUSE BILL 6041.  
 Executive: HOUSE BILLS 4767, 4802, 4892, 4962, 5504, 5855 and 5962.  
 Financial Institutions: HOUSE BILL 4933.  
 Health Care Licenses: HOUSE BILLS 5053 and 5308.  
 Higher Education: HOUSE BILLS 4688, 4894 and 5984.  
 Human Services: HOUSE BILLS 5264, 5303, 5357, 5696, 5785, 5860 and 6137.  
 Judiciary I - Civil Law: HOUSE BILLS 4727, 5460, 6053, 6072, 6084, 6181 and 6263.  
 Judiciary II - Criminal Law: HOUSE BILLS 4665, 4666, 5749 and 6076.  
 Personnel and Pensions: HOUSE BILLS 4582, 4851, 5057 and 5059.  
 Revenue & Finance: HOUSE BILLS 4648, 4732, 4736, 4919, 5263, 5355, 6048, 6182 and 6203.  
 State Government Administration: HOUSE BILLS 2500, 4778, 5171, 6052 and HOUSE  
 RESOLUTION 547.  
 Vehicles & Safety: HOUSE BILLS 5341 and 6073.  
 Juvenile Justice Reform: HOUSE BILL 5012.

#### **LEGISLATIVE MEASURES REASSIGNED TO COMMITTEE:**

HOUSE BILL 4664 was recalled from the Committee on Executive and reassigned to the Committee on Public Utilities.

HOUSE BILL 5411 was recalled from the Committee on Health Care Licenses and reassigned to the Committee on Higher Education.

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

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

Y Currie(D), Chairperson	Y Black(R), Republican Spokesperson
Y Bradley(D) (replacing Lang)	A Schmitz(R)
Y Turner(D)	

#### **REPORTS FROM STANDING COMMITTEES**

Representative Beiser, Chairperson, from the Committee on Transportation, Regulation, Roads & Bridges to which the following were referred, action taken on February 23, 2010, reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 5372, 5756, 5819 and 5946.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 80.

The committee roll call vote on House Bills 5372, 5756, 5819 and 5946 is as follows:

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

Y Beiser(D), Chairperson	Y Miller(D), Vice-Chairperson
Y Brauer(R), Republican Spokesperson	Y Black(R)
Y Bradley(D)	Y D'Amico(D)
Y Graham(D)	A Hatcher(R)
Y Hoffman(D)	A Holbrook(D)
Y Howard(D)	Y Lyons(D)
Y McAuliffe(R)	Y McGuire(D)
Y Poe(R)	Y Reboletti(R)
Y Sommer(R)	Y Soto(D)
A Tracy(R)	Y Wait(R)

The committee roll call vote on House Joint Resolution 80 is as follows:

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

Y Beiser(D), Chairperson	Y Miller(D), Vice-Chairperson
Y Brauer(R), Republican Spokesperson	A Black(R)
Y Bradley(D)	Y D'Amico(D)
A Graham(D)	A Hatcher(R)
Y Hoffman(D)	A Holbrook(D)
Y Howard(D)	Y Lyons(D)
Y McAuliffe(R)	Y McGuire(D)
Y Poe(R)	Y Reboletti(R)
Y Sommer(R)	A Soto(D)
A Tracy(R)	Y Wait(R)

Representative Monique Davis, Chairperson, from the Committee on Insurance to which the following were referred, action taken on February 23, 2010, reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4737 and 5026.

The committee roll call vote on House Bill 4737 is as follows:

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

Y Davis, Monique(D), Chairperson	Y Yarbrough(D), Vice-Chairperson
Y Watson(R), Republican Spokesperson	N Beaubien(R)
Y Berrios(D)	N Brady(R)
Y Zalewski(D) (replacing Colvin)	Y Dunkin(D)
Y Feigenholtz(D)	Y Ford(D)
Y Fritchey(D)	Y Hannig(D) (replacing Gordon, C)
Y Harris(D)	Y Lang(D)
A Leitch(R)	Y Mautino(D)
Y Froehlich(D) (replacing Mell)	N Mitchell, Bill(R)
N Osmond(R)	N Pritchard(R)
A Rose(R)	N Senger(R)
N Stephens(R)	

The committee roll call vote on House Bill 5026 is as follows:

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

Y Davis, Monique(D), Chairperson	Y Yarbrough(D), Vice-Chairperson
Y Watson(R), Republican Spokesperson	Y Beaubien(R)
Y Berrios(D)	Y Brady(R)
Y Zalewski(D) (replacing Colvin)	Y Dunkin(D)
Y Feigenholtz(D)	Y Ford(D)
Y Fritchey(D)	Y Hannig(D) (replacing Gordon, C)
Y Harris(D)	Y Lang(D)
Y Leitch(R)	Y Mautino(D)
Y Froehlich(D) (replacing Mell)	Y Mitchell, Bill(R)
Y Osmond(R)	Y Pritchard(R)
Y Saviano(R) (replacing Rose)	Y Senger(R)
Y Stephens(R)	

Representative Phelps, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken on February 23, 2010, reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4669, 5307, 5718 and 5772.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4812, 5296 and 5538.

That the resolution be reported “recommends be adopted” and be placed on the House Calendar:  
HOUSE JOINT RESOLUTION 87.

The committee roll call vote on House Bill 5307 is as follows:  
11, Yeas; 1, Nay; 0, Answering Present.

Y Phelps(D), Chairperson	Y Verschoore(D), Vice-Chairperson
Y Sacia(R), Republican Spokesperson	Y Cavaletto(R)
Y Cultra(R)	Y Mendoza(D)(replacing Dugan)
Y Flider(D)	A Flowers(D)
N Hamos(D)	Y Moffitt(R)
Y Myers(R)	Y Reis(R)
Y Reitz(D)	

The committee roll call vote on House Bill 5772 is as follows:  
8, Yeas; 5, Nays; 0, Answering Present.

Y Phelps(D), Chairperson	Y Verschoore(D), Vice-Chairperson
Y Sacia(R), Republican Spokesperson	N Cavaletto(R)
N Cultra(R)	Y Mendoza(D)(replacing Dugan)
Y Flider(D)	Y Flowers(D)
Y Hamos(D)	N Moffitt(R)
N Myers(R)	N Reis(R)
Y Reitz(D)	

The committee roll call vote on House Bill 4812 and House Joint Resolution 87 is as follows:  
12, Yeas; 0, Nays; 0, Answering Present.

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

The committee roll call vote on House Bills 4669, 5296, 5538 and 5718 is as follows:  
13, Yeas; 0, Nays; 0, Answering Present.

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

Representative Flowers, Chairperson, from the Committee on Health Care Availability and Accessibility to which the following were referred, action taken on February 23, 2010, reported the same back with the following recommendations:

That the resolution be reported “recommends be adopted” and be placed on the House Calendar:  
HOUSE JOINT RESOLUTION 88.

The committee roll call vote on House Joint Resolution 88 is as follows:  
8, Yeas; 0, Nays; 0, Answering Present.

Y Flowers(D), Chairperson	Y May(D), Vice-Chairperson
Y Osmond(R), Republican Spokesperson	A Burns(D)



Y Connelly(R)  
 Y Golar(D)  
 A Mulligan(R)  
 A Sommer(R)

Y Davis, W(D) (replacing Dugan)  
 Y Harris(D)  
 A Schmitz(R)  
 Y Zalewski(D)

Representative Froehlich, Chairperson, from the Committee on Cities & Villages to which the following were referred, action taken on February 23, 2010, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4968.

The committee roll call vote on House Bill 4968 is as follows:  
 10, Yeas; 0, Nays; 0, Answering Present.

Y Froehlich(D), Chairperson  
 Y Black(R) (replacing Mathias)  
 Y Fortner(R)  
 Y Stephens(R)  
 Y Wait(R)

Y Riley(D), Vice-Chairperson  
 Y Crespo(D)  
 Y Sente(D)  
 Y Walker(D)  
 Y Yarbrough(D)

Representative Nekritz, Chairperson, from the Committee on Elections & Campaign Reform to which the following were referred, action taken on February 23, 2010, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4964.

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 5820.

That the bill be reported "do pass" and be placed on the order of Second Reading-- Standard Debate: HOUSE BILL 6000.

The committee roll call vote on House Bill 4964 is as follows:  
 9, Yeas; 0, Nays; 0, Answering Present.

Y Nekritz(D), Chairperson  
 Y Brady(R), Republican Spokesperson  
 Y Durkin(R)  
 Y Lyons(D) (replacing Mell)  
 Y Reis(R)

Y D'Amico(D), Vice-Chairperson  
 Y Davis, M(D) (replacing Boland)  
 Y Jakobsson(D)  
 Y Myers(R)

The committee roll call vote on House Bill 5820 is as follows:  
 6, Yeas; 3, Nays; 0, Answering Present.

Y Nekritz(D), Chairperson  
 N Brady(R), Republican Spokesperson  
 Y Durkin(R)  
 Y Lyons(D) (replacing Mell)  
 Y Reis(R)

Y D'Amico(D), Vice-Chairperson  
 N Davis, M(D) (replacing Boland)  
 Y Jakobsson(D)  
 N Myers(R)

The committee roll call vote on House Bill 6000 is as follows:  
 5, Yeas; 4, Nays; 0, Answering Present.

Y Nekritz(D), Chairperson  
 N Brady(R), Republican Spokesperson  
 N Durkin(R)  
 Y Lyons(D) (replacing Mell)  
 N Reis(R)

Y D'Amico(D), Vice-Chairperson  
 Y Davis, M(D) (replacing Boland)  
 Y Jakobsson(D)  
 N Myers(R)

**HOUSE JOINT RESOLUTIONS  
CONSTITUTIONAL AMENDMENTS  
FIRST READING**

Representative Madigan introduced the following:

**HOUSE JOINT RESOLUTION  
CONSTITUTIONAL AMENDMENT 57**

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article VI of the Illinois Constitution by changing Section 11 as follows:

**ARTICLE VI  
THE JUDICIARY**

**SECTION 11. ELIGIBILITY FOR OFFICE**

No person shall be eligible to be a Judge or Associate Judge unless that person ~~he~~ is a United States citizen, a licensed attorney-at-law of this State, and a resident of the unit which selects him or her. A person must have been a licensed attorney-at-law for a minimum of ten years to be eligible to serve as a Circuit Judge, a minimum of twelve years to be eligible to serve as an Appellate Judge, and a minimum of fifteen years to be eligible to serve as a Supreme Court Judge, except that this requirement does not disqualify a person serving as a Judge on December 31, 2010 from completing the current term of office or seeking an additional term for that office. No change in the boundaries of a unit shall affect the tenure in office of a Judge or Associate Judge incumbent at the time of such change.  
(Source: Illinois Constitution.)

**SCHEDULE**

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

The foregoing HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 57 was taken up, read in full a first time, ordered reproduced and placed in the Committee on Rules.

**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 6618. Introduced by Representative Connelly, AN ACT concerning civil law.

HOUSE BILL 6619. Introduced by Representative McCarthy, AN ACT in relation to public employee benefits.

At the hour of 5:09 o'clock p.m., the House Perfunctory Session adjourned.