

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-THIRD GENERAL ASSEMBLY

77TH LEGISLATIVE DAY

FRIDAY, NOVEMBER 21, 2003

3:00 O'CLOCK P.M.

HOUSE OF REPRESENTATIVES
Daily Journal Index
77th Legislative Day

Action	Page(s)
Adjournment	60
Balanced Budget Note Supplied.....	6
Committee on Rules Referral	5
Fiscal Note Supplied	6
Home Rule Note Supplied.....	6
Introduction and First Reading – HB 3948-3953	47
Quorum Roll Call	4
State Mandates Fiscal Note Supplied	6
Temporary Committee Assignments	4

Bill Number	Legislative Action	Page(s)
HB 0648	Committee Report – Floor Amendment/s	46
HB 0648	Concurrence in Senate Amendment/s	55
HB 0648	Motion Submitted	5
HB 0701	Committee Report - Concur in SA	47
HB 0701	Concurrence in Senate Amendment/s	56
HB 0701	Motion Submitted	6
HB 0701	Senate Message – Passage w/ SA	17
HB 0810	Committee Report - Concur in SA	46
HB 0810	Concurrence in Senate Amendment/s	57
HB 0810	Motion Submitted	5
HB 0960	Senate Message – Passage w/ SA	23
HB 2200	Motion Submitted	6
HB 2200	Senate Message – Passage w/ SA	22
HB 2654	Committee Report - Concur in SA	46
HB 2654	Concurrence in Senate Amendment/s	56
HB 2654	Motion Submitted	6
HB 2654	Senate Message – Passage w/ SA	26
HB 2656	Senate Message – Passage w/ SA	28
HB 2657	Committee Report - Concur in SA	47
HB 2657	Concurrence in Senate Amendment/s	56
HB 2657	Motion Submitted	6
HB 2657	Senate Message – Passage w/ SA	31
HB 2659	Committee Report - Concur in SA	46
HB 2659	Concurrence in Senate Amendment/s	56
HB 2659	Motion Submitted	5
HB 2659	Senate Message – Passage w/ SA	31
HB 2745	Committee Report – Floor Amendment/s	45
HB 2745	Concurrence in Senate Amendment/s	56
HB 2745	Motion Submitted	6
HB 2745	Senate Message – Passage w/ SA	35
HB 3828	Third Reading	57
HJR 0043	Adoption	58
HR 0454	Adoption	53
HR 0479	Adoption	58
HR 0530	Adoption	54
HR 0541	Adoption	58
HR 0550	Adoption	58
HR 0560	Adoption	58
HR 0565	Resolution	47

HR 0565	Adoption	59
HR 0566	Resolution	48
HR 0566	Adoption	59
HR 0567	Resolution	48
HR 0567	Adoption	59
HR 0568	Resolution	49
HR 0568	Adoption	59
HR 0569	Resolution	49
HR 0569	Adoption	59
HR 0570	Resolution	50
HR 0570	Adoption	59
HR 0571	Resolution	50
HR 0571	Adoption	60
HR 0572	Resolution	51
HR 0572	Adoption	59
HR 0573	Resolution	51
HR 0573	Adoption	59
HR 0574	Resolution	52
HR 0574	Adoption	59
HR 0575	Adoption	59
SB 0196	Amendatory Veto.....	54, 57
SB 0272	Amendatory Veto.....	55
SB 0640	Amendatory Veto.....	55, 58
SB 1498	Committee Report – Floor Amendment/s.....	5
SJR 0039	Adoption.....	59
SJR 0040	Adoption.....	59

The House met pursuant to adjournment.

Speaker Madigan in the chair.

Prayer by LeeArthur Crawford, Assistant Pastor with the Victory Temple Church in Springfield, IL..

Representative Washington 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:

109 present. (ROLL CALL 1)

By unanimous consent, Representatives Biggins, Collins, Franks, Krause, Pihos, Saviano and Schmitz were excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Eddy, should be recorded as present.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Mulligan replaced Representative Biggins in the Committee on Local Government on November 20, 2003.

Representative Pankau replaced Representative Pihos in the Committee on Local Government on November 20, 2003.

Representative Beaubien replaced Representative Hassert in the Committee on Rules on November 17, 2003.

Representative Black replaced Representative Mulligan in the Committee on Elementary & Secondary Education on November 19, 2003.

Representative Pankau replaced Representative Moffitt in the Committee on Local Government on November 18, 2003.

Representative Eileen Lyons replaced Representative Dunn in the Committee on Financial Institutions on November 19, 2003.

Representative Winters replaced Representative Bill Mitchell in the Committee on Financial Institutions on November 19, 2003.

Representative Munson replaced Representative Krause in the Committee on Elementary & Secondary Education on November 19, 2003.

Representative Aguilar replaced Representative Hassert in the Committee on Executive on November 19, 2003.

Representative Dunn replaced Representative Biggins in the Committee on Revenue on November 20, 2003.

Representative Schmitz replaced Representative Black in the Committee on Rules on November 20, 2003.

Representative Bost replaced Representative Hassert in the Committee on Rules on November 20, 2003.

Representative Bost replaced Representative Krause in the Committee on Elementary & Secondary Education on November 20, 2003.

Representative Winters replaced Representative Mulligan in the Committee on Elementary & Secondary Education on November 20, 2003.

Representative Eileen Lyons replaced Representative Watson in the Committee on Local Government on November 20, 2003.

Representative Black replaced Representative Wirsing in the Committee on Executive on November 18, 2003.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 3 to SENATE BILL 1498.

The committee roll call vote on the foregoing Legislative Measures is as follows:
4, Yeas; 1, Nays; 0, Answering Present.

Y Currie, Barbara(D), Chairperson
Y Hannig, Gary(D)
Y Turner, Arthur(D)

N Black, William(R)
Y Hassert, Brent(R), Republican Spokesperson

COMMITTEE ON RULES REFERRALS

Representative Currie, Chairperson of the Committee on Rules, reported the following legislative measures and/or joint action motions have been assigned as follows:

Appropriations-Public Safety: Motion to Concur in SENATE AMENDMENT No. 2 to HOUSE BILL 2745.

Human Services: Motion to Concur in SENATE AMENDMENT No. 3 to HOUSE BILL 701; Motion to Concur in SENATE AMENDMENT No. 1 to HOUSE BILL 2657.

Labor: Motion to Concur in SENATE AMENDMENT No. 1 to HOUSE BILL 810.

Registration & Regulation: Motion to Concur in SENATE AMENDMENT No. 1 to HOUSE BILL 648.

Revenue: Motion to Concur in SENATE AMENDMENT No. 1 to HOUSE BILL 2654; Motion to Concur in SENATE AMENDMENT No. 1 to HOUSE BILL 2659.

MOTIONS SUBMITTED

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 810.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 648.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 2659.

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

MOTION

I move to concur with Senate Amendment No. 3 to HOUSE BILL 701.

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

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 2745.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 2654.

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

MOTION

I move to concur with Senate Amendment No. 1 to HOUSE BILL 2657.

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

MOTION

I move to concur with Senate Amendments numbered 2 and 4 to HOUSE BILL 2200.

HOME RULE NOTE SUPPLIED

Home Rule Notes have been supplied for SENATE BILL 1498, as amended, and SENATE BILL 1592, as amended.

FISCAL NOTE SUPPLIED

Fiscal Notes have been supplied for HOUSE BILL 3828, as amended, SENATE BILL 1498, as amended, SENATE BILL 1592, as amended, and SENATE BILL 1944, as amended.

STATE MANDATES FISCAL NOTE SUPPLIED

State Mandates Fiscal Notes have been supplied for SENATE BILL 1498, as amended, and SENATE BILL 1592 ,as amended.

BALANCED BUDGET NOTE SUPPLIED

A Balanced Budget Note has been supplied for HOUSE BILL 3828, as amended.

MESSAGES FROM THE SENATE

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

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

HOUSE BILL 701

A bill for AN ACT in relation to public aid.

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

Senate Amendment No. 3 to HOUSE BILL NO. 701

Passed the Senate, as amended, November 21, 2003.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 3____. Amend House Bill 701 by replacing everything after the enacting clause with the following:

"Section 5.

The State Finance Act is amended by adding Sections 5.620, 5.621, and 6z-56 and changing Section 8h as follows:

(30 ILCS 105/5.620 new)

Sec. 5.620. The Health Care Services Trust Fund.

(30 ILCS 105/5.621 new)

Sec. 5.621. The Health and Human Services Medicaid Trust Fund.

(30 ILCS 105/6z-56 new)

Sec. 6z-56. The Health Care Services Trust Fund. The Health Care Services Trust Fund is hereby created as a special fund in the State treasury.

The Fund shall consist of moneys deposited, transferred, or appropriated into the Fund from units of local government other than a county with a population greater than 3,000,000, from the State, from federal matching funds, or from any other legal source.

Subject to appropriation, the moneys in the Fund shall be used by the Department of Public Aid to make payments to providers of services covered under the Medicaid or State Children's Health Insurance programs. Payments may be made out of the Fund only to providers located within the geographic jurisdiction of units of local government that make deposits, transfers, or appropriations into the Fund.

The Department of Public Aid shall adopt rules concerning application for and disbursement of the moneys in the Fund.

(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 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 or the Hospital Provider 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~~. (Source: P.A. 93-32, eff. 6-20-03; revised 8-21-03.)

Section 10.

The Illinois Public Aid Code is amended by changing Sections 5-5.4, 5A-1, 5A-2, 5A-3, 5A-4, 5A-5, 5A-7, 5A-8, 5A-10, and 14-1 and by adding Sections 5A-12, 5A-13, and 5A-14 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.

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, 2003, which shall be 3.0% less than the rates in effect on June 30, 2002. This rate shall take effect only upon approval and implementation of the payment methodologies required under Section 5A-12.

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.)

(305 ILCS 5/5A-1) (from Ch. 23, par. 5A-1)

Sec. 5A-1. Definitions. As used in this Article, unless the context requires otherwise:

"Fund" means the Hospital Provider Fund.

"Hospital" means an institution, place, building, or agency located in this State that is subject to licensure by the Illinois Department of Public Health under the Hospital Licensing Act, whether public or private and whether organized for profit or not-for-profit.

"Hospital provider" means a person licensed by the Department of Public Health to conduct, operate, or maintain a hospital, regardless of whether the person is a Medicaid provider. For purposes of this paragraph, "person" means any political subdivision of the State, municipal corporation, individual, firm,

partnership, corporation, company, limited liability company, association, joint stock association, or trust, or a receiver, executor, trustee, guardian, or other representative appointed by order of any court.

"Occupied bed days" means the sum of the number of days that each bed was occupied by a patient for all beds during calendar year 2001. Occupied bed days shall be computed separately for each hospital operated or maintained by a hospital provider.

~~"Adjusted gross hospital revenue" shall be determined separately for each hospital conducted, operated, or maintained by a hospital provider, and means the hospital provider's total gross patient revenues less Medicare contractual allowances, but does not include gross patient revenue (and the portion of any Medicare contractual allowance related thereto) from skilled or intermediate long term care services within the meaning of Title XVIII or XIX of the Social Security Act.~~

~~"Intergovernmental transfer payment" means the payments established under Section 15-3 of this Code, and includes without limitation payments payable under that Section for July, August, and September of 1992. (Source: P.A. 87-861; 88-88.)~~

(305 ILCS 5/5A-2) (from Ch. 23, par. 5A-2)

Sec. 5A-2. Assessment; no local authorization to tax. (a) Subject to Sections 5A-3 and 5A-10, an annual assessment on inpatient services is imposed on each hospital provider for State fiscal years 2004 and 2005 in an amount equal to the hospital's occupied bed days multiplied by \$84.19.

The Department of Public Aid shall use the number of occupied bed days as reported by each hospital on the Annual Survey of Hospitals conducted by the Department of Public Health to calculate the hospital's annual assessment. If the sum of a hospital's occupied bed days is not reported on the Annual Survey of Hospitals, then the Department of Public Aid may obtain the sum of occupied bed days from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Department of Public Aid or its duly authorized agents and employees. For the privilege of engaging in the occupation of hospital provider, an assessment is imposed upon each hospital provider for the State fiscal year beginning on July 1, 1993 and ending on June 30, 1994, in an amount equal to 1.88% of the provider's adjusted gross hospital revenue for the most recent calendar year ending before the beginning of that State fiscal year.

~~Effective July 1, 1994 through June 30, 1996, an annual assessment is imposed upon each hospital provider in an amount equal to the provider's adjusted gross hospital revenue for the most recent calendar year ending before the beginning of that State fiscal year multiplied by the Provider's Savings Rate.~~

~~Effective July 1, 1996 through March 31, 1997, an assessment is imposed upon each hospital provider in an amount equal to three fourths of the provider's adjusted gross hospital revenue for calendar year 1995 multiplied by the Provider's Savings Rate. No assessment shall be imposed on or after April 1, 1997.~~

~~Before July 1, 1995, the Provider's Savings Rate is 1.88% multiplied by a fraction, the numerator of which is the Maximum Section 5A-2 Contribution minus the Cigarette Tax Contribution, and the denominator of which is the Maximum Section 5A-2 Contribution. Effective July 1, 1995, the Provider's Savings Rate is 1.25% multiplied by a fraction, the numerator of which is the Maximum Section 5A-2 Contribution minus the Cigarette Tax Contribution, and the denominator of which is the Maximum Section 5A-2 Contribution.~~

~~The Cigarette Tax Contribution is the sum of the total amount deposited in the Hospital Provider Fund in the previous State fiscal year pursuant to Section 2(a) of the Cigarette Tax Act, plus the total amount deposited in the Hospital Provider Fund in the previous State fiscal year pursuant to Section 5A-3(c) of this Code.~~

~~The Maximum Section 5A-2 Contribution is the total amount of tax imposed by this Section in the previous State fiscal year on providers subject to this Act, multiplied by a fraction the numerator of which is adjusted gross hospital revenues reported to the Department by providers subject to this Act for the previous State fiscal year and the denominator of which is adjusted gross hospital revenues reported to the Department by providers subject to this Act for the State fiscal year immediately preceding the previous State fiscal year.~~

~~The Department shall notify hospital providers of the Provider's Savings Rate by mailing a notice to each provider's last known address as reflected by the records of the Illinois Department.~~

(b) Nothing in this amendatory Act of the 93rd General Assembly 1995 shall be construed to authorize any home rule unit or other unit of local government to license for revenue or to impose a tax or assessment upon hospital providers or the occupation of hospital provider, or a tax or assessment measured by the income or earnings of a hospital provider.

(c) As provided in Section 5A-14, this Section is repealed on July 1, 2005. (Source: P.A. 88-88; 89-21, eff. 7-1-95; 89-499, eff. 6-28-96.)

(305 ILCS 5/5A-3) (from Ch. 23, par. 5A-3)

Sec. 5A-3. Exemptions; intergovernmental transfers. (a) Blank. A hospital provider which is a county with a population of more than 3,000,000 that makes intergovernmental transfer payments as provided in Section 15-3 of this Code shall be exempt from the assessment imposed by Section 5A-2, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case the county shall pay the assessment imposed by Section 5A-2 for all assessment periods beginning on or after July 1, 1992, and the assessment so paid shall be creditable against the intergovernmental transfer payments.

(b) A hospital provider that is a State agency, a State university, or a county with a population of 3,000,000 or more is exempt from the assessment imposed by Section 5A-2. A hospital organized under the University of Illinois Hospital Act and exempt from the assessment imposed by Section 5A-2 is hereby authorized to enter into an interagency agreement with the Illinois Department to make intergovernmental transfer payments to the Illinois Department. These payments shall be deposited into the University of Illinois Hospital Services Fund or, if that Fund ceases to exist, into the General Revenue Fund.

(b-2) A hospital provider that is a county with a population of less than 3,000,000 or a township, municipality, hospital district, or any other local governmental unit is exempt from the assessment imposed by Section 5A-2.

(b-5) Blank. A hospital operated by the Department of Human Services in the course of performing its mental health and developmental disabilities functions is exempt from the assessment imposed by Section 5A-2.

(b-10) A hospital provider whose hospital does not charge for its services is exempt from the assessment imposed by Section 5A-2, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case the hospital provider shall pay the assessment imposed by Section 5A-2.

(b-15) A hospital provider whose hospital is licensed by the Department of Public Health as a psychiatric hospital is exempt from the assessment imposed by Section 5A-2, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case the hospital provider shall pay the assessment imposed by Section 5A-2.

(b-20) A hospital provider whose hospital is licensed by the Department of Public Health as a rehabilitation hospital is exempt from the assessment imposed by Section 5A-2, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case the hospital provider shall pay the assessment imposed by Section 5A-2.

(b-25) A hospital provider whose hospital (i) is not a psychiatric hospital, rehabilitation hospital, or children's hospital and (ii) has an average length of inpatient stay greater than 25 days is exempt from the assessment imposed by Section 5A-2, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case the hospital provider shall pay the assessment imposed by Section 5A-2.

(c) Blank. The Illinois Department is hereby authorized to enter into agreements with publicly owned or operated hospitals to make intergovernmental transfer payments to the Illinois Department. These payments shall be deposited into the Hospital Provider Fund, except that any payments arising under an agreement with a hospital organized under the University of Illinois Hospital Act shall be deposited into the University of Illinois Hospital Services Fund, if that Fund exists. (Source: P.A. 88-88; 88-554, eff. 7-26-94; 89-21, eff. 7-1-95; 89-507, eff. 7-1-97.)

(305 ILCS 5/5A-4) (from Ch. 23, par. 5A-4)

Sec. 5A-4. Payment of assessment; penalty. (a) The annual assessment imposed by Section 5A-2 for State fiscal year 2004 shall be due and payable on June 18 of the year. The assessment imposed by Section 5A-2 for a State fiscal year 2005 shall be due and payable in quarterly installments, each equalling one-fourth of the assessment for the year, on July 19, October 19, January 18, and April 19 September 30, December 31, March 31, and May 31 of the year; except that for the period July 1, 1996 through March 31, 1997, the assessment imposed by Section 5A-2 for that period shall be due and payable in 3 equal installments on September 30, December 31, and March 31 of that period. No installment payment of an assessment imposed by Section 5A-2 shall be due and payable, however, until after: (i) the hospital provider receives written notice from the Department of Public Aid that the payment methodologies to hospitals required under Section 5A-12 have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and the waiver under 42 CFR 433.68 for the assessment imposed by Section 5A-2 has been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services; and (ii) the hospital has received the payments required under Section 5A-12.

(b) The Illinois Department is authorized to establish delayed payment schedules for hospital providers that are unable to make installment payments when due under this Section due to financial difficulties, as

determined by the Illinois Department.

(c) If a hospital provider fails to pay the full amount of an installment when due (including any extensions granted under subsection (b)), there shall, unless waived by the Illinois Department for reasonable cause, be added to the assessment imposed by Section 5A-2 a penalty assessment equal to the lesser of (i) 5% of the amount of the installment not paid on or before the due date plus 5% of the portion thereof remaining unpaid on the last day of each 30-day period ~~month~~ thereafter or (ii) 100% of the installment amount not paid on or before the due date. For purposes of this subsection, payments will be credited first to unpaid installment amounts (rather than to penalty or interest), beginning with the most delinquent installments. (Source: P.A. 88-88; 89-499, eff. 6-28-96.)

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

Sec. 5A-5. Notice Reporting; penalty; maintenance of records. (a) After December 31 of each year ~~(except as otherwise provided in this subsection)~~, and on or before March 31 of the succeeding year, the Department of Public Aid shall send a notice of assessment to every hospital provider subject to assessment under this Article shall file a return with the Illinois Department. The notice of assessment shall notify the hospital of its return shall report the adjusted gross hospital revenue from the calendar year just ended and shall be utilized by the Illinois Department to calculate the assessment for the State fiscal year commencing on the next July 1, except that the notice return for the State fiscal year commencing July 1, 2003 1992 and the report of revenue for calendar year 1991 shall be sent filed on or before June 1, 2004 September 30, 1992. The notice return shall be on a form prepared by the Illinois Department and shall state the following:

(1) The name of the hospital provider.

(2) The address of the hospital provider's principal place of business from which the provider engages in the occupation of hospital provider in this State, and the name and address of each hospital operated, conducted, or maintained by the provider in this State.

(3) The occupied bed days adjusted gross hospital revenue of the hospital provider ~~for the calendar year just ended~~, the amount of assessment imposed under Section 5A-2 for the State fiscal year for which the notice return is sent filed, and the amount of each quarterly installment to be paid during the State fiscal year.

(4) (Blank). The amount of penalty due, if any.

(5) Other reasonable information as determined by the Illinois Department requires.

(b) If a hospital provider conducts, operates, or maintains more than one hospital licensed by the Illinois Department of Public Health, the provider ~~shall may not file a single return covering all those hospitals, but shall file a separate return for each hospital and shall compute and pay the assessment for each hospital separately.~~

(c) Notwithstanding any other provision in this Article, in the case of a person who ceases to conduct, operate, or maintain a hospital in respect of which the person is subject to assessment under this Article as a hospital provider, the assessment for the State fiscal year in which the cessation occurs shall be adjusted by multiplying the assessment computed under Section 5A-2 by a fraction, the numerator of which is the number of days months in the year during which the provider conducts, operates, or maintains the hospital and the denominator of which is 365 42. Immediately upon ceasing to conduct, operate, or maintain a hospital, the person shall pay file a final, amended return with the Illinois Department not more than 90 days after the cessation reflecting the adjustment and shall pay with the final return the assessment for the year as so adjusted (to the extent not previously paid).

(d) Notwithstanding any other provision in this Article, a provider who commences conducting, operating, or maintaining a hospital, upon notice by the Illinois Department, shall file an initial return for the State fiscal year in which the commencement occurs within 90 days thereafter and shall pay the assessment computed under Section 5A-2 and subsection (e) in equal installments on the due dates stated in the notice date of the return and on the regular installment due dates for the State fiscal year occurring after the due dates date of the initial notice return.

(e) Notwithstanding any other provision in this Article, in the case of a hospital provider that did not conduct, operate, or maintain a hospital throughout ~~the~~ calendar year 2001 preceding a State fiscal year, the assessment for that State fiscal year shall be computed on the basis of hypothetical occupied bed days adjusted gross hospital revenue for the full calendar year as determined by rules adopted by the Illinois Department (which may be based on annualization of the provider's actual revenues for a portion of the calendar year, or revenues of a comparable hospital for the year, including revenues realized by a prior provider from the same hospital during the year).

(f) (Blank). In the case of a hospital provider existing as a corporation or legal entity other than an individual, the return filed by it shall be signed by its president, vice president, secretary, or treasurer or by

its properly authorized agent.

(g) ~~(Blank)~~. If a hospital provider fails to file its return for a State fiscal year on or before the due date of the return, there shall, unless waived by the Illinois Department for reasonable cause, be added to the assessment imposed by Section 5A-2 for the State fiscal year a penalty assessment equal to 25% of the assessment imposed for the year.

(h) ~~(Blank)~~. Every hospital provider subject to assessment under this Article shall keep sufficient records to permit the determination of adjusted gross hospital revenue on a calendar year basis. All such records shall be kept in the English language and shall, at all times during business hours of the day, be subject to inspection by the Illinois Department or its duly authorized agents and employees. (Source: P.A. 87-861.)

(305 ILCS 5/5A-7) (from Ch. 23, par. 5A-7)

Sec. 5A-7. Administration; enforcement provisions. (a) To the extent practicable, the Illinois Department shall administer and enforce this Article and collect the assessments, interest, and penalty assessments imposed under this Article using procedures employed in its administration of this Code generally and, as it deems appropriate, in a manner similar to that in which the Department of Revenue administers and collects the retailers' occupation tax under the Retailers' Occupation Tax Act ("ROTA"). Instead of certificates of registration, the Illinois Department shall establish and maintain a listing of all hospital providers appearing in the licensing records of the Department of Public Health, which shall show each provider's name, principal place of business, and the name and address of each hospital operated, conducted, or maintained by the provider in this State. In addition, the following specified provisions of the Retailers' Occupation Tax Act are incorporated by reference into this Section except that the Illinois Department and its Director (rather than the Department of Revenue and its Director) and every hospital provider subject to assessment measured by occupied bed days ~~adjusted gross hospital revenue and to the return filing requirements of this Article~~ (rather than persons subject to retailers' occupation tax measured by gross receipts from the sale of tangible personal property at retail ~~and to the return filing requirements of ROTA~~) shall have the powers, duties, and rights specified in these ROTA provisions, as modified in this Section or by the Illinois Department in a manner consistent with this Article and except as manifestly inconsistent with the other provisions of this Article:

(1) ROTA, Section 4 (examination of return; notice of correction; evidence; limitations; protest and hearing), except that (i) the Illinois Department shall issue notices of assessment liability (rather than notices of tax liability as provided in ROTA, Section 4); (ii) in the case of a fraudulent return or in the case of an extended period agreed to by the Illinois Department and the hospital provider before the expiration of the limitation period, no notice of assessment liability shall be issued more than 3 years after the later of the due date of the return required by Section 5A-5 or the date the return (or an amended return) was filed (rather within the period stated in ROTA, Section 4); and (iii) the penalty provisions of ROTA, Section 4 shall not apply.

(2) ROTA, Sec. 5 (failure to make return; failure to pay assessment), except that the penalty and interest provisions of ROTA, Section 5 shall not apply.

(3) ROTA, Section 5a (lien; attachment; termination; notice; protest; review; release of lien; status of lien).

(4) ROTA, Section 5b (State lien notices; State lien index; duties of recorder and registrar of titles).

(5) ROTA, Section 5c (liens; certificate of release).

(6) ROTA, Section 5d (Department not required to furnish bond; claim to property attached or levied upon).

(7) ROTA, Section 5e (foreclosure on liens; enforcement).

(8) ROTA, Section 5f (demand for payment; levy and sale of property; limitation).

(9) ROTA, Section 5g (sale of property; redemption).

(10) ROTA, Section 5j (sales on transfers outside usual course of business; report; payment of assessment; rights and duties of purchaser; penalty), except that notice shall be provided to the Illinois Department as specified by rule.

(11) ROTA, Section 6 (erroneous payments; credit or refund), provided that (i) the Illinois Department may only apply an amount otherwise subject to credit or refund to a liability arising under this Article; (ii) except in the case of an extended period agreed to by the Illinois Department and the hospital provider before the expiration of this limitation period, a claim for credit or refund must be filed no more than 3 years after the due date of the return required by Section 5A-5 (rather than the time limitation stated in ROTA, Section 6); and (iii) credits or refunds shall not bear interest.

(12) ROTA, Section 6a (claims for credit or refund).

(13) ROTA, Section 6b (tentative determination of claim; notice; hearing; review), provided that a hospital provider or its representative shall have 60 days (rather than 20 days) within which to file a protest and request for hearing in response to a tentative determination of claim.

(14) ROTA, Section 6c (finality of tentative determinations).

(15) ROTA, Section 8 (investigations and hearings).

(16) ROTA, Section 9 (witness; immunity).

(17) ROTA, Section 10 (issuance of subpoenas; attendance of witnesses; production of books and records).

(18) ROTA, Section 11 (information confidential; exceptions).

(19) ROTA, Section 12 (rules and regulations; hearing; appeals), except that a hospital provider shall not be required to file a bond or be subject to a lien in lieu thereof in order to seek court review under the Administrative Review Law of a final assessment or revised final assessment or the equivalent thereof issued by the Illinois Department under this Article.

(b) In addition to any other remedy provided for and without sending a notice of assessment liability, the Illinois Department may collect an unpaid assessment by withholding, as payment of the assessment, reimbursements or other amounts otherwise payable by the Illinois Department to the provider. (Source: P.A. 87-861.)

(305 ILCS 5/5A-8) (from Ch. 23, par. 5A-8)

Sec. 5A-8. Hospital Provider Fund. (a) There is created in the State Treasury the Hospital Provider Fund. Interest earned by the Fund shall be credited to the Fund. The Fund shall not be used to replace any moneys appropriated to the Medicaid program by the General Assembly.

(b) The Fund is created for the purpose of receiving moneys in accordance with Section 5A-6 and disbursing moneys only for the following purposes, notwithstanding any other provision of law as follows:

(1) For making payments to hospitals as required under Articles V, VI, and XIV hospital inpatient care, hospital ambulatory care, and disproportionate share hospital distributive expenditures made under Title XIX of the Social Security Act and Article V of this Code and under the Children's Health Insurance Program Act.

(2) For the reimbursement of moneys collected by the Illinois Department from hospitals or hospital providers through error or mistake in performing the activities authorized under this Article and Article V of this Code and for making required payments under Section 14-9 of this Code if there are no moneys available for those payments in the Hospital Services Trust Fund.

(3) For payment of administrative expenses incurred by the Illinois Department or its agent in performing the activities authorized by this Article.

(4) For payments of any amounts which are reimbursable to the federal government for payments from this Fund which are required to be paid by State warrant.

(5) For making transfers ~~to the General Obligation Bond Retirement and Interest Fund~~, as those transfers are authorized in the proceedings authorizing debt under the Short Term Borrowing Act, but transfers made under this paragraph (5) shall not exceed the principal amount of debt issued in anticipation of the receipt by the State of moneys to be deposited into the Fund.

(6) For making transfers to any other fund in the State treasury, but transfers made under this paragraph (6) shall not exceed the amount transferred previously from that other fund into the Hospital Provider Fund.

(7) For making transfers to the Health and Human Services Medicaid Trust Fund, including 20% of the moneys received from hospital providers under Section 5A-4 and transferred into the Hospital Provider Fund under Section 5A-6. Transfers under this paragraph shall be made within 7 days after the payments have been received pursuant to the schedule of payments provided in subsection (a) of Section 5A-4.

(8) For making refunds to hospital providers pursuant to Section 5A-10.

Disbursements from the Fund, other than transfers authorized under paragraphs (5) and (6) of this subsection to the General Obligation Bond Retirement and Interest Fund, shall be by warrants drawn by the State Comptroller upon receipt of vouchers duly executed and certified by the Illinois Department.

(c) The Fund shall consist of the following:

(1) All moneys collected or received by the Illinois Department from the hospital provider assessment imposed by this Article.

(2) All federal matching funds received by the Illinois Department as a result of expenditures made by the Illinois Department that are attributable to moneys deposited in the Fund.

(3) Any interest or penalty levied in conjunction with the administration of this Article.

(4) Moneys transferred from another fund in the State treasury. Any balance in the Hospital Services Trust Fund in the State Treasury. The balance shall be transferred to the Fund upon certification by the Illinois Department to the State Comptroller that all of the disbursements required by Section 14-2(b) of this Code have been made.

(5) All other moneys received for the Fund from any other source, including interest earned thereon.

(d) (Blank). The Fund shall cease to exist on October 1, 1999. Any balance in the Fund as of that date shall be transferred to the General Revenue Fund. Any moneys that otherwise would be paid into the Fund on or after that date shall be deposited into the General Revenue Fund. Any disbursements on or after that date that otherwise would be made from the Fund may be appropriated by the General Assembly from the General Revenue Fund. (Source: P.A. 89-626, eff. 8-9-96; 90-587, eff. 7-1-98.)

(305 ILCS 5/5A-10) (from Ch. 23, par. 5A-10)

Sec. 5A-10. Applicability. (a) The assessment imposed by Section 5A-2 shall not take effect or shall cease to be imposed, and any moneys remaining in the Fund shall be refunded to hospital providers in proportion to the amounts paid by them, if:

(1) the sum of the appropriations for State fiscal years 2004 and 2005 from the General Revenue Fund for hospital payments under the medical assistance program is less than \$4,500,000,000; or

(2) the Department of Public Aid makes changes in its rules that reduce the hospital inpatient or outpatient payment rates, including adjustment payment rates, in effect on October 1, 2003, except for hospitals described in subsection (b) of Section 5A-3 and except for changes in outpatient payment rates made to comply with the federal Health Insurance Portability and Accountability Act, so long as those changes do not reduce aggregate expenditures below the amount expended in State fiscal year 2003 for such services; or

(3) the payments to hospitals required under Section 5A-12 are changed or are not eligible for federal matching funds under Title XIX or XXI of the Social Security Act.

(b) The assessment imposed by Section 5A-2 shall not take effect or shall cease to be imposed if the assessment is determined to be an impermissible tax amount of matching federal funds under Title XIX of the Social Security Act is eliminated or significantly reduced on account of the assessment. Moneys in the Hospital Provider Fund derived from assessments imposed prior thereto shall be disbursed in accordance with Section 5A-8 to the extent federal matching is not reduced due to the impermissibility of by the assessments, and any remaining moneys assessments shall be refunded to hospital providers in proportion to the amounts paid by them. (Source: P.A. 87-861.)

(305 ILCS 5/5A-12 new)

Sec. 5A-12. Hospital access improvement payments.

(a) To improve access to hospital services, for hospital services rendered on or after June 1, 2004, the Department of Public Aid shall make payments to hospitals as set forth in this Section, except for hospitals described in subsection (b) of Section 5A-3. These payments shall be paid on a quarterly basis. For State fiscal year 2004, the Department shall pay the total amounts required under this Section; these amounts shall be paid on or before June 15 of the year. In subsequent State fiscal years, the total amounts required under this Section shall be paid in 4 equal installments on or before July 15, October 15, January 14, and April 15 of the year. Payments under this Section are not due and payable, however, until (i) the methodologies described in this Section are approved by the federal government in an appropriate State Plan amendment, (ii) the assessment imposed under this Article is determined to be a permissible tax under Title XIX of the Social Security Act, and (iii) the assessment is in effect.

(b) High volume payment. In addition to rates paid for inpatient hospital services, the Department of Public Aid shall pay, to each Illinois hospital that provided more than 20,000 Medicaid inpatient days of care during State fiscal year 2001 (except for hospitals that qualify for adjustment payments under Section 5-5.02 for the 12-month period beginning on October 1, 2002), \$190 for each Medicaid inpatient day of care provided during that fiscal year. A hospital that provided less than 30,000 Medicaid inpatient days of care during that period, however, is not entitled to receive more than \$3,500,000 per year in such payments.

(c) Medicaid inpatient utilization rate adjustment. In addition to rates paid for inpatient hospital services, the Department of Public Aid shall pay each Illinois hospital (except for hospitals described in Section 5A-3), for each Medicaid inpatient day of care provided during State fiscal year 2001, an amount equal to the product of \$57.25 multiplied by the quotient of 1 divided by the greater of 1.6% or the hospital's Medicaid inpatient utilization rate (as used to determine eligibility for adjustment payments under Section 5-5.02 for the 12-month period beginning on October 1, 2002). The total payments under this subsection to a hospital may not exceed \$10,500,000 annually.

(d) Psychiatric base rate adjustment.

(1) In addition to rates paid for inpatient psychiatric services, the Department of Public Aid shall pay each Illinois general acute care hospital with a distinct part-psychiatric unit, for each Medicaid inpatient psychiatric day of care provided in State fiscal year 2001, an amount equal to \$400 less the hospital's per-diem rate for Medicaid inpatient psychiatric services as in effect on October 1, 2003. In no event, however, shall that amount be less than zero.

(2) For distinct part-psychiatric units of Illinois general acute care hospitals, except for all hospitals excluded in Section 5A-3, whose inpatient per-diem rate as in effect on October 1, 2003 is greater than \$400, the Department shall pay, in addition to any other amounts authorized under this Code, \$25 for each Medicaid inpatient psychiatric day of care provided in State fiscal year 2001.

(e) Supplemental tertiary care adjustment. In addition to rates paid for inpatient services, the Department of Public Aid shall pay to each Illinois hospital eligible for tertiary care adjustment payments under 89 Ill. Adm. Code 148.296, as in effect for State fiscal year 2003, a supplemental tertiary care adjustment payment equal to the tertiary care adjustment payment required under 89 Ill. Adm. Code 148.296, as in effect for State fiscal year 2003.

(f) Medicaid outpatient utilization rate adjustment. In addition to rates paid for outpatient hospital services, the Department of Public Aid shall pay each Illinois hospital (except for hospitals described in Section 5A-3), an amount equal to the product of 2.45% multiplied by the hospital's Medicaid outpatient charges multiplied by the quotient of 1 divided by the greater of 1.6% or the hospital's Medicaid outpatient utilization rate. The total payments under this subsection to a hospital may not exceed \$6,750,000 annually.

For purposes of this subsection:

"Medicaid outpatient charges" means the charges for outpatient services provided to Medicaid patients for State fiscal year 2001 as submitted by the hospital on the UB-92 billing form or under the ambulatory procedure listing and adjudicated by the Department of Public Aid on or before September 12, 2003.

"Medicaid outpatient utilization rate" means a fraction, the numerator of which is the hospital's Medicaid outpatient charges and the denominator of which is the total number of the hospital's charges for outpatient services for the hospital's fiscal year ending in 2001.

(g) State outpatient service adjustment. In addition to rates paid for outpatient hospital services, the Department of Public Aid shall pay each Illinois hospital an amount equal to the product of 75.5% multiplied by the hospital's Medicaid outpatient services submitted to the Department on the UB-92 billing form for State fiscal year 2001 multiplied by the hospital's outpatient access fraction.

For purposes of this subsection, "outpatient access fraction" means a fraction, the numerator of which is the hospital's Medicaid payments for outpatient services for ambulatory procedure listing services submitted to the Department on the UB-92 billing form for State fiscal year 2001, and the denominator of which is the hospital's Medicaid outpatient services submitted to the Department on the UB-92 billing form for State fiscal year 2001.

The total payments under this subsection to a hospital may not exceed \$3,000,000 annually.

(h) Rural hospital outpatient adjustment. In addition to rates paid for outpatient hospital services, the Department of Public Aid shall pay each Illinois rural hospital an amount equal to the product of \$14,500,000 multiplied by the rural hospital outpatient adjustment fraction.

For purposes of this subsection, "rural hospital outpatient adjustment fraction" means a fraction, the numerator of which is the hospital's Medicaid visits for outpatient services for ambulatory procedure listing services submitted to the Department on the UB-92 billing form for State fiscal year 2001, and the denominator of which is the total Medicaid visits for outpatient services for ambulatory procedure listing services for all Illinois rural hospitals submitted to the Department on the UB-92 billing form for State fiscal year 2001.

For purposes of this subsection, "rural hospital" has the same meaning as in 89 Ill. Adm. Code 148.25, as in effect on September 30, 2003.

(i) Merged/closed hospital adjustment. If any hospital files a combined Medicaid cost report with another hospital after January 1, 2001, and if that hospital subsequently closes, then except for the payments described in subsection (e), all payments described in the various subsections of this Section shall, before the application of the annual limitation amount specified in each such subsection, be multiplied by a fraction, the numerator of which is the number of occupied bed days attributable to the open hospital and the denominator of which is the sum of the number of occupied bed days of each open hospital and each closed hospital. For purposes of this subsection, "occupied bed days" has the same meaning as the term is defined in subsection (a) of Section 5A-2.

(j) For purposes of this Section, the terms "Medicaid days", "Medicaid charges", and "Medicaid services" do not include any days, charges, or services for which Medicare was liable for payment.

(k) As provided in Section 5A-14, this Section is repealed on July 1, 2005.

(305 ILCS 5/5A-13 new)

Sec. 5A-13. Emergency rulemaking. The Department of Public Aid may adopt rules necessary to implement this amendatory Act of the 93rd General Assembly through the use of emergency rulemaking in accordance with Section 5-45 of the Illinois Administrative Procedure Act. For purposes of that Act, the General Assembly finds that the adoption of rules to implement this amendatory Act of the 93rd General Assembly is deemed an emergency and necessary for the public interest, safety, and welfare.

(305 ILCS 5/5A-14 new)

Sec. 5A-14. Repeal of assessments and disbursements.

(a) Section 5A-2 is repealed on July 1, 2005.

(b) Section 5A-12 is repealed on July 1, 2005.

(305 ILCS 5/14-1) (from Ch. 23, par. 14-1)

Sec. 14-1. Definitions. As used in this Article, unless the context requires otherwise:

"Fund" means the Hospital Services Trust Fund.

"Estimated Rate Year Utilization" means the hospital's projected utilization for the State fiscal year in which the fee is due (for example, fiscal year 1992 for fees imposed in State fiscal year 1992, fiscal year 1993 for fees imposed in State fiscal year 1993, and so forth).

~~"Gross Receipts" means all payments for medical services delivered under Title XIX of the Social Security Act and Articles V, VI, and VII of this Code and shall mean any and all payments made by the Illinois Department, or a Division thereof, to a Medical Assistance Program provider certified to participate in the Illinois Medical Assistance Program, for services rendered eligible for Medical Assistance under Articles V, VI and VII of this Code, State regulations and the federal Medicaid Program as defined in Title XIX of the Social Security Act and federal regulations.~~

"Hospital" means any institution, place, building, or agency, public or private, whether organized for profit or not-for-profit, which is located in the State and is subject to licensure by the Illinois Department of Public Health under the Hospital Licensing Act or any institution, place, building, or agency, public or private, whether organized for profit or not-for-profit, which meets all comparable conditions and requirements of the Hospital Licensing Act in effect for the state in which it is located, and is required to submit cost reports to the Illinois Department under Title 89, Part 148, of the Illinois Administrative Code, but shall not include the University of Illinois Hospital as defined in the University of Illinois Hospital Act or a county hospital in a county of over 3 million population.

~~"Total Medicaid Base Year Spending" means the hospital's State fiscal year 1991 weighted average payment rates, as defined by rule, excluding payments under Section 5-5.02 of this Code, reduced by 5% and multiplied by the hospital's estimated rate year utilization. (Source: P.A. 87-13.)~~

(305 ILCS 5/Art. V-D rep.)

(305 ILCS 5/14-2 rep.)

(305 ILCS 5/14-3 rep.)

(305 ILCS 5/14-4 rep.)

(305 ILCS 5/14-5 rep.)

(305 ILCS 5/14-6 rep.)

(305 ILCS 5/14-7 rep.)

(305 ILCS 5/14-9 rep.)

(305 ILCS 5/14-10 rep.)

Sec. 11. The Illinois Public Aid Code is amended by repealing Article V-D and Sections 14-2, 14-3, 14-4, 14-5, 14-6, 14-7, 14-9, and 14-10.

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

The foregoing message from the Senate reporting Senate Amendment No. 3 to HOUSE BILL 701 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 2200

A bill for AN ACT in relation to public utilities.

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

Senate Amendment No. 2 to HOUSE BILL NO. 2200

Senate Amendment No. 4 to HOUSE BILL NO. 2200

Passed the Senate, as amended, November 21, 2003.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 2. Amend House Bill 2200 by replacing everything after the enacting clause with the following:

"Section 5.

The Public Utilities Act is amended by changing Section 7-204 and adding Section 8-402.2 as follows:

(220 ILCS 5/7-204) (from Ch. 111 2/3, par. 7-204)

Sec. 7-204. Reorganization defined; Commission approval therefore. (a) For purposes of this Section, "reorganization" means any transaction which, regardless of the means by which it is accomplished, results in a change in the ownership of a majority of the voting capital stock of an Illinois public utility; or the ownership or control of any entity which owns or controls a majority of the voting capital stock of a public utility; or by which 2 public utilities merge, or by which a public utility acquires substantially all of the assets of another public utility; or the transactions described in subsection (g); provided, however, that "reorganization" as used in this Section shall not include a mortgage or pledge transaction entered into to secure a bona fide borrowing by the party granting the mortgage or making the pledge.

In addition to the foregoing, "reorganization" shall include for purposes of this Section any transaction which, regardless of the means by which it is accomplished, will have the effect of terminating the affiliated interest status of any entity as defined in paragraphs (a), (b), (c) or (d) of subsection (2) of Section 7-101 of this Act where such entity had transactions with the public utility, in the 12 calendar months immediately preceding the date of termination of such affiliated interest status subject to subsection (3) of Section 7-101 of this Act with a value greater than 15% of the public utility's revenues for that same 12-month period. If the proposed transaction would have the effect of terminating the affiliated interest status of more than one Illinois public utility, the utility with the greatest revenues for the 12-month period shall be used to determine whether such proposed transaction is a reorganization for the purposes of this Section. The Commission shall have jurisdiction over any reorganization as defined herein.

(b) No reorganization shall take place without prior Commission approval. The Commission shall not approve any proposed reorganization if the Commission finds, after notice and hearing, that the reorganization will adversely affect the utility's ability to perform its duties under this Act. In reviewing any proposed reorganization, the Commission must find that:

(1) the proposed reorganization will not diminish the utility's ability to provide adequate, reliable, efficient, safe and least-cost public utility service;

(2) the proposed reorganization will not result in the unjustified subsidization of non-utility activities by the utility or its customers;

(3) costs and facilities are fairly and reasonably allocated between utility and non-utility activities in such a manner that the Commission may identify those costs and facilities which are properly included by the utility for ratemaking purposes;

(4) the proposed reorganization will not significantly impair the utility's ability to raise necessary capital on reasonable terms or to maintain a reasonable capital structure;

(5) the utility will remain subject to all applicable laws, regulations, rules, decisions and policies governing the regulation of Illinois public utilities;

(6) the proposed reorganization is not likely to have a significant adverse effect on competition in those markets over which the Commission has jurisdiction;

(7) the proposed reorganization is not likely to result in any adverse rate impacts on retail customers.

(c) The Commission shall not approve a reorganization without ruling on: (i) the allocation of any savings resulting from the proposed reorganization; and (ii) whether the companies should be allowed to recover any costs incurred in accomplishing the proposed reorganization and, if so, the amount of costs eligible for recovery and how the costs will be allocated.

(d) The Commission shall issue its Order approving or denying the proposed reorganization within 11

months after the application is filed. The Commission may extend the deadline for a period equivalent to the length of any delay which the Commission finds to have been caused by the Applicant's failure to provide data or information requested by the Commission or that the Commission ordered the Applicant to provide to the parties. The Commission may also extend the deadline by an additional period not to exceed 3 months to consider amendments to the Applicant's filing, or to consider reasonably unforeseeable changes in circumstances subsequent to the Applicant's initial filing.

(e) Subsections (c) and (d) and subparagraphs (6) and (7) of subsection (b) of this Section shall apply only to merger applications submitted to the Commission subsequent to April 23, 1997. No other Commission approvals shall be required for mergers that are subject to this Section.

(f) In approving any proposed reorganization pursuant to this Section the Commission may impose such terms, conditions or requirements as, in its judgment, are necessary to protect the interests of the public utility and its customers.

(g) The Commission shall, within 9 months after an application is filed, issue its Order approving or denying any proposed reorganization involving the acquisition by a public utility or its affiliate of all of the common stock or substantially all of the operating assets, whether by merger, creation and acquisition of a limited liability or other company, or otherwise, of another public utility that has secured debt which is, or was, within the year prior to the filing of the application, rated below investment grade by at least 3 nationally recognized rating agencies. The Commission shall in such a proceeding review and approve, with or without modification, the entries to be made as a result of such reorganization on the books and records of the reorganized public utility. The Commission shall also have the authority in such a proceeding to approve a rate plan, with or without modification, which if approved shall be in effect for a 4-year term following the end of the mandatory transition period defined in Section 16-102 of this Act, for the retail bundled electric service rates of both the reorganized public utility and of any public utility that is affiliated, or becomes affiliated, with such public utility as a result of the reorganization approved under this subsection, provided that the proposed plan, along with supporting testimony and data, is filed with the application. The Commission may approve such a rate plan if it finds that such plan (i) is likely to promote rate certainty and reduce exposure to volatile energy prices for those customers with maximum electric demands of less than 1 MW, (ii) is likely to assist the utilities in managing risk, raising necessary capital on reasonable terms, and providing reliable electric service, (iii) is likely to generate sufficient revenues so as to provide each utility an adequate opportunity to recover its expected costs of providing service and earn a reasonable return of and on its invested capital, and (iv) is just and reasonable and consistent with the goals and objectives stated in Section 16-101A of this Act. If it approves such a plan, the Commission shall also have the authority to extend the provisions of subsections (d) and (e) of Section 16-111 of this Act (as modified by Section 16-111.3) for the period in which such rate plan is in effect, using information applicable to such period. The Commission shall also have the authority to review in such proceeding the prudence and reasonableness of any purchased power agreement entered into by the electric utilities, the costs of which are reflected in the rate plan. The Commission's approval of the rate plan shall also be conditioned on completion of the proposed reorganization, and shall be subject to the Commission's authority pursuant to subsection (f) above to impose such terms, conditions, or requirements as, in its judgment, are necessary to protect the interests of the public utilities and their customers. The filing, approval, and implementation of a rate plan pursuant to this subsection shall comply with the provisions of 83 Illinois Administrative Code Parts 285, 286, and 287, provided that the Commission shall have the authority to grant appropriate waivers from those parts based on requests for waivers filed at least 14 days prior to the filing of the application, and to require the filing of such additional information as determined by the Commission to support a just and reasonable plan for a 4-year term following the end of the mandatory transition period. If the reorganization involves the sale or transfer of operating assets, then notwithstanding any other provision of law or any rule or regulation, the Commission shall also in such proceeding make such other determinations and approvals as may be necessary to implement the reorganization and provide for an orderly transition, including, but not limited to, providing for the adoption by the reorganized public utility of existing rates, terms, and conditions not addressed in a rate plan (including those filed pursuant to Section 16-108 or Article XVIII of this Act), the abandonment, transfer or granting of certificates, or the assignment of service area agreements. (Source: P.A. 90-561, eff. 12-16-97.)

(220 ILCS 5/8-402.2 new)

Sec. 8-402.2. Renewable energy portfolio standard.

(a) The objective of this Section is to ensure the development and use of economical renewable energy resources consistent with the goals stated in Section 5 of the Illinois Resource Development and Energy

Security Act and specifically to assess whether the State's electric energy providers can economically provide at least 8% of the energy used within the State through renewable energy resources by the end of the year 2010, and 10% by the end of the year 2012.

(b) An electric utility, as defined in Section 16-102 of this Act, that serves over one million customers within this State, and any electric utility that is affiliated with such an electric utility, shall use its best efforts to procure by the end of 2005 renewable energy resources equal to at least 2% of the electric energy to be sold by the electric utility to retail customers within its service area during the following calendar year, and procure by the end of 2006 renewable energy resources equal to at least 3% of the electric energy to be sold by the electric utility to retail customers within its service area during the following calendar year. This provision is, however, contingent on the continued existence of federal wind energy production tax credits enacted as part of the Energy Policy Act of 1992. Such electric utilities shall report to the Commission on their efforts and on their compliance with these standards by April 1 of 2006 and 2007, respectively. Violations of this Section shall be subject to the penalties provided for in Section 5-202 of this Act and assessed through the process provided for in Section 4-203.

(c) During calendar year 2007, the Commission, together with the Department of Commerce and Economic Opportunity, shall evaluate the availability and use of renewable energy resources within this State and shall also consider the feasibility of adoption of an enforceable mandatory renewable energy resource portfolio standard to be applicable to all electric utilities and all alternative retail electric suppliers as defined in Section 16-102 of this Act. The Commission and the Department shall specifically evaluate the feasibility and cost effectiveness of a mandatory renewable energy resource portfolio standard of at least 10% by the end of calendar year 2012, and may require electric utilities and alternative retail electric suppliers to introduce evidence as to their ability to meet such a standard. As part of such investigation, the Commission and the Department shall evaluate and consider the adequacy of existing generation capacity and the availability of renewable energy resources in the State and in the region, the effect of a mandatory standard on the costs and reliability of electric service, the continued availability of federal tax credits, the development at both the State and federal levels of the infrastructure and rules and regulations that promote the development and utilization of renewable energy resources, the effect of a mandatory standard on the development of competition in the provision of such service, the impact on the environment, quality of life, and employment in the State, and any other factors affecting the State's economy. The Commission and the Department shall report on their findings to the General Assembly, and shall include in such report recommendations for further legislative changes.

(d) The Commission and the Department shall work with other state agencies in the Midwest to ensure reciprocal acceptance of renewable energy credits and certificates from resources located in Illinois for purposes of such other state's renewable portfolio standards.

(e) Costs associated with the procurement of renewable energy resources pursuant to this Section shall be fully recoverable from retail customers to the extent allowed by law and shall not be subject to any limitations stated in subsection (i) of Section 16-111 of this Act relating to the recovery of the power and energy cost component in tariffed rates. Costs associated with contracts that were prudent when entered into pursuant to this Section shall not subsequently be denied recovery due to changes in State or federal law.

(f) For purposes of this Section, "renewable energy resources" shall have the meaning as set forth in subsection (f) of Section 6-3 of the Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997 and shall include renewable energy credits or certificates associated with such resources. Provided, however, that energy from landfill gas shall not be counted as a renewable energy resource to the extent that such energy exceeds 27.5% of an electric utility's or alternative retail electric supplier's renewable energy resources portfolio. Provided further that renewable energy resources shall only be counted for purposes of meeting the standards set forth above if they are based on or relate to production or generation in this State or in an adjacent ozone non-attainment area as designated by the federal Environmental Protection Agency or in a state that has entered into a reciprocity agreement with Illinois as provided in subsection (d) above.

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

AMENDMENT NO. 4 _____. Amend House Bill 2200, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5.

The Public Utilities Act is amended by changing Section 7-204 as follows:

(220 ILCS 5/7-204) (from Ch. 111 2/3, par. 7-204)

Sec. 7-204. Reorganization defined; Commission approval therefore. (a) For purposes of this Section, "reorganization" means any transaction which, regardless of the means by which it is accomplished, results in a change in the ownership of a majority of the voting capital stock of an Illinois public utility; or the ownership or control of any entity which owns or controls a majority of the voting capital stock of a public utility; or by which 2 public utilities merge, or by which a public utility acquires substantially all of the assets of another public utility; or the transactions described in subsection (g); provided, however, that "reorganization" as used in this Section shall not include a mortgage or pledge transaction entered into to secure a bona fide borrowing by the party granting the mortgage or making the pledge.

In addition to the foregoing, "reorganization" shall include for purposes of this Section any transaction which, regardless of the means by which it is accomplished, will have the effect of terminating the affiliated interest status of any entity as defined in paragraphs (a), (b), (c) or (d) of subsection (2) of Section 7-101 of this Act where such entity had transactions with the public utility, in the 12 calendar months immediately preceding the date of termination of such affiliated interest status subject to subsection (3) of Section 7-101 of this Act with a value greater than 15% of the public utility's revenues for that same 12-month period. If the proposed transaction would have the effect of terminating the affiliated interest status of more than one Illinois public utility, the utility with the greatest revenues for the 12-month period shall be used to determine whether such proposed transaction is a reorganization for the purposes of this Section. The Commission shall have jurisdiction over any reorganization as defined herein.

(b) No reorganization shall take place without prior Commission approval. The Commission shall not approve any proposed reorganization if the Commission finds, after notice and hearing, that the reorganization will adversely affect the utility's ability to perform its duties under this Act. In reviewing any proposed reorganization, the Commission must find that:

(1) the proposed reorganization will not diminish the utility's ability to provide adequate, reliable, efficient, safe and least-cost public utility service;

(2) the proposed reorganization will not result in the unjustified subsidization of non-utility activities by the utility or its customers;

(3) costs and facilities are fairly and reasonably allocated between utility and non-utility activities in such a manner that the Commission may identify those costs and facilities which are properly included by the utility for ratemaking purposes;

(4) the proposed reorganization will not significantly impair the utility's ability to raise necessary capital on reasonable terms or to maintain a reasonable capital structure;

(5) the utility will remain subject to all applicable laws, regulations, rules, decisions and policies governing the regulation of Illinois public utilities;

(6) the proposed reorganization is not likely to have a significant adverse effect on competition in those markets over which the Commission has jurisdiction;

(7) the proposed reorganization is not likely to result in any adverse rate impacts on retail customers.

(c) The Commission shall not approve a reorganization without ruling on: (i) the allocation of any savings resulting from the proposed reorganization; and (ii) whether the companies should be allowed to recover any costs incurred in accomplishing the proposed reorganization and, if so, the amount of costs eligible for recovery and how the costs will be allocated.

(d) The Commission shall issue its Order approving or denying the proposed reorganization within 11 months after the application is filed. The Commission may extend the deadline for a period equivalent to the length of any delay which the Commission finds to have been caused by the Applicant's failure to provide data or information requested by the Commission or that the Commission ordered the Applicant to provide to the parties. The Commission may also extend the deadline by an additional period not to exceed 3 months to consider amendments to the Applicant's filing, or to consider reasonably unforeseeable changes in circumstances subsequent to the Applicant's initial filing.

(e) Subsections (c) and (d) and subparagraphs (6) and (7) of subsection (b) of this Section shall apply only to merger applications submitted to the Commission subsequent to April 23, 1997. No other Commission approvals shall be required for mergers that are subject to this Section.

(f) In approving any proposed reorganization pursuant to this Section the Commission may impose such terms, conditions or requirements as, in its judgment, are necessary to protect the interests of the public utility and its customers.

(g) The Commission shall, within 9 months after an application is filed, but in no event later than one year after the effective date of this amendatory Act of the 93rd General Assembly, issue its Order approving or denying any proposed reorganization involving the acquisition by a public utility or its

affiliate of all of the common stock or substantially all of the operating assets, whether by merger, creation and acquisition of a limited liability or other company, or otherwise, of another public utility that has secured debt which is, or was, within the year prior to the filing of the application, rated below investment grade by at least 3 nationally recognized rating agencies. The Commission shall in such a proceeding review and approve, with or without modification, the entries to be made as a result of such reorganization on the books and records of the reorganized public utility. The Commission shall further have the authority, consistent with State jurisdiction, to review and approve in such proceeding any purchased power agreement related to the reorganization agreement that is entered into by the reorganized utility, or by a public utility that becomes affiliated with such public utility as a result of the reorganization, and may condition its approval of any such agreement in such manner as it may deem necessary to safeguard the public interest. If the reorganization involves the sale or transfer of operating assets, then the Commission shall also in such proceeding have the authority to make such other determinations and approvals as may be required to implement the reorganization and provide for an orderly transition, including, but not limited to, providing for the adoption by the reorganized public utility of existing rates, terms, and conditions (including those filed pursuant to Section 16-108 or Article XVIII of this Act), the abandonment, transfer or granting of certificates, or the assignment of service area agreements. (Source: P.A. 90-561, eff. 12-16-97.)

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

The foregoing message from the Senate reporting Senate Amendments numbered 2 and 4 to HOUSE BILL 2200 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 960

A bill for AN ACT concerning courts.

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

Senate Amendment No. 1 to HOUSE BILL NO. 960

Passed the Senate, as amended, November 21, 2003.

Linda Hawker, Secretary of the Senate

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 foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 960 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 2654

A bill for AN ACT in relation to budget implementation.

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

Senate Amendment No. 1 to HOUSE BILL NO. 2654

Passed the Senate, as amended, November 21, 2003.

Linda Hawker, Secretary of the Senate

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.

(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 foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 2654 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 2656

A bill for AN ACT in relation to budget implementation.

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

Senate Amendment No. 1 to HOUSE BILL NO. 2656

Passed the Senate, as amended, November 21, 2003.

Linda Hawker, Secretary of the Senate

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 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 foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 2656 was placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL 2657

A bill for AN ACT in relation to budget implementation.

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

Senate Amendment No. 1 to HOUSE BILL NO. 2657

Passed the Senate, as amended, November 21, 2003.

Linda Hawker, Secretary of the Senate

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 foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 2657 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 2659

A bill for AN ACT concerning bonds.

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

Senate Amendment No. 1 to HOUSE BILL NO. 2659

Passed the Senate, as amended, November 21, 2003.

Linda Hawker, Secretary of the Senate

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 foregoing message from the Senate reporting Senate Amendment No. 1 to HOUSE BILL 2659 was placed on the Calendar on the order of Concurrence.

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

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

HOUSE BILL 2745

A bill for AN ACT making appropriations.

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

Senate Amendment No. 2 to HOUSE BILL NO. 2745

Passed the Senate, as amended, November 21, 2003.

Linda Hawker, Secretary of the Senate

AMENDMENT NO. 2. 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>	<u>\$ 10,200,000</u>
Preparedness Program	\$ 8,000,000

Payable from Federal Civil Preparedness Administrative Fund:

<u>For Training and Education</u>	<u>2,886,300</u>
For Training and Education	2,261,300
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	
<u>State Emergency Operations 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:

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	<u>12,508,600</u>
Total	<u>\$16,515,900</u>

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 <u>1990 (CARE) and other AIDS/HIV services.....</u>	<u>35,900,000</u>
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	<u>663,000</u>
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."

The foregoing message from the Senate reporting Senate Amendment No. 2 to HOUSE BILL 2745 was placed on the Calendar on the order of Concurrence.

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 20

A bill for AN ACT in relation to executive agencies.
House Amendment No. 1 to SENATE BILL NO. 20.
Action taken by the Senate, November 21, 2003.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 857

A bill for AN ACT in relation to financial regulation.
House Amendment No. 2 to SENATE BILL NO. 857.
Action taken by the Senate, November 21, 2003.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1126

A bill for AN ACT concerning clerks of courts.
House Amendment No. 1 to SENATE BILL NO. 1126.
Action taken by the Senate, November 21, 2003.

Linda Hawker, Secretary of the Senate

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

SENATE BILL NO. 1883

A bill for AN ACT concerning taxes.
House Amendment No. 2 to SENATE BILL NO. 1883.
House Amendment No. 4 to SENATE BILL NO. 1883.
Action taken by the Senate, November 21, 2003.

Linda Hawker, Secretary of the Senate

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a bill of the following title, the veto of the Governor to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 429

A bill for AN ACT concerning human services.

Action taken by the Senate, November 18, 2003, by a three-fifths vote.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the passage of a bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 197

A bill for AN ACT in relation to public health.

Action taken by the Senate, November 18, 2003.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL NO. 2425

A bill for AN ACT concerning currency exchanges.

Passed by the Senate, November 18, 2003, by a three-fifths vote.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL NO. 3556

A bill for AN ACT in relation to sex offenders.

Passed by the Senate, November 18, 2003, by a three-fifths vote.

Linda Hawker, Secretary of the Senate

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of an item veto, which is attached to a bill of the following title, the item veto of the Governor to the contrary notwithstanding, to-wit:

HOUSE BILL NO. 2716

A bill for AN ACT making appropriations.

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

Concurred in the Senate, November 19, 2003, by a three-fifths vote.

Linda Hawker, Secretary of the Senate

Item Vetoed by the Governor in House Bill 2716, which was restored:

Page(s)	Line(s)
81	27-30

July 3, 2003

To the Honorable Members of the
Illinois House of Representatives
93rd General Assembly

Pursuant to Article IV, Section 9(d) of the Illinois Constitution of 1970, I hereby veto and return several appropriation items included in House Bill 2716, entitled "AN ACT making appropriations" having taken the actions set forth below.

This veto message reduces the total appropriation in House Bill 2716 by \$36,372,412, including reduction and item vetoes for substantive programs of \$28,892,000 and a reduction of \$7,480,412 in technical changes for reappropriations based upon the items' June 30, 2003 unspent balances (reducing the reappropriations for actual spending through June 30, 2003).

Item Vetoes

I hereby veto the following appropriations items:

<i>Article</i>	<i>Section</i>	<i>Page</i>	<i>Line(s)</i>	<i>Amount Enacted</i>
2	95	27	8-11	20,000
2	255	51	32-34	1,000,000
2	255	52	1-6	4,000,000
2	275	57	2-4	50,000
2	275	59	13-15	250,000
2	275	59	16-18	50,000
4	20	77	19-21	51,400
4	40	81	27-30	316,600
4	45	84	25-27	1,000,000

HB 2716

Page 2

<i>Article</i>	<i>Section</i>	<i>Page</i>	<i>Line(s)</i>	<i>Amount Enacted</i>
4	55	87	21-24	375,000
4	55	87	25-26	100,000
4	105	101	19-23	600,000

Reduction Vetoes

I hereby reduce the following appropriation items and approve each item in the amount set forth in the "Reduced Amount" column below:

<i>Article</i>	<i>Section</i>	<i>Page</i>	<i>Line(s)</i>	<i>Amount Enacted</i>	<i>Reduced Amount</i>
1	10	5	24-25	2,258,373,200	2,256,723,200
2	5	12	18-19	6,150,000	5,150,000
2	30	15	33	<i>and</i>	
2	30	16	1	182,500	180,500
2	70	23	6-7	5,090,300	5,034,200
2	95	25	18-22	3,000,000	2,966,900
2	95	25	23-25	9,460,600	9,356,400

2	95	25	26-29	44,426,200	35,226,200
2	95	25	30-31	3,500,000	1,750,000
2	95	26	3	5,000,000	4,944,900
2	95	26	6-7	10,020,700	9,910,300
2	95	26	11	23,872,000	23,609,000
2	95	26	19-21	10,844,400	10,724,900
2	100	28	13-16	2,000,000	1,864,300
2	130	32	18-19	43,300	42,800
2	145	35	3-9	17,000,000	9,519,588
2	160	36	20-22	387,900	383,600
2	175	40	8-9	40,000	39,600
2	195	43	2-3	150,000	148,300
2	230	47	26-27	153,800	152,100
2	255	50	23-24	4,816,900	3,616,900
2	275	56	31-33	21,759,200	21,279,700
2	275	56	34	<i>and</i>	

HB 2716

Page 3

<i>Article</i>	<i>Section</i>	<i>Page</i>	<i>Line(s)</i>	<i>Amount Enacted</i>	<i>Reduced Amount</i>
2	275	57	1	19,925,900	19,374,000
2	275	57	5-6	7,698,300	7,399,000
2	285	60	27-28	3,500,000	3,403,000
2	285	60	29-30	13,699,700	13,320,200
2	285	60	31-32	3,187,900	3,099,600
2	285	61	1	4,776,600	4,276,600
2	285	61	3	1,634,200	1,588,900
4	70	90	4-5	700,000	230,000
4	75	92	10-11	1,212,100	1,000,100
4	80	95	14	437,900	207,400
4	80	95	15-16	3,000,000	2,000,000
4	85	96	7-8	4,410,700	3,372,700

In addition to these specific item and reduction vetoes, I hereby approve all other appropriation items in House Bill 2716.

Sincerely,
 ROD R. BLAGOJEVICH
 Governor

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the restoration of the item reduced by the Governor, which is attached, in a bill of the following title, to-wit:

HOUSE BILL NO. 2663

A bill for AN ACT making appropriations.

Action taken by the Senate, November 19, 2003, by a three-fifths vote.

Linda Hawker, Secretary of the Senate

Item Reduced by the Governor in House Bill 2663, which was restored:

Page(s)	Line(s)
15	27-29

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the restoration of the item reduced by the Governor, which is attached, in a bill of the following title, to-wit:

HOUSE BILL NO. 2671

A bill for AN ACT making appropriations.

Action taken by the Senate, November 19, 2003, by a three-fifths vote.

Linda Hawker, Secretary of the Senate

Item Reduced by the Governor in House Bill 2671, which was restored:

Page(s)	Line(s)
18	17-22

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the restoration of the items reduced by the Governor, which are attached, in a bill of the following title, to-wit:

HOUSE BILL NO. 2700

A bill for AN ACT making appropriations.

Action taken by the Senate, November 19, 2003, by a three-fifths vote.

Linda Hawker, Secretary of the Senate

Items Reduced by the Governor in House Bill 2700, which were restored:

Page(s)	Line(s)
236	28
255	17-20

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the restoration of the items reduced by the Governor, which are attached, in a bill of the following title, to-wit:

HOUSE BILL NO. 2716

A bill for AN ACT making appropriations.

Action taken by the Senate, November 19, 2003, by a three-fifths vote.

Linda Hawker, Secretary of the Senate

Items Reduced by the Governor in House Bill 2716, which were restored:

Page(s)	Line(s)
5	24-25

25	18-22
56	34
57	1
61	1

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

HOUSE BILL NO. 88

A bill for AN ACT in relation to health care.
Concurred in by the Senate, November 19, 2003.

Linda Hawker, Secretary of the Senate

MOTION

I move to accept the specific recommendations of the Governor as to House Bill 88 in manner and form as follows:

AMENDMENT TO HOUSE BILL 88
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 88 on page 5, by replacing lines 27 through 29 with the following:
"based non-for-profit agency is unqualified to accept such assignment. Where the clientele of any"; and
by replacing lines 31 through 34 on page 5 and line 1 on page 6 with the following:
"under this amendatory Act of 1977 by more than 3% over the prior year, the Department shall fully reimburse such agency for the costs of providing services to such persons in excess of such 3% increase. The Department shall keep written records"; and
on page 24, line 12, by deleting "safety precautions and"; and
on page 24, line 13, by deleting "lap belts".
Date: November 6, 2003 Donne Trotter, Senator

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

HOUSE BILL NO. 313

A bill for AN ACT in relation to vehicles.
Concurred in by the Senate, November 19, 2003.

Linda Hawker, Secretary of the Senate

MOTION

I move to accept the specific recommendations of the Governor as to House Bill 313 in manner and form as follows:

AMENDMENT TO HOUSE BILL 313
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 313 as follows:
on page 1, line 28, by adding the following sentence after "Code."
"In implementing and enforcing the provisions of this Section, the Department and other authorized State agencies shall do so in a manner that is not inconsistent with any applicable federal law or regulation so that no federal funding or support is jeopardized by the enactment or application of these provisions."; and
on page 3, line 11, by adding the following language after "passengers":

"are only exempted to the extent that the safety testing requirements applicable to such vehicles in the state of registration are no less stringent than the safety testing requirements applicable to contract carriers that are lawfully registered in Illinois".

Date: November 12, 2003 George Shadid, Senator _____

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL NO. 684

A bill for AN ACT concerning disabled persons.

Concurred in by the Senate, November 19, 2003.

Linda Hawker, Secretary of the Senate

MOTION

I move to accept the specific recommendations of the Governor as to House Bill 684 in manner and form as follows:

AMENDMENT TO HOUSE BILL 684

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 684 on page 1, line 24, by deleting "or autism,"; and on page 1, line 30, after the period, by inserting "For purposes of this Section, autism is considered a related condition."; and

on page 2, line 11, after "(DSM-IV)", by inserting ", or its successor,"; and

on page 2, line 13, after "(ICD-9-CM)", by inserting ", or its successor,"; and

on page 3, line 5, by replacing "3 or more" with "any"; and

on page 4, line 7, after "with", by inserting "developmental"; and

on page 4, line 13, after "with", by inserting "developmental"; and

on page 5, line 15, by replacing "shall" with {may"; and

on page 7, below line 28, by inserting the following: {(10) Mental health supports. Individuals with a disability must be provided needed mental health supports such as psychological rehabilitation, psychiatric and medication coverage, day treatment, care management, and crisis services."; and

on page 7, line 29, by replacing "(10)" with {(11)"; and

on page 8, line 10, by replacing "(10)" with "(11)".

Date: November 12, 2003 George Shadid, Senator _____

A message from the Senate by

Ms. Hawker, Secretary:

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

HOUSE BILL NO. 816

A bill for AN ACT in relation to employment.

Concurred in by the Senate, November 19, 2003.

Linda Hawker, Secretary of the Senate

MOTION

I move to accept the specific recommendations of the Governor as to House Bill 816 in manner and form as follows:

AMENDMENT TO HOUSE BILL 816

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 816 as follows:
 on page 1, line 22, by replacing "1988" with "1998"; and
 on page 1, by replacing line 29 with the following:
"by December 31, 2004 based on the previous State program year of July 1 through June 30, and is due annually thereafter. "Individuals with disabilities" are defined as those who self-report as being qualified as disabled under the 1973 Rehabilitation Act or the 1990 Americans with Disabilities Act, for the purposes of this Law."

Date: November 18, 2003 Lawrence Walsh, Senator _____

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

HOUSE BILL NO. 1516

A bill for AN ACT relating to certain financial institutions.

Concurred in by the Senate, November 19, 2003.

Linda Hawker, Secretary of the Senate

MOTION

I move to accept the specific recommendations of the Governor as to House Bill 1516 in manner and form as follows:

AMENDMENT TO HOUSE BILL 1516

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 1516 on page 1, line 5, by deleting "12,"; and
 on page 1, by deleting lines 6 through 31; and
 by deleting all of pages 2 and 3; and
 on page 4, by deleting lines 1 through 10.

Date: November 5, 2003 Kimberly Lightford, Senator _____

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

HOUSE BILL NO. 3048

A bill for AN ACT relating to procurement.

Concurred in by the Senate, November 19, 2003.

Linda Hawker, Secretary of the Senate

MOTION

I move to accept the specific recommendations of the Governor as to House Bill 3048 in manner and form as follows:

AMENDMENT TO HOUSE BILL 3048

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 3048 on page 2, by inserting after line 4 the following:
"The provisions of this Section shall not apply to federally funded construction projects if such application would jeopardize the receipt or use of federal funds in support of such a project."

Date: November 18, 2003 Lawrence Walsh, Senator _____

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

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

HOUSE BILL NO. 3080

A bill for AN ACT concerning assessor's compensation.
Concurred in by the Senate, November 19, 2003.

Linda Hawker, Secretary of the Senate

MOTION

I move to accept the specific recommendations of the Governor as to House Bill 3080 in manner and form as follows:

AMENDMENT TO HOUSE BILL 3080
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 3080 on page 1, line 22, by deleting "or special"; and
on page 1, line 22, by deleting "of the county"; and
on page 1, line 24, after "50,000", by inserting "or a decrease to 50,000 or fewer"; and
on page 1, line 25, by replacing "and median levels of assessment" with "and the most recent year of the 3-year average level of assessments"; and
on page 1, line 30, by replacing "less than 50,000" with "~~less than~~ 50,000 or fewer".

Date: November 18, 2003 Debbie Halvorson, Senator _____

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

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

HOUSE BILL NO. 3412

A bill for AN ACT concerning ethics.
Passed by the Senate, November 19, 2003, by a three-fifths vote.

Linda Hawker, Secretary of the Senate

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

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

HOUSE BILL NO. 2545

A bill for AN ACT in relation to juvenile offenders, which may be referred to as the Redeploy Illinois Program amendments.

Concurred in by the Senate, November 19, 2003.

Linda Hawker, Secretary of the Senate

MOTION

I move to accept the specific recommendations of the Governor as to House Bill 2545 in manner and form as follows:

AMENDMENT TO HOUSE BILL 2545
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 2545 as follows:

by replacing line 26 on page 4 through line 7 on page 5 with the following:

"(d) (Blank)".

Date: November 13, 2003 John Cullerton, Senator _____

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the restoration of the item reduced by the Governor, which is attached, in a bill of the following title, to-wit:

HOUSE BILL NO. 2700

A bill for AN ACT making appropriations.

Action taken by the Senate, November 20, 2003, by a three-fifths vote.

Linda Hawker, Secretary of the Senate

Item Reduced by the Governor in House Bill 2700, which was restored:

Page(s)	Line(s)
235	28

REPORTS FROM STANDING COMMITTEES

Representative Morrow, Chairperson, from the Committee on Appropriations-Public Safety to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:
Motion to concur with Senate Amendment No. 2 to HOUSE BILL 2745.

The committee roll call vote on Motion to Concur with Senate Amendment No. 2 to House Bill 2745 is as follows:

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

Y Morrow, Charles(D), Chairperson	A Colvin, Marlow(D)
Y Delgado, William(D) (Miller)	A Franks, Jack(D)
Y Froehlich, Paul(R)	A Hultgren, Randall(R)
A Jones, Lovana(D)	Y Lyons, Joseph(D)
Y Mathias, Sidney(R)	Y Mautino, Frank(D), Vice-Chairperson
A McAuliffe, Michael(R)	Y McGuire, Jack(D)
Y Millner, John(R) (Aguilar)	Y Mitchell, Bill(R)
A Molaro, Robert(D)	Y Nekritz, Elaine(D) (Joyce)
Y Osmond, JoAnn(R)	Y Phelps, Brandon(D)
Y Rita, Robert(D)	Y Ryg, Kathleen(D)
Y Saviano, Angelo(R) (Bost)	A Schmitz, Timothy(R), Republican Spokesperson
Y Stephens, Ron(R)	A Wait, Ronald(R)
Y Washington, Eddie(D)	Y Yarbrough, Karen(D)

Representative Saviano, Chairperson, from the Committee on Registration & Regulation to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

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

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 648.

The committee roll call vote on Motion to concur Senate Amendment No. 1 to House Bill 648 is as follows:

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

A Saviano,Angelo(R), Chairperson	A Bradley,Richard(D)
Y Burke,Daniel(D)	Y Coulson,Elizabeth(R), Republican Spokesperson
A Davis,Monique(D)	Y Davis,Steve(D)
Y Fritchey,John(D), Vice-Chairperson	A Granberg,Kurt(D)
Y Kosel,Renee(R)	A Krause,Carolyn(R)
A Lyons,Eileen(R)	A McAuliffe,Michael(R)
Y Millner,John(R)	Y Mulligan,Rosemary(R)
Y Novak,John(D)	Y Reitz,Dan(D)
A Sullivan,Ed(R)	

Representative Currie, Chairperson, from the Committee on Revenue to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

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

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 2654.

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 2659.

The committee roll call vote on Motion to concur with Senate Amendment No. 1 to House Bills 2654 and 2659 is as follows:

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

Y Molaro,Robert(D), Chairperson	Y Beaubien,Mark(R), Republican Spokesperson
Y Biggins,Bob(R) (Dunn)	Y Currie,Barbara(D), Vice-Chairperson
Y Hannig,Gary(D)	Y Lang,Lou(D)
Y Pankau,Carole(R)	Y Sullivan,Ed(R)
Y Turner,Arthur(D)	

Representative McKeon, Chairperson, from the Committee on Labor to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

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

Motion to concur with Senate Amendment No. 1 to HOUSE BILL 810.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 810 is as follows:

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

Y McKeon,Larry(D), Chairperson	Y Acevedo,Edward(D)
Y Bellock,Patricia(R) (Black)	A Cultra,Shane(R)
Y Hoffman,Jay(D)	Y Howard,Constance(D)
A Hultgren,Randall(R)	Y Jefferson,Charles(D) (Holbrook)
Y Joyce,Kevin(D) (Berrios)	Y O'Brien,Mary(D)
Y Soto,Cynthia(D), Vice-Chairperson	Y Tenhouse,Art(R)
Y Winters,Dave(R), Republican Spokesperson	Y Wirsing,David(R) (Hassert)

Representative Delgado, Chairperson, from the Committee on Human Services to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar:
 Motion to concur with Senate Amendment No. 3 to HOUSE BILL 701.
 Motion to concur with Senate Amendment No. 1 to HOUSE BILL 2657.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 2657 is as follows:

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

Y Delgado, William(D), Chairperson	Y Bellock, Patricia(R), Republican Spokesperson
Y Feigenholtz, Sara(D), Vice-Chairperson	A Flowers, Mary(D)
Y Howard, Constance(D)	Y Kurtz, Rosemary(R)
Y Lindner, Patricia(R)	Y Ryg, Kathleen(D) (Davis, W.)
Y Sullivan, Ed(R) (Lyons, E.)	

The committee roll call vote on Motion to Concur with Senate Amendment No. 3 to House Bill 701 is as follows:

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

Y Delgado, William(D), Chairperson	Y Bellock, Patricia(R), Republican Spokesperson
Y Feigenholtz, Sara(D), Vice-Chairperson	Y Flowers, Mary(D)
Y Howard, Constance(D)	Y Kurtz, Rosemary(R)
Y Lindner, Patricia(R)	Y Ryg, Kathleen(D) (Davis, W.)
Y Sullivan, Ed(R) (Lyons, E.)	

INTRODUCTION AND FIRST READING OF BILLS

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

HOUSE BILL 3948. Introduced by Representative Flowers, AN ACT concerning health care.
 HOUSE BILL 3949. Introduced by Representative Flowers, AN ACT in relation to funeral expenses.
 HOUSE BILL 3950. Introduced by Representative Flowers, AN ACT regarding education.
 HOUSE BILL 3951. Introduced by Representative Flowers, AN ACT in relation to insurance.
 HOUSE BILL 3952. Introduced by Representative Flowers, AN ACT concerning jury trials.
 HOUSE BILL 3953. Introduced by Representative Flowers, AN ACT in relation to courts.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 565

Offered by Representative Mendoza:

WHEREAS, The members of the Illinois House of Representatives recognize Attorney General Lisa Madigan for her commitment to social and economic justice for all people in Illinois and her unwavering support for programs that work to end hunger; and

WHEREAS, While in the Senate as a leader in the education committee, Ms. Madigan was instrumental in passage of the Childhood Hunger Relief Act providing fiscal incentives to schools to offer School Breakfast to children in Illinois; and

WHEREAS, Ms. Madigan's compassion and leadership is greatly appreciated by all who work to end hunger for the one in eight children who go to bed hungry in our State; and

WHEREAS, Because of her commitment, the statewide membership of the Illinois Hunger Coalition

and Senator Paul Simon are honoring Ms. Madigan on November 20, 2003 at the Sixth Annual Paul Simon Public Service Award Luncheon; and

WHEREAS, The award will be presented to Ms. Madigan by the Conference of Women Legislators (COWL) of which she was formerly co-chair; COWL is a bi-partisan caucus of elected women legislators in both the House and Senate which was organized to advance public policies that improve the quality of life of Illinois women, children, and families; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize Attorney General Lisa Madigan for her continuing efforts to achieve social and economic justice for all people in Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Attorney General Lisa Madigan as an expression of our respect and esteem.

HOUSE RESOLUTION 566

Offered by Representative O'Brien:

WHEREAS, The members of the House of Representatives are pleased to recognize Dr. Roman P. Smyk of Coal City on the occasion of his retirement after 50 years of service to the community; and

WHEREAS, Dr. Smyk was born in the Ukraine and was educated there through high school; he studied medicine in Poland and Germany and he graduated from the Berlin University School of Medicine; and

WHEREAS, To avoid the brutal Soviet regime, Dr. Smyk came to the United States in 1950; he worked in Syracuse, New York before going on to Chicago's postgraduate medical schools in 1953 and passing his medical boards; and

WHEREAS, The Coal City Development Club was very impressed by Dr. Smyk and asked him to set up a practice in Coal City; Dr. Smyk met and married his wife Lidia in Coal City; they were married 42 years before her untimely death; they had three sons, Eugene, Mark, and Roman, who is taking over his practice; and

WHEREAS, During his many years of practicing medicine, Dr. Smyk has received many honors; in 1993, he was granted a private audience with Pope John Paul II, and he received a note of thanks from the Pope after Dr. Smyk sent the Pontiff a copy of one of the several books he has authored; he was the recipient of the Coal City Community Service Award and has been a member of various medical associations, including being a charter member of the American Academy of Family Practice; he is an active member of Rotary Clubs and served for several years as the medical vice chairman of the American Cancer Society in Grundy County; and

WHEREAS, Dr. Smyk has always been a tireless worker; his medical office was always open for emergencies and his home office was also open for emergencies at any hour of the day or night; he never turned away a patient for lack of ability to pay; the Coal City Village Board has set aside Saturday, November 22, 2003 as "Dr. Smyk Day" in appreciation of his service to the community; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Dr. Roman P. Smyk on the occasion of his retirement after 50 years of family practice in Coal City, and we thank him for his dedication to the community; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Dr. Roman P. Smyk as an expression of our respect and esteem.

HOUSE RESOLUTION 567

Offered by Representative Granberg:

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Glenna Pearl Flesner on 50 years of service at the Green Grill Restaurant in Centralia; and

WHEREAS, Mrs. Flesner was born on a farm near Shumway; she was the third of ten children born to Glen W. Kyle and Bessie Edna (Dial) Kyle; she attended Kyle grade school, which was a one room school nicknamed Frog Pond; she attended Beecher City High School, where she was a drum majorette; after high school, she worked in Effingham at the News Stand, Wabash Cafe, and Norge Factory; and

WHEREAS, Glenna married Ross Flesner in Effingham in 1949; as a result of Mr. Flesner's job with Gordon Trucking Company, the family moved to Centralia in 1953; she began working at the Green Grill that year; throughout her years at the Green Grill, she has managed, bartended, baked, waitressed, and planned for special occasions; she has always been ready to make things right for the customer; and

WHEREAS, Mrs. Flesner loves to travel; she enjoys working in her garden and has a green thumb; her favorite holiday is Thanksgiving; she enjoys most sports, especially baseball; she keeps up with all the stats of the St. Louis Cardinals; in earlier years, she was on a bowling team in Centralia; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we offer hearty congratulations to Glenna Pearl Flesner on her 50 years of service at the the Green Grill Restaurant in Centralia; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Mrs. Flesner as an expression of our respect and esteem.

HOUSE RESOLUTION 568

Offered by Representative Morrow:

WHEREAS, The members of the Illinois House of Representatives were saddened to learn of the death of Julia Demery Harris on October 26, 2003; and

WHEREAS, Mrs. Harris was born in Atlanta, Georgia on February 8, 1923, the daughter of Julia Weems Demery and Virgil Demery; and

WHEREAS, Mrs. Harris completed her education, and began working for the United States Postal Service in Chicago; while employed there, she made the acquaintance of Henry Harris; they were married in 1957, and the couple enjoyed a long and happy marriage; and

WHEREAS, Mrs. Harris served as a surrogate mother to her many nieces and nephews; she had a flair for fashion and decorating, which made her an ideal shopping and dinner companion; and

WHEREAS, Mrs. Harris was a talented gardener and seamstress; she created much of her own clothing; she was an active member of St. Mark's Methodist Church; and

WHEREAS, Her passing will be deeply felt by many, especially her husband, Henry; her sister-in-law, Elective Phillips; and many nieces, nephews, and in-laws; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the death of Julia Demery Harris along with all who knew and loved her and extend our sincere condolences to her family and friends; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Julia Demery Harris as an expression of our deepest sympathy.

HOUSE RESOLUTION 569

Offered by Representative Jefferson:

WHEREAS, The members of the Illinois House of Representatives were saddened to learn of the death of Joe Turner "J.T." Latin of Rockford on November 10, 2003; and

WHEREAS, Mr. Latin was born July 29, 1926, in Prescott, Arkansas, the son of Artis and Pearl Latin; he married the former Gladys Clark August 17, 1948, in Gurden, Arkansas; and

WHEREAS, Mr. Latin was employed as a heavy equipment operator by the State of Illinois Highway Department for 25 years before retiring; and

WHEREAS, Mr. Latin was a faithful member of Allen Chapel A.M.E. Church, serving in the male chorus, and a former member of the trustee board and senior choir; he was a member of RSGA (Rockford Sportsman Golf Association), and many bowling teams and leagues including the Rockford Travelers; he was an umpire for many years, for which he received an award and was inducted into the USSSA Hall of Fame in 2001; and

WHEREAS, Mr. Latin's passing will be deeply felt by many, especially his wife of 55 years, Gladys; his daughter, Joyce Marie Dismuke; his sons, Joe Artis, Jerry Lewis, Dewayne Michael, and Bruce Anthony Latin; his 16 grandchildren; his seven great-grandchildren; his sisters, Joyce Smith and Galvesta Lindsey; his brother, Charlie William (Rosetta) Latin; and a host of nieces, nephews, other relatives and friends; and

WHEREAS, He was preceded in death by his parents; eight brothers including his twin, L.P. Latin; and four sisters; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the death of Joe Turner "J.T." Latin along with all who knew and loved him and extend our sincere condolences to his family and friends; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Joe Turner "J.T." Latin as an expression of our deepest sympathy.

HOUSE RESOLUTION 570

Offered by Representatives Novak and O'Brien:

WHEREAS, The members of the Illinois House of Representatives wish to recognize Grace Boomgarden of Watseka for her many years of exemplary public service; and

WHEREAS, Ms. Boomgarden has been an active member of her community through two local organizations for decades; she has been a member of the Veterans of Foreign Wars (V.F.W.) for 40 years and has been a precinct committeeman for the Iroquois County Democrats since 1979; and

WHEREAS, Ms. Boomgarden joined the V.F.W. Ladies Auxiliary because her brother was a Prisoner of War in the Battle of the Bulge; she enjoys her involvement with the auxiliary because of the help she is able to give to servicemen and veterans; and

WHEREAS, Her involvement with the Iroquois County Democrats began when she was approached to be a precinct committeeman; in 1984, she became the secretary and treasurer for the Iroquois County Democrats; she also works on the fundraisers, the spring brunch, and the Oktoberfest dinner; and

WHEREAS, Ms. Boomgarden's legacy of community involvement will long inspire the citizens of this State; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we thank Grace Boomgarden for many years of dedication to her community and wish her well in all of her future endeavors; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Grace Boomgarden as an expression of our respect and esteem.

HOUSE RESOLUTION 571

Offered by Representative Granberg:

WHEREAS, The members of the House of Representatives would like to congratulate our long-time colleague J. Philip Novak as he retires from his position as State Representative for the 79th District; and

WHEREAS, Representative Novak was born on February 15, 1946 in Berwyn; he married Becky Fletcher in 1996 and has one son, Todd; and

WHEREAS, Phil Novak graduated from the Chicago Public School system; he received both a Bachelor of Science and a Master's Degree from Eastern Illinois University; and

WHEREAS, Phil Novak served as Assistant Personnel Director at the Manteno Mental Health Center from 1973 to 1976; and

WHEREAS, He was a Labor Relations Manager for Manville Forest Products from 1976 to 1981; and

WHEREAS, He was also the Labor Relations Manager for American Spring Wire in Kankakee from 1981 to 1983; and

WHEREAS, During the late 1960s he courageously served his country by defending the Panama Canal from invasion - not a single enemy got through and the canal was saved; and

WHEREAS, He served as a Bradley Trustee from 1975 to 1983; and

WHEREAS, In 1983, after conducting an extensive county-wide search as the Democratic County Chairman of Kankakee County, he finally appointed himself County Treasurer; and

WHEREAS, In 1987, after once again vigorously scouring the surrounding counties for the best qualified candidate, he used his weighted vote and appointed himself as State Representative; and

WHEREAS, He was officially elected State Representative in 1988; and

WHEREAS, His skills at handling the media are legendary, including his suggestion to a reporter that all his per diem was good for was "a couple of cheeseburgers and a half-a-dozen Lites"; and

WHEREAS, He had the wherewithal to keep the Ginseng bill up until he got the hard vote he needed; and

WHEREAS, He has always had a knack for finding abandoned buildings or leaky apartments to house his campaign staff; and

WHEREAS, He holds the position of Assistant Majority Leader, and is a member of the Energy and Environment Committee and is co-chairman of its special Electric Utility Deregulation Committee, and is a member of the Public Utilities Committee, the Registration and Regulation Committee, and the Veterans Affairs Committee; and

WHEREAS, He was instrumental in drafting and helping to pass Illinois' landmark electrical industry deregulation and restructuring law in 1997; and

WHEREAS, Throughout his service in the legislature, Representative Novak has focused his interests on environmental and energy issues, chairing the House Environment and Energy Committee for eight years; and

WHEREAS, His years of leadership on other issues that affect veterans, the agriculture industry, education, economic development, and the Kankakee River Valley region has earned him the respect of his colleagues; and

WHEREAS, It is with great pleasure this body has learned that Governor Rod Blagojevich announced the appointment of J. Philip Novak as the new Chairman of the Pollution Control Board; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we thank our good friend Phil Novak for his hard work and dedication to the people of the 79th Representative District and to the State and wish him well in his new position; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Representative Phil Novak as an expression of our respect and esteem.

HOUSE RESOLUTION 572

Offered by Representative Granberg:

WHEREAS, The members of the House of Representatives of the State of Illinois congratulate Peoples National Bank in Mt. Vernon on receiving the 2003 Industry Appreciation Award from the Mt. Vernon Economic Development Commission; and

WHEREAS, The 19th Annual Industrial Appreciation Dinner honoring Peoples National Bank was held on November 10, 2003; and

WHEREAS, The week of November 9 through 15 was designated Industrial Appreciation Week and gave the citizens of Mt. Vernon the opportunity to express their appreciation to Peoples National Bank; and

WHEREAS, With over a century of experience in serving businesses, families, and communities throughout Southern Illinois, Peoples National Bank is recognized as a high performance leader in the financial services industry; competitive and uniquely designed product lines in commercial banking, wealth management, and mortgage financing, delivered with a highly personalized approach to the client, are trademarks of Peoples National Bank's innovative management style; and

WHEREAS, Peoples National Bank has announced expansion plans that will bring 100 jobs to Jefferson County; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize Peoples National Bank on receiving the 2003 Industry Appreciation Award for excellence in service to the community; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Chairman of the Board Hunt Bonan and President Jill York as an expression of our respect and esteem.

HOUSE RESOLUTION 573

Offered by Representative Lang:

WHEREAS, The members of the House of Representatives have learned with great sorrow of the death of Harriet K. Cahnmann at the age of 87; and

WHEREAS, The former Harriet Kraut grew up on the south side of Chicago, where her father, Joseph, and later her brother, Charles, operated Kraut Tailors under the "E1" tracks on east 63rd Street; and

WHEREAS, Harriet spent two and a half years of her childhood in the Chicago Home For Jewish Orphans at 62nd & Drexel, where she provided constant support and foundation for her siblings, Charles and the late Natalie Roussman; and

WHEREAS, Harriet spotted her future husband, German Jewish immigrant, Fred Cahnmann, while taking the train to her job at Lester Wittee & Co. CPA firm in downtown Chicago, later meeting him on a synagogue sponsored bicycle trip; and

WHEREAS, Harriet and the late Fred Cahnmann were married 58 years, bearing 6 children, 24 grandchildren and 8 great-grandchildren; and

WHEREAS, After raising her children, Harriet worked at the University of Chicago in the comptroller's office and the athletic department for 14 years; and

WHEREAS, Harriet served as a Democratic election judge in the 8th, 19th, and 50th wards of the city of Chicago; and

WHEREAS, In her middle age Harriet was often seen tooling around Chicago's south side on a pink 50 cc Yamaha motorcycle that her daughter, JoAnn, had won in a pancake eating contest; and

WHEREAS, Harriet enjoyed helping people and was an inspiration to everyone she touched; and

WHEREAS, Even though her advancing age slowed her down, Harriet always played the cards she was dealt the best she could and did what she wanted, even if it took her a little longer; and

WHEREAS, Harriet Cahnmann's passing will be deeply felt by many, especially her sons, Raymond, Leonard, David, and Sam Cahnman; her daughters, Helen Rovner and JoAnn Hershten; and her brother, Charles Kraut; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we join the friends and family of Harriet K. Cahnmann in mourning the loss of this great woman; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Harriet K. Cahnmann as an expression of our deepest sympathy.

HOUSE RESOLUTION 574

Offered by Representative Monique Davis:

WHEREAS, The Illinois School Psychologists Association is celebrating its 25 years of effectively serving the children and the school districts of the State of Illinois; and

WHEREAS, The Illinois School Psychologists Association has, since its inception in 1978, provided extensive in-service training and mentoring to school psychologists throughout Illinois; and

WHEREAS, The Illinois School Psychologists Association has devoted considerable efforts and resources to provide scholarships and to recruit students to enter the field to become certified school psychologists; and

WHEREAS, In 1993, the Illinois School Psychologists Association led the successful legislative effort to ban corporal punishment in the public schools of Illinois; and

WHEREAS, The Illinois School Psychologists Association has made a commitment to provide help to students who may otherwise become subject to depression or to suicide attempts; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Illinois School Psychologists Association on its 25th anniversary of service to students throughout the State of Illinois, their families, and to its members; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Illinois School Psychologists Association.

RESOLUTIONS

Having been reported out of the Committee on Executive on November 19, 2003, HOUSE RESOLUTION 454 was taken up for consideration.

The following amendment was offered in the committee on Executive, adopted and printed.

AMENDMENT NO. 1. Amend House Resolution 454 by replacing lines 12 through 33 on page 1 and all of pages 2, 3, and 4 with the following:

"before the State or a unit of local government may request House approval of legislation authorizing the State or the unit of local government to acquire property by eminent domain using "quick-take" powers under Section 7-103 of the Code of Civil Procedure, the State or the unit of local government must comply with all of the following procedures:

(1) The State or the unit of local government must notify each owner of an interest in the property, by certified mail, of the intention of the State or the unit of local government to request approval of legislation by the General Assembly authorizing the State or the unit of local government to acquire the property by eminent domain using "quick-take" powers under Section 7-103 of the Code of Civil Procedure.

(2) The State or the unit of local government must cause notice of its intention to request authorization to acquire the property by eminent domain using "quick-take" powers to be published in a newspaper of general circulation in the territory sought to be acquired by the State or the unit of local government.

(3) Following the notices required under paragraphs (1) and (2), the State or the unit of local government must hold at least one public hearing, at the place where the unit of local government normally holds its business meetings (or, in the case of property sought to be acquired by the State: (i) at a location in the county in which the property sought to be acquired by the State is located, or (ii) if the property is located in Cook County, at a location in the township in which the property is located, or (iii) if the property is located in 2 adjacent counties other than Cook County or in 2 adjacent townships in Cook County, at a location in the county or in the township in Cook County in which the majority of the property is located, or (iv) if the property is located in Cook County and an adjacent county, at a location in the other county or in the township in Cook County in which the majority of the property is located), on the question of the acquisition of the property by the State or the unit of local government by eminent domain using "quick-take" powers.

(4) In the case of property sought to be acquired by a unit of local government, following the public hearing or hearings held under paragraph (3), the unit of local government must adopt, by recorded vote, a resolution to request approval of legislation by the General Assembly authorizing the unit of local government to acquire the property by eminent domain using "quick-take" powers under Section 7-103 of the Code of Civil Procedure. The resolution must include a statement of the time period within which the unit of local government requests authority to exercise "quick-take" powers, which may not exceed one year.

(5) Following the public hearing or hearings held under paragraph (3), and not less than 30 days following the notice to the property owner or owners required under paragraph (1), the head of the appropriate State office, department, or agency or the chief elected official of the unit of local government must submit to the Chairman and Minority Spokesperson of the House Executive Committee a sworn, notarized affidavit that states all of the following:

(A) The legal description of the property.

(B) The street address of the property.

(C) The name of each State Senator and State Representative who represents the territory that is the subject of the proposed taking.

(D) The date or dates on which the State or the unit of local government contacted each such State Senator and State Representative concerning the intention of the State or the unit of local government to request approval of legislation by the General Assembly authorizing the State or the unit of local government to acquire the property by eminent domain using "quick-take" powers.

(E) The current name, address, and telephone number of each owner of an interest in the property.

(F) A summary of all negotiations between the State or the unit of local government and the owner or owners of the property concerning the sale of the property to the State or the unit of local government.

(G) A statement of the date and location of each public hearing held under paragraph (3).

(H) A statement of the public purpose for which the State or the unit of local government seeks to

acquire the property.

The affidavit must also contain the certification of the head of the appropriate State office, department, or agency or the chief elected official of the unit of local government that (i) the property is located within the territory under the jurisdiction of the State or the unit of local government and (ii) the State or the unit of local government seeks to acquire the property for a public purpose.

(6) Together with the affidavit submitted under paragraph (5), the head of the appropriate State office, department, or agency or the chief elected official of the unit of local government must submit the following items to the Chairman and Minority Spokesperson of the House Executive Committee:

(A) A map of the area in which the property to be acquired is located, showing the location of the property.

(B) Photographs of the property.

(C) An appraisal of the property by a real estate appraiser who is certified or licensed under the Real Estate Appraiser Licensing Act of 2002.

(D) In the case of property sought to be acquired by a unit of local government, a copy of the resolution adopted by the unit of local government under paragraph (4).

(E) Documentation of the public purpose for which the State or the unit of local government seeks to acquire the property.

(F) A copy of each notice sent to an owner of an interest in the property under paragraph (1); and be it further

RESOLVED, That every affidavit submitted by the State or a unit of local government pursuant to this Resolution, together with all documents and other items submitted with the affidavit, must be made available to any person upon request for inspection and copying."

Representative Madigan moved the adoption of the resolution as amended.

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

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

(ROLL CALL 2)

The motion prevailed and the resolution was adopted, as amended.

Having been reported out of the Committee on Transportation & Motor Vehicles on November 18, 2003, HOUSE RESOLUTION 530 was taken up for consideration.

Representative Madigan moved the adoption of the resolution.

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

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

(ROLL CALL 3)

The motion prevailed and the Resolution was adopted.

ACTION ON VETO MOTIONS

Pursuant to the Motion submitted previously, Representative Pankau moved that the House concur with the Senate in the acceptance of the Governor's Specific Recommendations for Change to SENATE BILL 196, by adoption of the following amendment:

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 196 in manner and form as follows:

AMENDMENT TO SENATE BILL 196

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 196 on page 1, line 30, after "increase", by inserting "property"; and on page 2, line 1, by replacing "tax rate" with "property tax levy"; and on page 2, line 2, after "more", by inserting "of the park district's"; and on page 2, line 6, after "increase", by inserting "either"; and on page 2, line 6 after "exceed", by inserting "or result in a reduction to".

Date: _____, 2003

The question being on the motion to accept the Governor's Specific Recommendations for Change. Pending the vote, on motion of Representative Pankau, further consideration of SENATE BILL 196 was postponed.

Pursuant to the Motion submitted previously, Representative O'Brien moved that the House concur with the Senate in the passage of SENATE BILL 272, the Governor's Specific Recommendations for change notwithstanding. A three-fifths vote is required.

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

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

(ROLL CALL 4)

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

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative Molaro moved that the House concur with the Senate in the acceptance of the Governor's Specific Recommendations for Change to SENATE BILL 640, by adoption of the following amendment:

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 640 in manner and form as follows:

AMENDMENT TO SENATE BILL 640

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 640 on page 1, line 6, by deleting "7-103.106"; and by deleting page 3, line 24 through page 8, line 22.

Date: _____, 2003 _____

The question being on the motion to accept the Governor's Specific Recommendations for Change. Pending the vote, on motion of Representative Molaro, further consideration of SENATE BILL 640 was postponed.

DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 1 was distributed to the Members at 5:08 o'clock p.m..

CONCURRENCES AND NON-CONCURRENCES IN SENATE AMENDMENTS TO HOUSE BILLS

Senate Amendment No. 1 to HOUSE BILL 648, having been printed, was taken up for consideration. Representative Reitz moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

101, Yeas; 8, Nays; 0, Answering Present.

(ROLL CALL 5)

The motion prevailed and the House concurred with the Senate in the adoption on Senate Amendment No. 1 to HOUSE BILL 648, by a three-fifths vote.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 3 to HOUSE BILL 701, having been printed, was taken up for consideration.

Representative Madigan moved that the House concur with the Senate in the adoption of Senate Amendment No. 3.

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

80, Yeas; 30, Nays; 0, Answering Present.

(ROLL CALL 6)

The motion prevailed and the House concurred with the Senate in the adoption on Senate Amendment No. 3 to HOUSE BILL 701, by a three-fifths vote.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 2654, having been printed, was taken up for consideration.

Representative Madigan moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 7)

The motion prevailed and the House concurred with the Senate in the adoption on Senate Amendment No. 1 to HOUSE BILL 2654, by a three-fifths vote.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 2657, having been printed, was taken up for consideration.

Representative Madigan moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 8)

The motion prevailed and the House concurred with the Senate in the adoption on Senate Amendment No. 1 to HOUSE BILL 2657, by a three-fifths vote.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 2659, having been printed, was taken up for consideration.

Representative Madigan moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 9)

The motion prevailed and the House concurred with the Senate in the adoption on Senate Amendment No. 1 to HOUSE BILL 2659, by a three-fifths vote.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 2 to HOUSE BILL 2745, having been printed, was taken up for consideration.

Representative Madigan moved that the House concur with the Senate in the adoption of Senate Amendment No. 2.

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

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

(ROLL CALL 10)

The motion prevailed and the House concurred with the Senate in the adoption on Senate Amendment No. 2 to HOUSE BILL 2745, by a three-fifths vote.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 810, having been printed, was taken up for consideration. Representative Madigan moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

80, Yeas; 30, Nays; 0, Answering Present.

(ROLL CALL 11)

The motion prevailed and the House concurred with the Senate in the adoption on Senate Amendment No. 1 to HOUSE BILL 810, by a three-fifths vote.

Ordered that the Clerk inform the Senate.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were printed and laid upon the Members' desks. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments pending were tabled pursuant to Rule 5-4(a).

On motion of Representative Grunloh, HOUSE BILL 3828 was taken up and read by title a third time. A three-fifths vote is required.

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

90, Yeas; 7, Nays; 12, Answering Present.

(ROLL CALL 12)

This bill, having received the votes of three-fifths of the Members elected, was declared passed.

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

ACTION ON VETO MOTIONS

Pursuant to the Motion submitted previously, Representative Pankau moved that the House concur with the Senate in the acceptance of the Governor's Specific Recommendations for Change to SENATE BILL 196, by adoption of the following amendment:

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 196 in manner and form as follows:

AMENDMENT TO SENATE BILL 196

IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 196 on page 1, line 30, after "increase", by inserting "property"; and on page 2, line 1, by replacing "tax rate" with "property tax levy"; and on page 2, line 2, after "more", by inserting "of the park district's"; and on page 2, line 6, after "increase", by inserting "either"; and on page 2, line 6 after "exceed", by inserting "or result in a reduction to".

Date: _____, 2003

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

81, Yeas; 26, Nays; 3, Answering Present.

(ROLL CALL 13)

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

Ordered that the Clerk inform the Senate.

Pursuant to the Motion submitted previously, Representative Molaro moved that the House concur with the Senate in the acceptance of the Governor's Specific Recommendations for Change to SENATE BILL 640, by adoption of the following amendment:

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 640 in manner and form as follows:

**AMENDMENT TO SENATE BILL 640
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS**

Amend Senate Bill 640 on page 1, line 6, by deleting "7-103.106"; and by deleting page 3, line 24 through page 8, line 22.

Date: _____, 2003

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

77, Yeas; 31, Nays; 1, Answering Present.

(ROLL CALL 13)

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

Ordered that the Clerk inform the Senate.

RESOLUTIONS

Having been reported out of the Committee on Rules on November 20, 2003, HOUSE JOINT RESOLUTION 43 was taken up for consideration.

Representative Osterman moved the adoption of the resolution.

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

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

(ROLL CALL 14)

The motion prevailed and the Resolution was adopted.

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

Having been reported out of the Committee on Rules on November 19, 2003, HOUSE RESOLUTION 479 was taken up for consideration.

Representative May moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

Having been reported out of the Committee on Veterans Affairs on November 20, 2003, HOUSE RESOLUTION 541 was taken up for consideration.

Representative Lang moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

Having been reported out of the Committee on Appropriations-Human Services on November 20, 2003, HOUSE RESOLUTION 560 was taken up for consideration.

Representative Daniels moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

Having been reported out of the Committee on Rules on November 19, 2003, HOUSE RESOLUTION 550 was taken up for consideration.

Representative Cross moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

Having been reported out of the Committee on Elementary & Secondary Education on November 19, 2003, SENATE JOINT RESOLUTION 39 was taken up for consideration.

Representative Giles moved the adoption of the resolution.

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

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

(ROLL CALL 15)

The motion prevailed and the Resolution was adopted.

Ordered that the Clerk inform the Senate.

Having been reported out of the Committee on State Government Administration on November 18, 2003, SENATE JOINT RESOLUTION 40 was taken up for consideration.

Representative Madigan moved the adoption of the resolution.

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

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

(ROLL CALL 16)

The motion prevailed and the Resolution was adopted.

Ordered that the Clerk inform the Senate.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 565, 566, 567, 568, 569, 570, 572, 573, 574 and 575 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the Agreed Resolutions were adopted.

ADJOURNMENT RESOLUTION

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

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 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 Noon.

Adopted by the Senate, November 21, 2003.

Linda Hawker, Secretary of the Senate

Representative Currie asked and obtained unanimous consent to suspend the provisions of Rule 3-6(a) for the immediate consideration of the foregoing message from the Senate reporting their adoption of SENATE JOINT RESOLUTION 42.

Representative Currie then moved the adoption of the resolution.

The motion prevailed and SENATE JOINT RESOLUTION 42 was adopted.

Ordered that the Clerk inform the Senate.

RESOLUTIONS

Having been placed on the order of Agreed Resolutions on November 21, 2003, HOUSE RESOLUTION 571 was taken up for consideration.

Representative Granberg moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

At the hour of 8:05 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, January 14, 2004, at 12:00 o'clock noon.

The motion prevailed.

And the House stood adjourned.

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

November 21, 2003

0 YEAS

0 NAYS

110 PRESENT

P Acevedo	P Delgado	P Leitch	P Phelps
P Aguilar	P Dunkin	P Lindner	E Pihos
P Bailey	P Dunn	P Lyons, Eileen	P Poe
P Bassi	P Eddy	P Lyons, Joseph	P Reitz
P Beaubien	P Feigenholtz	P Mathias	P Rita
P Bellock	P Flider	P Mautino	P Rose
P Berrios	P Flowers	P May	P Ryg
E Biggins	E Franks	P McAuliffe	P Sacia
P Black	P Fritchey	P McCarthy	E Saviano
P Boland	P Froehlich	P McGuire	E Schmitz
P Bost	P Giles	P McKeon	P Scully
P Bradley, John	P Graham	P Mendoza	P Slone
P Bradley, Richard	P Granberg	P Meyer	P Smith
P Brady	P Grunloh	P Miller	P Sommer
P Brauer	P Hamos	P Millner	P Soto
P Brosnahan	P Hannig	P Mitchell, Bill	P Stephens
P Burke	P Hassert	P Mitchell, Jerry	P Sullivan
P Capparelli	P Hoffman	P Moffitt	P Tenhouse
P Chapa LaVia	P Holbrook	P Molaro	P Turner
P Churchill	P Howard	P Morrow	P Verschoore
E Collins	P Hultgren	P Mulligan	P Wait
P Colvin	P Jakobsson	P Munson	P Washington
P Coulson	P Jefferson	P Myers	P Watson
P Cross	P Jones	P Nekritz	P Winters
P Cultra	P Joyce	P Novak	P Yarbrough
P Currie	P Kelly	P O'Brien	P Younge
P Daniels	P Kosel	P Osmond	P Mr. Speaker
P Davis, Monique	E Krause	P Osterman	
P Davis, Steve	P Kurtz	P Pankau	
P Davis, Will	P Lang	P Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 454
PROCEDURE RULES-QUICK TAKE
ADOPTED

November 21, 2003

106 YEAS

0 NAYS

2 PRESENT

Y Acevedo	Y Delgado	Y Leitch	Y Phelps
Y Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
Y Bassi	A Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	Y Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	Y May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
Y Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	A McKeon	Y Scully
Y Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	Y Grunloh	Y Miller	Y Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	Y Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	Y Tenhouse
Y Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	Y Verschoore
E Collins	Y Hultgren	P Mulligan	Y Wait
Y Colvin	Y Jakobsson	Y Munson	Y Washington
Y Coulson	P Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
Y Cultra	Y Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE RESOLUTION 530
CONGRESS AMTRAK FUNDING
ADOPTED

November 21, 2003

108 YEAS

1 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Leitch	Y Phelps
Y Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
Y Bassi	A Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	Y Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	Y May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
Y Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	Y Grunloh	Y Miller	Y Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	Y Mitchell, Bill	N Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	Y Tenhouse
Y Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	Y Verschoore
E Collins	Y Hultgren	Y Mulligan	Y Wait
Y Colvin	Y Jakobsson	Y Munson	Y Washington
Y Coulson	Y Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
Y Cultra	Y Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 272
VEH CD-RR CROSSING STOP SIGNS
OVERRIDE AMENDATORY VETO
3/5 VOTE REQUIRED
PREVAILED

November 21, 2003

109 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Leitch	Y Phelps
Y Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
Y Bassi	A Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	Y Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	Y May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
Y Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	Y Grunloh	Y Miller	Y Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	Y Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	Y Tenhouse
Y Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	Y Verschoore
E Collins	Y Hultgren	Y Mulligan	Y Wait
Y Colvin	Y Jakobsson	Y Munson	Y Washington
Y Coulson	Y Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
Y Cultra	Y Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 648
 ANIMALS-TECH
 MOTION TO CONCUR IN SENATE AMENDMENT No.1
 3/5 VOTE REQUIRED
 CONCURRED

November 21, 2003

101 YEAS

8 NAYS

0 PRESENT

Y Acevedo	Y Delgado	N Leitch	Y Phelps
Y Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	N Poe
N Bassi	A Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	Y Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	Y May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
Y Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	Y Grunloh	Y Miller	Y Sommer
N Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	Y Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	N Mitchell, Jerry	N Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	N Tenhouse
Y Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	Y Verschoore
E Collins	Y Hultgren	Y Mulligan	Y Wait
Y Colvin	Y Jakobsson	Y Munson	Y Washington
Y Coulson	Y Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
N Cultra	Y Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 701
PUBLIC AID-TECH
MOTION TO CONCUR IN SENATE AMENDMENT No. 3
CONCURRED

November 21, 2003

80 YEAS

30 NAYS

0 PRESENT

Y Acevedo	Y Delgado	N Leitch	N Phelps
N Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	N Dunn	Y Lyons, Eileen	Y Poe
N Bassi	Y Eddy	Y Lyons, Joseph	Y Reitz
N Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	N Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	N May	N Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
N Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
N Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	N Meyer	Y Smith
Y Brady	N Grunloh	Y Miller	Y Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	N Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	N Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	N Tenhouse
N Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
N Churchill	Y Howard	Y Morrow	N Verschoore
E Collins	N Hultgren	Y Mulligan	N Wait
Y Colvin	N Jakobsson	N Munson	Y Washington
Y Coulson	N Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	N Nekritz	Y Winters
Y Cultra	N Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
N Daniels	N Kosel	N Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	N Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2654
 BUDGET IMPLEMENTATION-FY2004
 MOTION TO CONCUR IN SENATE AMENDMENT No.1
 CONCURRED

November 21, 2003

109 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Leitch	Y Phelps
Y Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
Y Bassi	Y Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	Y Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	Y May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
Y Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	Y Grunloh	Y Miller	Y Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	Y Mitchell, Bill	Y Stephens
A Burke	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	Y Tenhouse
Y Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	Y Verschoore
E Collins	Y Hultgren	Y Mulligan	Y Wait
Y Colvin	Y Jakobsson	Y Munson	Y Washington
Y Coulson	Y Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
Y Cultra	Y Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2657
BUDGET IMPLEMENTATION-FY2004
MOTION TO CONCUR IN SENATE AMENDMENT No.1
CONCURRED

November 21, 2003

110 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Leitch	Y Phelps
Y Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
Y Bassi	Y Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	Y Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	Y May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
Y Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	Y Grunloh	Y Miller	Y Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	Y Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	Y Tenhouse
Y Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	Y Verschoore
E Collins	Y Hultgren	Y Mulligan	Y Wait
Y Colvin	Y Jakobsson	Y Munson	Y Washington
Y Coulson	Y Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
Y Cultra	Y Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2659
 BUILD IL BOND-DECREASE AUTH
 MOTION TO CONCUR IN SENATE AMENDMENT No.1
 CONCURRED

November 21, 2003

110 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Leitch	Y Phelps
Y Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
Y Bassi	Y Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	Y Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	Y May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
Y Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	Y Grunloh	Y Miller	Y Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	Y Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	Y Tenhouse
Y Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	Y Verschoore
E Collins	Y Hultgren	Y Mulligan	Y Wait
Y Colvin	Y Jakobsson	Y Munson	Y Washington
Y Coulson	Y Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
Y Cultra	Y Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2745
 \$OCE-RACING BD
 MOTION TO CONCUR IN SENATE AMENDMENT No. 2
 CONCURRED

November 21, 2003

110 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Leitch	Y Phelps
Y Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
Y Bassi	Y Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	Y Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	Y May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
Y Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	Y Grunloh	Y Miller	Y Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	Y Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	Y Tenhouse
Y Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	Y Verschoore
E Collins	Y Hultgren	Y Mulligan	Y Wait
Y Colvin	Y Jakobsson	Y Munson	Y Washington
Y Coulson	Y Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
Y Cultra	Y Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 810
UNEMPLOYMENT INSURANCE-TECH
MOTION TO CONCUR IN SENATE AMENDMENT No. 1
CONCURRED

November 21, 2003

80 YEAS	30 NAYS	0 PRESENT	
Y Acevedo	Y Delgado	Y Leitch	N Phelps
N Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
N Bassi	Y Eddy	Y Lyons, Joseph	Y Reitz
N Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	N Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	N May	N Ryg
E Biggins	E Franks	N McAuliffe	Y Sacia
Y Black	Y Fritchey	N McCarthy	E Saviano
N Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	N Scully
N Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	N Grunloh	Y Miller	Y Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
N Brosnahan	Y Hannig	Y Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	Y Tenhouse
N Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	N Verschoore
E Collins	Y Hultgren	N Mulligan	Y Wait
Y Colvin	N Jakobsson	N Munson	N Washington
N Coulson	N Jefferson	N Myers	Y Watson
Y Cross	Y Jones	N Nekritz	Y Winters
N Cultra	N Joyce	Y Novak	Y Yarbrough
Y Currie	N Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	N Osmond	N Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	N Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3828
EPA-NO NPDES DISCHARGE FEES
THIRD READING
PASSED

November 21, 2003

90 YEAS

7 NAYS

12 PRESENT

Y Acevedo	Y Delgado	Y Leitch	Y Phelps
Y Aguilar	Y Dunkin	Y Lindner	E Pihos
N Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
Y Bassi	Y Eddy	P Lyons, Joseph	Y Reitz
Y Beaubien	P Feigenholtz	Y Mathias	Y Rita
Y Bellock	Y Flider	Y Mautino	Y Rose
Y Berrios	P Flowers	P May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
Y Black	N Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	P Giles	N McKeon	Y Scully
Y Bradley, John	P Graham	Y Mendoza	N Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	Y Grunloh	P Miller	Y Sommer
Y Brauer	N Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	Y Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Capparelli	N Hoffman	Y Moffitt	Y Tenhouse
Y Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	P Morrow	Y Verschoore
E Collins	Y Hultgren	Y Mulligan	Y Wait
P Colvin	Y Jakobsson	Y Munson	Y Washington
A Coulson	Y Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
Y Cultra	Y Joyce	P Novak	P Yarbrough
Y Currie	P Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
N Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 196
 PARK DIST-INCREASE CORP TX LMT
 ACCEPT AMENDATORY VETO
 PREVAILED

November 21, 2003

81 YEAS

26 NAYS

3 PRESENT

Y Acevedo	Y Delgado	Y Leitch	N Phelps
P Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
Y Bassi	Y Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	N Flider	Y Mautino	N Rose
Y Berrios	Y Flowers	N May	N Ryg
E Biggins	E Franks	N McAuliffe	Y Sacia
N Black	N Fritchey	Y McCarthy	E Saviano
N Boland	Y Froehlich	Y McGuire	E Schmitz
N Bost	Y Giles	P McKeon	Y Scully
N Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	N Grunloh	Y Miller	N Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	N Mitchell, Bill	N Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	N Sullivan
P Capparelli	Y Hoffman	Y Moffitt	N Tenhouse
N Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	N Verschoore
E Collins	Y Hultgren	Y Mulligan	Y Wait
Y Colvin	N Jakobsson	N Munson	N Washington
Y Coulson	N Jefferson	N Myers	N Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
Y Cultra	N Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 640
REAL PROPERTY-TECH
ACCEPT AMENDATORY VETO
PREVAILED

November 21, 2003

77 YEAS

31 NAYS

1 PRESENT

Y Acevedo	Y Delgado	Y Leitch	N Phelps
Y Aguilar	Y Dunkin	N Lindner	E Pihos
Y Bailey	N Dunn	N Lyons, Eileen	N Poe
Y Bassi	Y Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	N Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	N May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
E Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
N Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	N Grunloh	Y Miller	N Sommer
N Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	N Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	N Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	N Tenhouse
N Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	N Verschoore
E Collins	N Hultgren	N Mulligan	N Wait
Y Colvin	Y Jakobsson	N Munson	Y Washington
N Coulson	N Jefferson	N Myers	N Watson
Y Cross	Y Jones	N Nekritz	N Winters
Y Cultra	N Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	N Kosel	N Osmond	P Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	N Lang	N Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE JOINT RESOLUTION 43
IMMIGRANTS & REFUGEE TSK FORCE
ADOPTED

November 21, 2003

109 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Leitch	Y Phelps
Y Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
Y Bassi	Y Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	Y Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	Y May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
E Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	Y Grunloh	Y Miller	Y Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	Y Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	Y Tenhouse
Y Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	Y Verschoore
E Collins	Y Hultgren	Y Mulligan	Y Wait
Y Colvin	Y Jakobsson	Y Munson	Y Washington
Y Coulson	Y Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
Y Cultra	Y Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 39
REVIEW REPORT/WAIVER SCHL CODE
ADOPTED

November 21, 2003

108 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Leitch	Y Phelps
Y Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
Y Bassi	Y Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	Y Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	Y May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
E Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	Y Grunloh	Y Miller	Y Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	Y Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	A Tenhouse
Y Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	Y Verschoore
E Collins	Y Hultgren	Y Mulligan	Y Wait
Y Colvin	Y Jakobsson	Y Munson	Y Washington
Y Coulson	Y Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
Y Cultra	Y Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-THIRD
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE JOINT RESOLUTION 40
COMMISSION-BROWN VS BOE 50TH
ADOPTED

November 21, 2003

108 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Delgado	Y Leitch	Y Phelps
Y Aguilar	Y Dunkin	Y Lindner	E Pihos
Y Bailey	Y Dunn	Y Lyons, Eileen	Y Poe
Y Bassi	Y Eddy	Y Lyons, Joseph	Y Reitz
Y Beaubien	Y Feigenholtz	Y Mathias	Y Rita
Y Bellock	Y Flider	Y Mautino	Y Rose
Y Berrios	Y Flowers	Y May	Y Ryg
E Biggins	E Franks	Y McAuliffe	Y Sacia
E Black	Y Fritchey	Y McCarthy	E Saviano
Y Boland	Y Froehlich	Y McGuire	E Schmitz
Y Bost	Y Giles	Y McKeon	Y Scully
Y Bradley, John	Y Graham	Y Mendoza	Y Slone
Y Bradley, Richard	Y Granberg	Y Meyer	Y Smith
Y Brady	Y Grunloh	Y Miller	Y Sommer
Y Brauer	Y Hamos	Y Millner	Y Soto
Y Brosnahan	Y Hannig	Y Mitchell, Bill	Y Stephens
Y Burke	Y Hassert	Y Mitchell, Jerry	Y Sullivan
Y Capparelli	Y Hoffman	Y Moffitt	Y Tenhouse
Y Chapa LaVia	Y Holbrook	Y Molaro	Y Turner
Y Churchill	Y Howard	Y Morrow	Y Verschoore
E Collins	Y Hultgren	Y Mulligan	Y Wait
Y Colvin	Y Jakobsson	Y Munson	Y Washington
Y Coulson	Y Jefferson	Y Myers	Y Watson
Y Cross	Y Jones	Y Nekritz	Y Winters
A Cultra	Y Joyce	Y Novak	Y Yarbrough
Y Currie	Y Kelly	Y O'Brien	Y Younge
Y Daniels	Y Kosel	Y Osmond	Y Mr. Speaker
Y Davis, Monique	E Krause	Y Osterman	
Y Davis, Steve	Y Kurtz	Y Pankau	
Y Davis, Will	Y Lang	Y Parke	

E - Denotes Excused Absence