

SENATE JOURNAL**STATE OF ILLINOIS****NINETY-THIRD GENERAL ASSEMBLY****67TH LEGISLATIVE DAY****FRIDAY, NOVEMBER 21, 2003****9:00 O'CLOCK A.M.**

The Senate met pursuant to adjournment.

Senator Halvorson, presiding.

Prayer by Reverend Bill Schroeder, Trinity Evangelical Lutheran Church, Springfield, Illinois.

Senator Link led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, November 19, 2003, was being read when on motion of Senator Silverstein further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Silverstein moved that reading and approval of the Journal of Thursday, November 20, 2003 be postponed pending arrival of the printed Journal.

The motion prevailed.

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

EMIL JONES, JR.
Senate President

327 State Capitol
Springfield, Illinois 62706

November 21, 2003

Ms. Linda Hawker
Secretary of the Senate
Room 403, State House
Springfield, IL 62706

Re: Senator Vince Demuzio Replacement

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator James DeLeo to replace Senator Vince Demuzio as a member of the Rules Committee. This appointment is effective immediately.

Very truly yours,
Emil Jones, Jr.
President

EXCUSED FROM ATTENDANCE

On motion of Senator Brady, Senators Burzynski, Righter and Winkel were excused from attendance due to attend Representative Wirsing's Funeral.

LEGISLATIVE MEASURE FILED

The following Floor amendment to the House Bill listed below has been filed with the Secretary, and referred to the Committee on Rules:

House Floor Amendment No. 1 to House Bill 2745

REPORT FROM RULES COMMITTEE

Senator Demuzio, Chairperson of the Committee on Rules, during its November 21, 2003 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committee of the Senate:

Appropriations II: **Senate Floor Amendment No. 1 to House Bill 2659; Senate Floor Amendment No. 1 to House Bill 2745.**

Senator Demuzio, Chairperson of the Committee on Rules, during its November 21, 2003 meeting, reported the following Joint Action Motion has been assigned to the indicated Standing Committee of the Senate:

Executive: **Motion to Concur in House Amendment 1 to Senate Bill 82**

COMMITTEE MEETING ANNOUNCEMENTS

Senator Silverstein, Chairperson of the Committee on Executive announced that the Executive Committee will meet today in Room 212 Capitol Building, at 10:25 o'clock p.m.

Senator Welch, Chairperson of the Committee on Appropriations II announced that the Appropriations II Committee will meet today in Room 212 Capitol Building, at 10:45 o'clock a.m.

HOUSE BILL RECALLED

On motion of Senator Link, **House Bill No. 960** was recalled from the order of third reading to the order of second reading.

Senator Petka offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1 Amend House Bill 960 by replacing everything after the enacting clause with the following:

"Section 5. The Associate Judges Act is amended by changing Section 2 as follows:

(705 ILCS 45/2) (from Ch. 37, par. 160.2)

Sec. 2. (a) The maximum number of associate judges authorized for each circuit is the greater of the applicable minimum number specified in this Section or one for each 35,000 or fraction thereof in population as determined by the last preceding Federal census, except for circuits with a

population of more than 3,000,000 where the maximum number of associate judges is one for each 29,000 or fraction thereof in population as determined by the last preceding federal census, reduced in circuits of less than 200,000 inhabitants by the number of resident circuit judges elected in the circuit in excess of one per county. In addition, in circuits of 1,000,000 or more inhabitants, there shall be one additional associate judge authorized for each municipal district of the circuit court. The number of associate judges to be appointed in each circuit, not to exceed the maximum authorized, shall be determined from time to time by the Circuit Court. The minimum number of associate judges authorized for any circuit consisting of a single county shall be 14, except that the minimum in the 22nd circuit shall be 8. The minimum number of associate judges authorized for any circuit consisting of 2 counties with a combined population of at least 275,000 but less than 300,000 shall be 10. The minimum number of associate judges authorized for any circuit with a population of at least 303,000 but not more than 309,000 shall be 10. The minimum number of associate judges authorized for any circuit with a population of at least 329,000, but not more than 335,000 shall be 11. The minimum number of associate judges authorized for any circuit with a population of at least 173,000 shall be 5. As used in this Section, the term "resident circuit judge" has the meaning given it in the Judicial Vacancies Act.

(b) The maximum number of associate judges authorized under subsection (a) for a circuit with a population of more than 3,000,000 shall be reduced as provided in this subsection (b). For each vacancy that exists on or occurs on or after the effective date of this amendatory Act of 1990, that maximum number shall be reduced by one until the total number of associate judges authorized under subsection (a) is reduced by 60. A vacancy exists or occurs when an associate judge dies, resigns, retires, is removed, or is not reappointed upon expiration of his or her term; a vacancy does not exist or occur at the expiration of a term if the associate judge is reappointed.

(c) ~~The maximum number of associate judges authorized under subsection (a) for the 12th judicial circuit, which is one associate judge for each 35,000 or fraction thereof of population as determined by the last preceding federal census, shall be reduced as provided in this subsection (c). For each vacancy that exists on or occurs after August 18, 2003, the effective date of this amendatory Act of the 93rd General Assembly, that maximum number shall be reduced by one until the total number of associate judges authorized under subsection (a) is reduced by 2. At no time shall the number of associate judges be reduced below the minimum number of associate judgeships authorized under subsection (a).~~ A vacancy ~~exists or~~ occurs when (i) a new associate judgeship has been authorized under subsection (a) for the 12th judicial circuit, but has not been filled by appointment or (ii) an associate judge dies, resigns, retires, is removed, or is not reappointed upon expiration of his or her term. A vacancy does not ~~exist or~~ occur at the expiration of a term if the associate judge is reappointed.

(Source: P.A. 92-17, eff. 6-28-01; 93-541, eff. 8-18-03.)

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

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Link, **House Bill No. 960**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Haine	Meeks	Silverstein
Bomke	Halvorson	Munoz	Soden
Brady	Harmon	Peterson	Sullivan, D.
Clayborne	Hendon	Petka	Sullivan, J.
Collins	Hunter	Radogno	Syverson
Cronin	Jacobs	Rauschenberger	Trotter

Crotty	Jones, J.	Risinger	Viverito
Cullerton	Jones, W.	Ronen	Walsh
del Valle	Lauzen	Roskam	Watson
DeLeo	Lightford	Rutherford	Welch
Demuzio	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Geo-Karis	Martinez	Sieben	

This bill, having received the vote of three-fifths of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Trotter, **House Bill No. 2654** was recalled from the order of third reading to the order of second reading.

Senator Trotter offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2654 by replacing everything after the enacting clause with the following:

"Section 5.

The State Finance Act is amended by changing Sections 8g as follows:

(30 ILCS 105/8g)

Sec. 8g. Transfers from General Revenue Fund. (a) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$10,000,000 from the General Revenue Fund to the Motor Vehicle License Plate Fund created by Senate Bill 1028 of the 91st General Assembly.

(b) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$25,000,000 from the General Revenue Fund to the Fund for Illinois' Future created by Senate Bill 1066 of the 91st General Assembly.

(c) In addition to any other transfers that may be provided for by law, on August 30 of each fiscal year's license period, the Illinois Liquor Control Commission shall direct and the State Comptroller and State Treasurer shall transfer from the General Revenue Fund to the Youth Alcoholism and Substance Abuse Prevention Fund an amount equal to the number of retail liquor licenses issued for that fiscal year multiplied by \$50.

(d) The payments to programs required under subsection (d) of Section 28.1 of the Horse Racing Act of 1975 shall be made, pursuant to appropriation, from the special funds referred to in the statutes cited in that subsection, rather than directly from the General Revenue Fund.

Beginning January 1, 2000, on the first day of each month, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from the General Revenue Fund to each of the special funds from which payments are to be made under Section 28.1(d) of the Horse Racing Act of 1975 an amount equal to 1/12 of the annual amount required for those payments from that special fund, which annual amount shall not exceed the annual amount for those payments from that special fund for the calendar year 1998. The special funds to which transfers shall be made under this subsection (d) include, but are not necessarily limited to, the Agricultural Premium Fund; the Metropolitan Exposition Auditorium and Office Building Fund; the Fair and Exposition Fund; the Standardbred Breeders Fund; the Thoroughbred Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

(e) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, but in no event later than June 30, 2000, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$15,000,000 from the General Revenue Fund to the Fund for Illinois' Future.

(f) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, but in no event later than June 30, 2000, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$70,000,000 from the General Revenue Fund to the Long-Term Care Provider Fund.

(f-1) In fiscal year 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$160,000,000 from the General Revenue Fund to the Long-Term Care Provider Fund.

(g) In addition to any other transfers that may be provided for by law, on July 1, 2001, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(h) In each of fiscal years 2002 through 2007, but not thereafter, in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer \$5,000,000 from the General Revenue Fund to the Tourism Promotion Fund.

(i) On or after July 1, 2001 and until May 1, 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2002.

(i-1) On or after July 1, 2002 and until May 1, 2003, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2003.

(j) On or after July 1, 2001 and no later than June 30, 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Statistical Services Revolving Fund:

From the General Revenue Fund.....	\$8,450,000
From the Public Utility Fund.....	1,700,000
From the Transportation Regulatory Fund.....	2,650,000
From the Title III Social Security and Employment Fund.....	3,700,000
From the Professions Indirect Cost Fund.....	4,050,000
From the Underground Storage Tank Fund.....	550,000
From the Agricultural Premium Fund.....	750,000
From the State Pensions Fund.....	200,000
From the Road Fund.....	2,000,000
From the Health Facilities Planning Fund.....	1,000,000
From the Savings and Residential Finance Regulatory Fund.....	130,800
From the Appraisal Administration Fund.....	28,600
From the Pawnbroker Regulation Fund.....	3,600
From the Auction Regulation Administration Fund.....	35,800
From the Bank and Trust Company Fund.....	634,800
From the Real Estate License Administration Fund.....	313,600

(k) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 92nd General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-1) In addition to any other transfers that may be provided for by law, on July 1, 2002, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-2) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-3) On or after July 1, 2002 and no later than June 30, 2003, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Statistical Services Revolving Fund:

Appraisal Administration Fund.....	\$150,000
General Revenue Fund.....	10,440,000
Savings and Residential Finance	
Regulatory Fund.....	200,000
State Pensions Fund.....	100,000
Bank and Trust Company Fund.....	100,000
Professions Indirect Cost Fund.....	3,400,000
Public Utility Fund.....	2,081,200
Real Estate License Administration Fund.....	150,000
Title III Social Security and	
Employment Fund.....	1,000,000
Transportation Regulatory Fund.....	3,052,100
Underground Storage Tank Fund.....	50,000

(l) In addition to any other transfers that may be provided for by law, on July 1, 2002, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$3,000,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(m) In addition to any other transfers that may be provided for by law, on July 1, 2002 and on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(n) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$6,800,000 from the General Revenue Fund to the DHS Recoveries Trust Fund.

(o) On or after July 1, 2003, and no later than June 30, 2004, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Vehicle Inspection Fund:

From the Underground Storage Tank Fund	\$35,000,000.
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(p) On or after July 1, 2003 and until May 1, 2004, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2004.

(q) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$5,000,000 from the General Revenue Fund to the Illinois Military Family Relief Fund.

(r) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall

transfer the sum of \$1,922,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(s) In addition to any other transfers that may be provided for by law, on or after July 1, 2003, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$4,800,000 from the Statewide Economic Development Fund to the General Revenue Fund.

(t) In addition to any other transfers that may be provided for by law, on or after July 1, 2003, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$50,000,000 from the General Revenue Fund to the Budget Stabilization Fund. (Source: P.A. 92-11, eff. 6-11-01; 92-505, eff. 12-20-01; 92-600, eff. 6-28-02; 93-32, eff. 6-20-03.)

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

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Trotter, **House Bill No. 2654**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Haine	Meeks	Silverstein
Bomke	Halvorson	Munoz	Soden
Brady	Harmon	Peterson	Sullivan, D.
Clayborne	Hendon	Petka	Sullivan, J.
Collins	Hunter	Radogno	Syverson
Cronin	Jacobs	Rauschenberger	Trotter
Crotty	Jones, J.	Risinger	Viverito
Cullerton	Jones, W.	Ronen	Walsh
del Valle	Laufen	Roskam	Watson
DeLeo	Lightford	Rutherford	Welch
Demuzio	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Geo-Karis	Martinez	Sieben	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Welch, **House Bill No. 2655** was recalled from the order of third reading to the order of second reading.

Senator Welch offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1 _____. Amend House Bill 2655 by replacing everything after the enacting clause with the following:

"Section 5.

The State Finance Act is amended by changing Sections 8h, as added by Public Act 93-32, as follows:

(30 ILCS 105/8h)

Sec. 8h. Transfers to General Revenue Fund. Notwithstanding any other State law to the

contrary, the Director of the Governor's Office of Management and Budget ~~Bureau of the Budget~~ may from time to time direct the State Treasurer and Comptroller to transfer a specified sum from any fund held by the State Treasurer to the General Revenue Fund in order to help defray the State's operating costs for the fiscal year. The total transfer under this Section from any fund in any fiscal year shall not exceed the lesser of 8% of the revenues to be deposited into the fund during that year or 75% ~~25%~~ of the beginning balance in the fund. No transfer may be made from a fund under this Section that would have the effect of reducing the available balance in the fund to an amount less than the amount remaining unexpended and unreserved from the total appropriation from that fund for that fiscal year. This Section does not apply to any funds that are restricted by federal law to a specific use or to any funds in the Motor Fuel Tax Fund. Notwithstanding any other provision of this Section, the total transfer under this Section from the Road Fund or the State Construction Account Fund shall not exceed 5% of the revenues to be deposited into the fund during that year.

In determining the available balance in a fund, the Director of the Governor's Office of Management and Budget ~~Bureau of the Budget~~ may include receipts, transfers into the fund, and other resources anticipated to be available in the fund in that fiscal year.

The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practicable after receiving the direction to transfer from the Director of the Governor's Office of Management and Budget ~~Bureau of the Budget~~.

~~This Section is repealed on June 30, 2004. (Source: P.A. 93-32, eff. 6-20-03; revised 8-21-03.) Section 99. Effective date. This Act takes effect upon becoming law."~~

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Welch, **House Bill No. 2656** was recalled from the order of third reading to the order of second reading.

Senator Welch offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1 _____. Amend House Bill 2656 by replacing everything after the enacting clause with the following:

"Section 5.

The Cigarette Tax Act is amended by changing Section 2 as follows:

(35 ILCS 130/2) (from Ch. 120, par. 453.2)

Sec. 2. Tax imposed; rate; collection, payment, and distribution; discount.

(a) A tax is imposed upon any person engaged in business as a retailer of cigarettes in this State at the rate of 5 1/2 mills per cigarette sold, or otherwise disposed of in the course of such business in this State. In addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes in this State at a rate of 1/2 mill per cigarette sold or otherwise disposed of in the course of such business in this State on and after January 1, 1947, and shall be paid into the Metropolitan Fair and Exposition Authority Reconstruction Fund. On and after December 1, 1985, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes in this State at a rate of 4 mills per cigarette sold or otherwise disposed of in the course of such business in this State. Of the additional tax imposed by this amendatory Act of 1985, \$9,000,000 of the moneys received by the Department of Revenue pursuant to this Act shall be paid each month into the Common School Fund. On and after the effective date of this amendatory Act of 1989, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 5 mills per cigarette sold or otherwise disposed of in the course of such business in this State. On and after the effective date of this amendatory Act of 1993, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 7 mills per cigarette sold or otherwise disposed of in the course of such business in this State. On and after December 15, 1997, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 7 mills per cigarette sold or otherwise disposed of in the course of such business of this State. All of the moneys received by the Department of Revenue pursuant to this Act and the Cigarette Use Tax Act from the additional taxes imposed by this amendatory Act of 1997, shall be paid each month into the Common School Fund. On and after July 1, 2002, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 20.0 mills per cigarette sold or otherwise disposed of in the course of such business in this State. The payment of such taxes shall

be evidenced by a stamp affixed to each original package of cigarettes, or an authorized substitute for such stamp imprinted on each original package of such cigarettes underneath the sealed transparent outside wrapper of such original package, as hereinafter provided. However, such taxes are not imposed upon any activity in such business in interstate commerce or otherwise, which activity may not under the Constitution and statutes of the United States be made the subject of taxation by this State.

Beginning on the effective date of this amendatory Act of the 92nd General Assembly, all of the moneys received by the Department of Revenue pursuant to this Act and the Cigarette Use Tax Act, other than the moneys that are dedicated to the Metropolitan Fair and Exposition Authority Reconstruction Fund and the Common School Fund, shall be distributed each month as follows: first, there shall be paid into the General Revenue Fund an amount which, when added to the amount paid into the Common School Fund for that month, equals \$33,300,000, except that, for the months of December 2003 through June 2004 there shall be paid into the General Revenue Fund an amount that, when added to the amount paid into the Common School Fund for that month, equals \$40,143,000; then, from the moneys remaining, if any amounts required to be paid into the General Revenue Fund in previous months remain unpaid, those amounts shall be paid into the General Revenue Fund; then, beginning on April 1, 2003, from the moneys remaining, \$5,000,000 per month shall be paid into the School Infrastructure Fund; then, if any amounts required to be paid into the School Infrastructure Fund in previous months remain unpaid, those amounts shall be paid into the School Infrastructure Fund; then the moneys remaining, if any, shall be paid into the Long-Term Care Provider Fund. To the extent that more than \$25,000,000 has been paid into the General Revenue Fund and Common School Fund per month for the period of July 1, 1993 through the effective date of this amendatory Act of 1994 from combined receipts of the Cigarette Tax Act and the Cigarette Use Tax Act, notwithstanding the distribution provided in this Section, the Department of Revenue is hereby directed to adjust the distribution provided in this Section to increase the next monthly payments to the Long Term Care Provider Fund by the amount paid to the General Revenue Fund and Common School Fund in excess of \$25,000,000 per month and to decrease the next monthly payments to the General Revenue Fund and Common School Fund by that same excess amount.

When any tax imposed herein terminates or has terminated, distributors who have bought stamps while such tax was in effect and who therefore paid such tax, but who can show, to the Department's satisfaction, that they sold the cigarettes to which they affixed such stamps after such tax had terminated and did not recover the tax or its equivalent from purchasers, shall be allowed by the Department to take credit for such absorbed tax against subsequent tax stamp purchases from the Department by such distributor.

The impact of the tax levied by this Act is imposed upon the retailer and shall be prepaid or pre-collected by the distributor for the purpose of convenience and facility only, and the amount of the tax shall be added to the price of the cigarettes sold by such distributor. Collection of the tax shall be evidenced by a stamp or stamps affixed to each original package of cigarettes, as hereinafter provided.

Each distributor shall collect the tax from the retailer at or before the time of the sale, shall affix the stamps as hereinafter required, and shall remit the tax collected from retailers to the Department, as hereinafter provided. Any distributor who fails to properly collect and pay the tax imposed by this Act shall be liable for the tax. Any distributor having cigarettes to which stamps have been affixed in his possession for sale on the effective date of this amendatory Act of 1989 shall not be required to pay the additional tax imposed by this amendatory Act of 1989 on such stamped cigarettes. Any distributor having cigarettes to which stamps have been affixed in his or her possession for sale at 12:01 a.m. on the effective date of this amendatory Act of 1993, is required to pay the additional tax imposed by this amendatory Act of 1993 on such stamped cigarettes. This payment, less the discount provided in subsection (b), shall be due when the distributor first makes a purchase of cigarette tax stamps after the effective date of this amendatory Act of 1993, or on the first due date of a return under this Act after the effective date of this amendatory Act of 1993, whichever occurs first. Any distributor having cigarettes to which stamps have been affixed in his possession for sale on December 15, 1997 shall not be required to pay the additional tax imposed by this amendatory Act of 1997 on such stamped cigarettes.

Any distributor having cigarettes to which stamps have been affixed in his or her possession for sale on July 1, 2002 shall not be required to pay the additional tax imposed by this amendatory Act of the 92nd General Assembly on those stamped cigarettes.

The amount of the Cigarette Tax imposed by this Act shall be separately stated, apart from the price of the goods, by both distributors and retailers, in all advertisements, bills and sales invoices.

(b) The distributor shall be required to collect the taxes provided under paragraph (a) hereof, and,

to cover the costs of such collection, shall be allowed a discount during any year commencing July 1st and ending the following June 30th in accordance with the schedule set out hereinbelow, which discount shall be allowed at the time of purchase of the stamps when purchase is required by this Act, or at the time when the tax is remitted to the Department without the purchase of stamps from the Department when that method of paying the tax is required or authorized by this Act. Prior to December 1, 1985, a discount equal to 1 2/3% of the amount of the tax up to and including the first \$700,000 paid hereunder by such distributor to the Department during any such year; 1 1/3% of the next \$700,000 of tax or any part thereof, paid hereunder by such distributor to the Department during any such year; 1% of the next \$700,000 of tax, or any part thereof, paid hereunder by such distributor to the Department during any such year, and 2/3 of 1% of the amount of any additional tax paid hereunder by such distributor to the Department during any such year shall apply. On and after December 1, 1985, a discount equal to 1.75% of the amount of the tax payable under this Act up to and including the first \$3,000,000 paid hereunder by such distributor to the Department during any such year and 1.5% of the amount of any additional tax paid hereunder by such distributor to the Department during any such year shall apply.

Two or more distributors that use a common means of affixing revenue tax stamps or that are owned or controlled by the same interests shall be treated as a single distributor for the purpose of computing the discount.

(c) The taxes herein imposed are in addition to all other occupation or privilege taxes imposed by the State of Illinois, or by any political subdivision thereof, or by any municipal corporation. (Source: P.A. 92-536, eff. 6-6-02.)

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

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Welch, **House Bill No. 2656**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Halvorson	Munoz	Soden
Bomke	Harmon	Peterson	Sullivan, D.
Brady	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Risinger	Viverito
Crotty	Jones, W.	Ronen	Walsh
Cullerton	Lauzen	Roskam	Watson
del Valle	Lightford	Rutherford	Welch
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Geo-Karis	Martinez	Sieben	
Haine	Meeks	Silverstein	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Trotter, **House Bill No. 2657** was recalled from the order of third reading to the order of second reading.

Senator Trotter offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1 _____. Amend House Bill 2657 by replacing everything after the enacting clause with the following:

"Section 5.

The Illinois Public Aid Code is amended by changing Section 5-5.4 as follows:

(305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

Sec. 5-5.4. Standards of Payment - Department of Public Aid. The Department of Public Aid shall develop standards of payment of skilled nursing and intermediate care services in facilities providing such services under this Article which:

(1) Provide for the determination of a facility's payment for skilled nursing and intermediate care services on a prospective basis. The amount of the payment rate for all nursing facilities certified by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities, Long Term Care for Under Age 22 facilities, Skilled Nursing facilities, or Intermediate Care facilities under the medical assistance program shall be prospectively established annually on the basis of historical, financial, and statistical data reflecting actual costs from prior years, which shall be applied to the current rate year and updated for inflation, except that the capital cost element for newly constructed facilities shall be based upon projected budgets. The annually established payment rate shall take effect on July 1 in 1984 and subsequent years. No rate increase and no update for inflation shall be provided on or after July 1, 1994 and before July 1, 2004, unless specifically provided for in this Section.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1998 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1998 shall include an increase of 3% plus \$1.10 per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% plus \$3.00 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% and, for services provided on or after October 1, 1999, shall be increased by \$4.00 per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, a new payment methodology must be implemented for the nursing component of the rate effective July 1, 2003. The Department of Public Aid shall develop the new payment methodology using the Minimum Data Set (MDS) as the instrument to collect information concerning nursing home resident condition necessary to compute the rate. The Department of Public Aid shall develop the new payment methodology to meet the unique needs of Illinois nursing home residents while remaining subject to the appropriations provided by the General Assembly. A transition period from the payment methodology in effect on June 30, 2003 to the payment methodology in effect on July 1, 2003 shall be provided for a period not exceeding 2 years after implementation of the new payment methodology as follows:

(A) For a facility that would receive a lower nursing component rate per patient day under the new system than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be held at the level in effect on the date immediately preceding the date that the Department implements the new payment methodology until a higher nursing component rate of reimbursement is achieved by that facility.

(B) For a facility that would receive a higher nursing component rate per patient day under the payment methodology in effect on July 1, 2003 than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be adjusted.

(C) Notwithstanding paragraphs (A) and (B), the nursing component rate per patient day for the facility shall be adjusted subject to appropriations provided by the General Assembly.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on March 1, 2001 shall include a statewide increase of 7.85%, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on April 1, 2002 shall include a statewide increase of 2.0%, as defined by the Department. This increase terminates on July 1, 2002; beginning July 1, 2002 these rates are reduced to the level of the rates in effect on March 31, 2002, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on July 1, 2001 shall be computed using the most recent cost reports on file with the Department of Public Aid no later than April 1, 2000, updated for inflation to January 1, 2001. For rates effective July 1, 2001 only, rates shall be the greater of the rate computed for July 1, 2001 or the rate effective on June 30, 2001.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the Illinois Department shall determine by rule the rates taking effect on July 1, 2002, which shall be 5.9% less than the rates in effect on June 30, 2002.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or as long-term care facilities for residents under 22 years of age, the rates taking effect on July 1, 2003 shall include a statewide increase of 4%, as defined by the Department.

Rates established effective each July 1 shall govern payment for services rendered throughout that fiscal year, except that rates established on July 1, 1996 shall be increased by 6.8% for services provided on or after January 1, 1997. Such rates will be based upon the rates calculated for the year beginning July 1, 1990, and for subsequent years thereafter until June 30, 2001 shall be based on the facility cost reports for the facility fiscal year ending at any point in time during the previous calendar year, updated to the midpoint of the rate year. The cost report shall be on file with the Department no later than April 1 of the current rate year. Should the cost report not be on file by April 1, the Department shall base the rate on the latest cost report filed by each skilled care facility and intermediate care facility, updated to the midpoint of the current rate year. In determining rates for services rendered on and after July 1, 1985, fixed time shall not be computed at less than zero. The Department shall not make any alterations of regulations which would reduce any component of the Medicaid rate to a level below what that component would have been utilizing in the rate effective on July 1, 1984.

(2) Shall take into account the actual costs incurred by facilities in providing services for recipients of skilled nursing and intermediate care services under the medical assistance program.

(3) Shall take into account the medical and psycho-social characteristics and needs of the patients.

(4) Shall take into account the actual costs incurred by facilities in meeting licensing and certification standards imposed and prescribed by the State of Illinois, any of its political subdivisions or municipalities and by the U.S. Department of Health and Human Services pursuant to Title XIX of the Social Security Act.

The Department of Public Aid shall develop precise standards for payments to reimburse nursing facilities for any utilization of appropriate rehabilitative personnel for the provision of rehabilitative services which is authorized by federal regulations, including reimbursement for services provided by qualified therapists or qualified assistants, and which is in accordance with accepted professional practices. Reimbursement also may be made for utilization of other supportive personnel under appropriate supervision. (Source: P.A. 92-10, eff. 6-11-01; 92-31, eff. 6-28-01; 92-597, eff. 6-28-02; 92-651, eff. 7-11-02; 92-848, eff. 1-1-03; 93-20, eff. 6-20-03.)

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

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Trotter, **House Bill No. 2657**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Halvorson	Munoz	Soden
Bomke	Harmon	Peterson	Sullivan, D.
Brady	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Risinger	Viverito
Crotty	Jones, W.	Ronen	Walsh
Cullerton	Laufen	Roskam	Watson
del Valle	Lightford	Rutherford	Welch
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Geo-Karis	Martinez	Sieben	
Haine	Meeks	Silverstein	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

LEGISLATIVE MEASURE FILED

The following Floor amendments to the House Bill listed below have been filed with the Secretary, and referred to the Committee on Rules:

Senate Floor Amendment No. 2 to House Bill 2745

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator Walsh, **Senate Bill No. 20**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Walsh moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Halvorson	Munoz	Soden
Bomke	Harmon	Peterson	Sullivan, D.
Brady	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Risinger	Viverito

Crotty	Jones, W.	Ronen	Walsh
Cullerton	Lauzen	Roskam	Watson
del Valle	Lightford	Rutherford	Welch
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Geo-Karis	Martinez	Sieben	
Haine	Meeks	Silverstein	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 20**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Lightford, **Senate Bill No. 857**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Lightford moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Halvorson	Munoz	Soden
Bomke	Harmon	Peterson	Sullivan, D.
Brady	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Risinger	Viverito
Crotty	Jones, W.	Ronen	Walsh
Cullerton	Lauzen	Roskam	Watson
del Valle	Lightford	Rutherford	Welch
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Geo-Karis	Martinez	Sieben	
Haine	Meeks	Silverstein	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 857**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Silverstein, **Senate Bill No. 1126**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Silverstein moved that the Senate non-concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Halvorson	Munoz	Soden
Bomke	Harmon	Peterson	Sullivan, D.
Brady	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Risinger	Viverito
Crotty	Jones, W.	Ronen	Walsh

Cullerton	Lauzen	Roskam	Watson
del Valle	Lightford	Rutherford	Welch
DeLeo	Link	Sandoval	Mr. President
Dillard	Luechtefeld	Schoenberg	
Forby	Maloney	Shadid	
Geo-Karis	Martinez	Sieben	
Haine	Meeks	Silverstein	

The motion prevailed.

And the Senate non-concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1126**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator E. Jones, **Senate Bill No. 1883**, with House Amendments numbered 2 and 4 on the Secretary's Desk, was taken up for immediate consideration.

Senator E. Jones moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 34; Nays 18.

The following voted in the affirmative:

Clayborne	Harmon	Meeks	Sullivan, D.
Collins	Hendon	Munoz	Sullivan, J.
Crotty	Hunter	Radogno	Trotter
Cullerton	Jacobs	Ronen	Viverito
del Valle	Jones, W.	Sandoval	Walsh
DeLeo	Lightford	Schoenberg	Welch
Forby	Link	Shadid	Mr. President
Haine	Maloney	Silverstein	
Halvorson	Martinez	Soden	

The following voted in the negative:

Althoff	Geo-Karis	Petka	Sieben
Bomke	Jones, J.	Rauschenberger	Syverson
Brady	Lauzen	Risinger	Watson
Cronin	Luechtefeld	Roskam	
Dillard	Peterson	Rutherford	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 2 and 4 to **Senate Bill No. 1883**.

Ordered that the Secretary inform the House of Representatives thereof.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator Jacobs, **Senate Bill No. 1704**, with House Amendment No. 1 on the order of Consideration Postponed, was taken up for immediate consideration.

Senator Jacobs moved that the Senate concur with the House in the adoption of their to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 28; Nays 18; Present 3.

The following voted in the affirmative:

Clayborne	Halvorson	Martinez	Trotter
Collins	Harmon	Meeks	Viverito

Crotty	Hendon	Munoz	Walsh
Cullerton	Hunter	Ronen	Mr. President
del Valle	Jacobs	Sandoval	
DeLeo	Lightford	Schoenberg	
Dillard	Link	Shadid	
Haine	Maloney	Silverstein	

The following voted in the negative:

Althoff	Jones, W.	Risinger	Syverson
Bomke	Luechtefeld	Roskam	Watson
Brady	Peterson	Sieben	Welch
Forby	Petka	Soden	
Jones, J.	Rauschenberger	Sullivan, J.	

The following voted present:

Cronin
Radogno
Sullivan, D.

And the motion having failed to receive a vote of three-fifths of the members elected was declared lost and **Senate Bill No. 1704** was placed on the Secretary's Desk.

At the hour of 10:00 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 12:16 o'clock p.m., the Senate resumed consideration of business.
Senator Halvorson, presiding.

REPORT FROM STANDING COMMITTEES

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred the Motion to concur with House Amendment to the following Senate Bill, reported that the Committee recommends that it be approved for consideration:

Motion to Concur in House Amendment 1 to Senate Bill 82

Under the rules, the foregoing Motion is eligible for consideration by the Senate.

Senator Welch, Chairperson of the Committee on Appropriations II to which was referred the following Senate floor amendments reported that the Committee recommends that they be adopted:

Senate Amendment No. 1 to House Bill 2659
Senate Amendment No. 1 to House Bill 2745

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 337

Offered by Senator E. Jones and all Senators:
Mourns the death of former State Senator Bernard S. Neistein of Chicago.

SENATE RESOLUTION 338

Offered by Senators E. Jones – DeLeo and all Senators:
Mourns the death of Honorable Robert J. Egan, former State Senator, of Edgebrook.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

REPORT FROM RULES COMMITTEE

Senator Demuzio, Chairperson of the Committee on Rules, reported that the following Legislative Measure has been approved for consideration:

Senate Floor Amendment No. 2 to House Bill 2745

The foregoing floor amendment was placed on the Secretary's Desk.

Senator W. Jones asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 12:41 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 12:55 o'clock p.m., the Senate resumed consideration of business.
Senator Halvorson, presiding.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator Walsh, **Senate Bill No. 82**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Walsh moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 23; Nays 27.

The following voted in the affirmative:

Collins	Halvorson	Link	Shadid
Crotty	Harmon	Maloney	Trotter
Cullerton	Hendon	Martinez	Viverito
del Valle	Hunter	Meeks	Walsh
DeLeo	Jacobs	Munoz	Mr. President
Demuzio	Lightford	Sandoval	

The following voted in the negative:

Althoff	Haine	Rauschenberger	Soden
Bomke	Jones, W.	Risinger	Sullivan, D.
Brady	Lauzen	Ronen	Sullivan, J.
Clayborne	Luechtefeld	Roskam	Syverson
Dillard	Peterson	Rutherford	Watson
Forby	Petka	Schoenberg	Welch
Geo-Karis	Radogno	Sieben	

And the motion having failed to receive a vote of three-fifths of the members elected was declared lost and **Senate Bill No. 82** was placed on the Secretary's Desk.

PARLIAMENTARY INQUIRIES

Senator Dillard inquired how many votes were required to place a bill on Consideration Postponed.

The Chair ruled it took twenty four votes to place a bill on Consideration Postponed.

Senator Dillard inquired if the vote on Senate Bill 82 would be published in the Journal.

The Chair ruled that the vote on Senate Bill 82 would be published in the Journal.

Senator Brady inquired if cameras were allowed in the Chambers.

The Chair ruled that cameras were allowed to be on the floor.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION 307

Offered by Senator W. Jones and all Senators:
Mourns the death of John G. Woods of Arlington Heights.

SENATE RESOLUTION 308

Offered by Senator Shadid and all Senators:
Mourns the death of Betty Joseph of East Peoria

SENATE RESOLUTION 309

Offered by Senator Dillard and all Senators:
Mourns the death of James C. Bonfield of Downers Grove.

SENATE RESOLUTION 310

Offered by Senator Dillard and all Senators:
Mourns the death of Gerald "Jerry" L. Yendrejczyk of Naperville.

SENATE RESOLUTION 311

Offered by Senators Althoff - Burzynski and all Senators:
Mourns the death of Army National Guard 1st Lt. Brian Slavenas of Genoa.

SENATE RESOLUTION 312

Offered by Senator Lightford and all Senators:
Mourns the death of Ruthie Mae Clark-DeShong of Champaign

SENATE RESOLUTION 313

Offered by Senators E. Jones and all Senators:
Mourns the death of Irma P. Izzard.

SENATE RESOLUTION 314

Offered by Senator E. Jones and all Senators:
Mourns the death of Silas Purnell of Chicago.

SENATE RESOLUTION 315

Offered by Senators Demuzio, E. Jones and all Senators:
Mourns the death of Judith A. Boente of Carlinville.

SENATE RESOLUTION 316

Offered by Senators Demuzio, E. Jones and all Senators:
Mourns the death of Carl John Wittman of Jerseyville.

SENATE RESOLUTION 317

Offered by Senator Silverstein and all Senators:
Mourns the death of Thomas Peter Judge of Frankfort.

SENATE RESOLUTION 318

Offered by Senator E. Jones and all Senators:
Mourns the death of Bill Miller of The Woodlands, Texas.

SENATE RESOLUTION 319

Offered by Senator Dillard and all Senators:
Mourns the death of Rod R. McMahan of Chicago.

SENATE RESOLUTION 320

Offered by Senator Harmon and all Senators:
Mourns the death of Janet Johnson Grant.

SENATE RESOLUTION 321

Offered by Senator Collins and all Senators:
Mourns the death of Phyllis Demps Carry.

SENATE RESOLUTION 323

Offered by Senator Demuzio - E. Jones and all Senators:
Mourns the death of Mary Louise Pearson Higgason of Edinburg.

SENATE RESOLUTION 324

Offered by Senator Lauzen and all Senators:
Mourns the death of Richard J. "Dick" Michelini of Montgomery.

SENATE RESOLUTION 325

Offered by Senator Lauzen and all Senators:
Mourns the death of Josephine E. Birkett of Burr Ridge.

SENATE RESOLUTION 326

Offered by Senator Lauzen and all Senators:
Mourns the death of Albert Wykes of Plano.

SENATE RESOLUTION 327

Offered by Senator Lauzen and all Senators:
Mourns the death of Prentiss Thompson of Aurora.

SENATE RESOLUTION 328

Offered by Senator Lauzen and all Senators:
Mourns the death of Randy Block.

SENATE RESOLUTION 329

Offered by Senator Lauzen and all Senators:
Mourns the death of Marian Elizabeth Stumm Stuck of Appleton, Wisconsin.

SENATE RESOLUTION 330

Offered by Senator Lauzen and all Senators:
Mourns the death of Robert I. Stuart of Aurora.

SENATE RESOLUTION 331

Offered by Senator Walsh and all Senators:
Mourns the death of David V. Wood of Springfield.

SENATE RESOLUTION 332

Offered by Senator Link and all Senators:
Mourns the death of James "Bob" Fagan of Wadsworth.

SENATE RESOLUTION 333

Offered by Senator Link and all Senators:
Mourns the death of Robert L. Mitchell of Waukegan

SENATE RESOLUTION 334

Offered by Senators Demuzio, E. Jones and all Senators:
Mourns the death of Donald Blimling of Murrayville.

SENATE RESOLUTION 335

Offered by Senators Demuzio, E. Jones and all Senators:
Mourns the death of Phillip "Booley" Keck of Gillespie.

SENATE RESOLUTION 336

Offered by Senators Demuzio, E. Jones and all Senators:
Mourns the death of Gary Lee Lisk of Naples, Florida.

SENATE RESOLUTION 337

Offered by Senator E. Jones and all Senators:
Mourns the death of former State Senator Bernard S. Neistein of Chicago.

SENATE RESOLUTION 338

Offered by Senator E. Jones – DeLeo and all Senators:
Mourns the death of Honorable Robert J. Egan, former State Senator, of Edgebrook.

Senator Halvorson moved the adoption of the foregoing resolutions.
The motion prevailed.
And the resolutions were adopted.

PRESENTATION OF RESOLUTION

Senator Welch offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE JOINT RESOLUTION NO. 42

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Friday, November 21, 2003, the Senate stands adjourned until Tuesday, January 6, 2004 in perfunctory session; and when it adjourns on that day, it stands adjourned until Wednesday, January 14, 2004, at 12:00 o'clock Noon; and the House of Representatives stands adjourned until Tuesday, January 6, 2004, in perfunctory session; and when it adjourns on that day, it stands adjourned until Wednesday, January 14, 2004 at 12:00 o'clock Noon.

The Motion prevailed.
And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

HOUSE BILL RECALLED

On motion of Senator Welch, **House Bill No. 2659** was recalled from the order of third reading to the order of second reading.

Senator Welch offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 2659 by deleting everything after the enacting clause and inserting in lieu thereof the following:

"ARTICLE 1

Section 5.

The General Obligation Bond Act is amended by changing Section 6 as follows:
(30 ILCS 330/6) (from Ch. 127, par. 656)

Sec. 6. Anti-Pollution.

(a) The amount of ~~\$319,815,000~~ ~~\$300,815,000~~ is authorized for allocation by the Environmental Protection Agency for grants or loans to units of local government in such amounts, at such times and for such purpose as the Agency deems necessary or desirable for the planning, financing, and construction of municipal sewage treatment works and solid waste disposal facilities and for making of deposits into the Water Revolving Fund and the U.S. Environmental Protection Fund to provide assistance in accordance with the provisions of Title IV-A of the Environmental Protection Act.

(b) The amount of \$160,500,000 is authorized for allocation by the Environmental Protection Agency for payment of claims submitted to the State and approved for payment under the Leaking Underground Storage Tank Program established in Title XVI of the Environmental Protection Act. (Source: P.A. 91-39, eff. 6-15-99; 91-710, eff. 5-17-00; 92-13, eff. 6-22-01; 92-598, eff. 6-28-02.)

Section 99. This Act takes effect immediately upon becoming law."

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Welch, **House Bill No. 2659**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

Yeas 50; Nays None.

The following voted in the affirmative:

Althoff	Haine	Meeks	Sieben
Bomke	Halvorson	Munoz	Soden
Brady	Harmon	Peterson	Sullivan, D.
Clayborne	Hendon	Petka	Sullivan, J.
Collins	Hunter	Radogno	Syverson
Crotty	Jacobs	Rauschenberger	Trotter
Cullerton	Jones, W.	Risinger	Viverito
del Valle	Lauzen	Ronen	Walsh
DeLeo	Lightford	Roskam	Watson
Demuzio	Link	Rutherford	Welch
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	
Geo-Karis	Martinez	Shadid	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

At the hour of 1:43 o'clock p.m., Senator Welch presiding.

HOUSE BILL RECALLED

On motion of Senator Trotter, **House Bill No. 2745** was recalled from the order of third reading to the order of second reading.

Senator Trotter offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 2745, on page 1, by deleting everything after the enacting clause and inserting in lieu thereof the following:

"ARTICLE 1

Section 1. "AN ACT making appropriations", Public Act 93-68, approved July 1, 2003, is amended by changing Section 3 of Article 1 as follows:

(P.A. 93-68, Art. 1, Sec. 3)

Sec. 3. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

OPERATIONS FEDERALLY-ASSISTED PROGRAMS

Payable from General

Revenue Fund:

For Training and Education	\$	142,100
For Planning and Analysis		<u>72,800</u>
Total		\$214,900

Payable from Nuclear

Civil Protection

Planning Fund:

For Clean Air	\$	100,000
For Federal Projects		700,000
For Flood Mitigation		<u>3,000,000</u>
Total		\$3,800,000

Payable from the

Emergency Management

Preparedness Fund: For

an Emergency

Management

<u>Preparedness Program</u>	\$	10,200,000
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Preparedness Program	\$	8,000,000
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Payable from Federal

Civil Preparedness

Administrative Fund:

<u>For Training and Education</u>		<u>2,886,300</u>
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For Training and Education		2,261,300
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For Terrorism

Preparedness and

Training costs in the

current

<u>and prior years</u>		<u>146,883,000</u>
---------------------------------	--	--------------------

and prior years		37,000,000
-------------------------------------	--	-----------------------

For costs associated with

a new

State Emergency

<u>Operations Center.</u>		<u>9,335,600</u>
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Total		\$47,261,300
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Section 2. "AN ACT making appropriations", Public Act 93-91, approved July 30, 2003, is amended by adding new Section 27 to Article 8 as follows:

(P.A. 93-91, Art. 8, Sec. 27, new)

Sec. 27. The sum of \$12,270,000, or so much thereof as may be necessary, is appropriated to the Illinois Department of Transportation from the Federal Civil Preparedness Administrative Fund for costs associated with Illinois Terrorism Task Force approved purchases for homeland security.

Section 3. "AN ACT making appropriations", Public Act 93-92, approved July 3, 2003, is amended by changing Sections 15 and 80 of Article 4 as follows:

(P.A. 93-92, Art. 4, Sec. 15)

Sec. 15. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Public Health for the objects and purposes hereinafter named:

DIVISION OF PUBLIC HEALTH PREPAREDNESS

Payable from the Public Health Services Fund: For Expenses of Federally Funded Bioterrorism Preparedness ~~Activities . \$55,000,000~~ ~~Activities . \$42,000,000~~ Payable from the Federal Civil Preparedness ~~Administrative Fund: For costs associated with Illinois~~ ~~Terrorism Task Force approved purchases~~ ~~for homeland security . \$2,100,000~~

(P.A. 93-92, Art. 4, Sec. 80)

Sec. 80. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for expenses of programs related to Acquired Immunodeficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV):

OFFICE OF HEALTH PROTECTION: AIDS/HIV

Payable from the General Revenue Fund:		
For Personal Services	\$	423,400
For Employee Retirement Contributions Paid by Employer		16,900
For State Contributions to State Employees' Retirement System		56,900
For State Contributions to Social Security .		32,400
For Contractual Services		27,100
For Travel		12,700
For Expenses of an AIDS Hotline		207,400
For Expenses of Minority AIDS/HIV Prevention and Outreach		2,000,000
For Expenses of AIDS/HIV Education, Drugs, Services, Counseling, Testing, Referral and Partner Notification (CTRPN), and Patient and Worker Notification pursuant to Public Act 87-763		12,508,600
Total		\$16,515,900

Payable from the Public Health Services Fund: For Expenses of Programs for Prevention of AIDS/HIV	\$	4,651,600
.....		
For Expenses for Surveillance Programs and Seroprevalence Studies of AIDS/HIV .		1,500,000
For Expenses Associated with the Ryan White Comprehensive AIDS Resource Emergency Act of 1990 (CARE) and other AIDS/HIV services.		35,900,000
1990 (CARE) and other AIDS/HIV services.		30,800,000
Total		\$36,951,600

Section 4. "AN ACT making appropriations", Public Act 93-91, approved July 30, 2003, is amended by changing Section 20 of Article 5 as follows:

(P.A. 93-91, Art. 5, Sec. 20)

Sec. 20. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Revenue as follows:

Payable from General Revenue Fund: For the State's Share of County Supervisors' of Assessments' or County Assessors' salaries, as provided by law	\$	2,360,000
.....		
For additional compensation for local assessors, as provided by Sections 2.3 and 2.6 of the "Revenue Act of 1939", as amended		600,000
.....		
For additional compensation for local assessors, as provided by Section 2.7 of the "Revenue Act of 1939", as amended		843,600
.....		
For additional compensation for county treasurers, pursuant to Public Act		

84-1432, as amended

663,000

.....
 Total \$4,466,600
 Payable from State and Local Sales Tax Reform Fund: For Allocation to Chicago for additional 1.25% Use Tax Pursuant to P.A. 86-0928 . \$ 39,200,000 Payable from Local Government Distributive Fund; For Allocation to Local Governments of additional 1.25% Use Tax Pursuant to P.A. 86-0928 . \$ 98,224,000 Payable from Tobacco Settlement Recovery Fund: For Payments under Senior Citizen and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act, including prior year costs . \$ 82,500,000 Payable from R.T.A. Occupation and Use Tax Replacement Fund: For Allocation to RTA for 10% of the 1.25% Use Tax Pursuant to P.A. 86-0928 . \$ 19,600,000 Payable from Senior Citizens' Real Estate Deferred Tax Revolving Fund: For Payments to Counties as Required by the Senior Citizens Real Estate Tax Deferral Act . \$ 8,175,000 Payable from Illinois Tax Increment Fund: For Distribution to Local Tax Increment Finance Districts . \$ 18,970,000 For a Statewide Study on the impact of Tax Increment Finance Districts. \$30,000

GOVERNMENT SERVICE REFUNDS

Payable from General Revenue Fund: For payment of refunds pursuant to the provisions of the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act . \$150,000

Section 5. "AN ACT making appropriations", Public Act 93-91, approved July 30, 2003, is amended by adding new Section 85 to Article 7 as follows:

(P.A. 93-91, Art. 7, Sec. 85, new)

Sec. 85. The sum of \$14,200,000, or so much thereof as may be necessary, is appropriated to the Department of State Police from the Federal Civil Preparedness Administrative Fund for costs associated with Illinois Terrorism Task Force approved purchases for homeland security.

Section 6. "AN ACT making appropriations", Public Act 93-587, approved August 22, 2003, is amended by adding new Section 16 of Article 1 as follows:

(P.A. 93-587, Art. 1, Sec. 16 new)

Sec. 16. The sum of \$3,111,900, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Capital Development Board for the Illinois Emergency Management Agency for costs associated with a new State Emergency Operations Center.

Section 7. "AN ACT making appropriations", Public Act 93-91, approved July 3, 2003, is amended by adding new Sections 28 and 29 to Article 8 as follows:

(P.A. 93-91, Art. 8, Sec. 28, new)

Sec. 28. The sum of \$86,309,695 is appropriated from the Transportation Bond Series A Fund to the Department of Transportation for the purpose of making a deposit into the Road Fund to reimburse the Road Fund for grants and loans made for the statewide acquisition, construction, reconstruction, extension and improvement of transportation facilities, including state highways, arterial highways, freeways, roads, bridges, structures separating highways and railroads and roads, and bridges on roads maintained by counties, municipalities, townships or road districts.

(P.A. 93-91, Art. 8, Sec. 29, new)

Sec. 29. The sum of \$13,306,906 is appropriated from the Transportation Bond Series A Fund to the Department of Transportation for the purpose of making a deposit into the State Construction Account Fund to reimburse the State Construction Account Fund for grants and loans made for the statewide acquisition, construction, reconstruction, extension and improvement of transportation

facilities, including state highways, arterial highways, freeways, roads, bridges, structures separating highways and railroads and roads, and bridges on roads maintained by counties, municipalities, townships or road districts.

ARTICLE 99

Section 99. Effective Date. This Act takes effect immediately."

Senator Trotter moved that the foregoing amendment be ordered to lie on the table. The motion to table prevailed.

Senator Trotter offered the following amendment:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend House Bill 2745, on page 1, by deleting everything after the enacting clause and inserting in lieu thereof the following:

Section 1. "AN ACT making appropriations", Public Act 93-68, approved July 1, 2003, is amended by changing Section 3 of Article 1 as follows:

(P.A. 93-68, Art. 1, Sec. 3)

Sec. 3. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

OPERATIONS FEDERALLY-ASSISTED PROGRAMS

Payable from General Revenue Fund:

For	Training	and	Education	\$	142,100
.....					
For	Planning	and	Analysis		<u>72,800</u>
Total					\$214,900

Payable from Nuclear Civil Protection Planning Fund:

For	Clean	Air	\$	100,000	
.....					
For	Federal	Projects		700,000	
.....					
For	Flood	Mitigation		<u>3,000,000</u>	
Total					\$3,800,000

Payable from the Emergency Management Preparedness Fund: For an Emergency Management

<u>Preparedness</u>	<u>Program</u>	<u>\$ 10,200,000</u>
Preparedness	Program	\$ 8,000,000

Payable from Federal Civil Preparedness Administrative Fund:

For	Training	and	Education		<u>2,886,300</u>
.....					
For	Training	and	Education		<u>2,261,300</u>

For Terrorism Preparedness and	Training costs in the current	
<u>and</u>	<u>prior</u>	<u>years</u>
		<u>146,883,000</u>
and	prior	years
		<u>37,000,000</u>

For costs associated with a new

<u>State</u>	<u>Emergency</u>	<u>Operations</u>	<u>Center</u>	<u>9,335,600</u>
.....				
Total				\$47,261,300

Section 2. "AN ACT making appropriations", Public Act 93-91, approved July 30, 2003, is amended by adding new Section 27 to Article 8 as follows:

(P.A. 93-91, Art. 8, Sec. 27, new)

Sec. 27. The sum of \$12,270,000, or so much thereof as may be necessary, is appropriated to the Illinois Department of Transportation from the Federal Civil Preparedness Administrative Fund for costs associated with Illinois Terrorism Task Force approved purchases for homeland security.

Section 3. "AN ACT making appropriations", Public Act 93-92, approved July 3, 2003, is amended by changing Sections 15 and 80 of Article 4 as follows:

(P.A. 93-92, Art. 4, Sec. 15)

Sec. 15. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Public Health for the objects and purposes hereinafter named:

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(P.A. 93-92, Art. 4, Sec. 80)

Sec. 80. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for expenses of programs related to Acquired Immunodeficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV):

OFFICE OF HEALTH PROTECTION: AIDS/HIV

Payable from the General Revenue Fund:

For	Personal	Services	\$	423,400
.....				
For Employee Retirement Contributions Paid	by	Employer		16,900
.....				
For State Contributions to State Employees'	Retirement	System		56,900
.....				
For State Contributions to	Social	Security		32,400
.....				
For	Contractual	Services		27,100
.....				
For Travel				12,700
For	Expenses	of	an	AIDS Hotline
.....				
For Expenses of Minority AIDS/HIV Prevention	and	Outreach		2,000,000
.....				
For Expenses of AIDS/HIV Education, Drugs, Services, Counseling, Testing, Referral and Partner Notification (CTRPN), and Patient and Worker Notification pursuant to Public Act 87-763				<u>12,508,600</u>
Total				\$16,515,900

Payable from the Public Health Services Fund: For Expenses of Programs for Prevention of	AIDS/HIV	\$	4,651,600
.....			
For Expenses for Surveillance Programs and Seroprevalence Studies	of	AIDS/HIV	1,500,000

For Expenses Associated with the Ryan White Comprehensive AIDS Resource Emergency Act of 1990 (CARE) and other AIDS/HIV services.....	35,900,000
1990 (CARE) and other AIDS/HIV services.....	30,800,000
Total	\$36,951,600

Section 4. "AN ACT making appropriations", Public Act 93-91, approved July 30, 2003, is amended by changing Section 20 of Article 5 as follows:

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Payable from General Revenue Fund: For the State's Share of County Supervisors of Assessments' or County Assessors' salaries, as provided by law§	2,360,000
For additional compensation for local assessors, as provided by Sections 2.3 and 2.6 of the "Revenue Act of 1939", as amended	600,000
For additional compensation for local assessors, as provided by Section 2.7 of the "Revenue Act of 1939", as amended	843,600
For additional compensation for county treasurers, pursuant to Public Act 84-1432, as amended	663,000
Total	\$4,466,600

Payable from State and Local Sales Tax Reform Fund: For Allocation to Chicago for additional 1.25% Use Tax Pursuant to P.A. 86-0928 . \$ 39,200,000 Payable from Local Government Distributive Fund: For Allocation to Local Governments of additional 1.25% Use Tax Pursuant to P.A. 86-0928 . \$ 98,224,000 Payable from Tobacco Settlement Recovery Fund: For Payments under Senior Citizen and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act, including prior year costs . \$ 82,500,000 Payable from R.T.A. Occupation and Use Tax Replacement Fund: For Allocation to RTA for 10% of the 1.25% Use Tax Pursuant to P.A. 86-0928 . \$ 19,600,000 Payable from Senior Citizens' Real Estate Deferred Tax Revolving Fund: For Payments to Counties as Required by the Senior Citizens Real Estate Tax Deferral Act . \$ 8,175,000 Payable from Illinois Tax Increment Fund: For Distribution to Local Tax Increment Finance Districts . \$ 18,970,000 For a Statewide Study on the impact of Tax Increment Finance Districts. \$30,000

GOVERNMENT SERVICE REFUNDS

Payable from General Revenue Fund: For payment of refunds pursuant to the provisions of the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act . \$150,000

Section 5. "AN ACT making appropriations", Public Act 93-91, approved July 30, 2003, is amended by adding new Section 85 to Article 7 as follows:

(P.A. 93-91, Art. 7, Sec. 85, new)

Sec. 85. The sum of \$14,200,000, or so much thereof as may be necessary, is appropriated to the Department of State Police from the Federal Civil Preparedness Administrative Fund for costs associated with Illinois Terrorism Task Force approved purchases for homeland security.

Section 6. "AN ACT making appropriations", Public Act 93-587, approved August 22, 2003, is amended by adding new Section 16 of Article 1 as follows:

(P.A. 93-587, Art. 1, Sec. 16 new)

Sec. 16. The sum of \$3,111,900, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Capital Development Board for the Illinois Emergency Management Agency for costs associated with a new State Emergency Operations Center.

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(P.A. 93-91, Art. 8, Sec. 28, new)

Sec. 28. The sum of \$86,309,695 is appropriated from the Transportation Bond Series A Fund to the Department of Transportation for the purpose of making a deposit into the Road Fund to reimburse the Road Fund for grants and loans made for the statewide acquisition, construction, reconstruction, extension and improvement of transportation facilities, including state highways, arterial highways, freeways, roads, bridges, structures separating highways and railroads and roads, and bridges on roads maintained by counties, municipalities, townships or road districts.

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Sec. 29. The sum of \$13,306,906 is appropriated from the Transportation Bond Series A Fund to the Department of Transportation for the purpose of making a deposit into the State Construction Account Fund to reimburse the State Construction Account Fund for grants and loans made for the statewide acquisition, construction, reconstruction, extension and improvement of transportation facilities, including state highways, arterial highways, freeways, roads, bridges, structures separating highways and railroads and roads, and bridges on roads maintained by counties, municipalities, townships or road districts.

Section 99. Effective Date. This Act takes effect immediately."

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Trotter, **House Bill No. 2745**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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:

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Geo-Karis	Martinez	Shadid
Bomke	Haine	Meeks	Sieben
Brady	Halvorson	Munoz	Soden
Clayborne	Harmon	Peterson	Sullivan, D.
Collins	Hendon	Petka	Sullivan, J.
Cronin	Hunter	Radogno	Syverson
Crotty	Jacobs	Rauschenberger	Trotter
Cullerton	Jones, W.	Risinger	Viverito

del Valle	Lauzen	Ronen	Walsh
DeLeo	Lightford	Roskam	Watson
Demuzio	Link	Rutherford	Welch
Dillard	Luechtefeld	Sandoval	Mr. President
Forby	Maloney	Schoenberg	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

At the hour of 1:49 o'clock p.m., pursuant to **Senate Joint Resolution No. 42**, the Chair announced the Senate stand adjourned until Tuesday, January 6, 2004, at 12:00 o'clock p.m.