

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-THIRD GENERAL ASSEMBLY

97TH LEGISLATIVE DAY

THURSDAY, FEBRUARY 19, 2004

12:00 O'CLOCK NOON

**HOUSE OF REPRESENTATIVES
Daily Journal Index
97th Legislative Day**

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The House met pursuant to adjournment.

Speaker Madigan in the chair.

Prayer by Reverend Dennis Hawthorn of the New Life Church in Decatur, 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:

116 present. (ROLL CALL 1)

By unanimous consent, Representatives Howard and Poe were excused from attendance.

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 bill be reported "approved for consideration" and be placed on the order of Second Reading -- Short Debate: SENATE BILL 1611.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar -- Order of Resolutions: HOUSE RESOLUTION 686.

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

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

Y Currie, Barbara(D), Chairperson

N Black, William(R)

Y Hannig, Gary(D)

N Hassert, Brent(R), Rep. Spokesperson (Bost)

Y Turner, Arthur(D) (Capparelli)

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:

Aging: HOUSE BILLS 3922, 4475, 4734, 4810 and 6845.

Agriculture & Conservation: HOUSE BILLS 3821 and 4402.

Commerce & Business Development: HOUSE BILLS 4000, 4227, 4626, 4640 and 4929.

Consumer Protection: HOUSE BILL 4712.

Elections & Campaign Reform: HOUSE BILL 4761.

Elementary & Secondary Education: HOUSE BILL 4154.

Environment & Energy: HOUSE BILLS 5094 and 6555.

Executive: HOUSE BILLS 4219 and 4651.

Financial Institutions: HOUSE BILLS 4495 and 5195.

Higher Education: HOUSE BILLS 4073, 4364, 4686, 4688 and 5018.

Human Services: HOUSE BILLS 3957, 3963, 4493, 4735, 4818, 4894 and 4964; HOUSE JOINT RESOLUTION 48.

Insurance: HOUSE BILL 4999.

Judiciary I - Civil Law: HOUSE BILLS 4318, 4352, 4439, 4481, 4652, 4856, 4872, 4962, 6564, 6813 and 6846.

Judiciary II - Criminal Law: HOUSE BILLS 3913, 4071, 4275, 4350, 4391, 4505 and 6811.

Labor: HOUSE BILL 4857.

Local Government: HOUSE BILLS 1539, 2633, 4099, 4635, 5017 and 5884.

Personnel & Pensions: HOUSE BILL 6629.

Public Utilities: HOUSE BILL 3895.

Registration & Regulation: HOUSE BILL 3906.

Revenue: HOUSE BILLS 4914, 5095, 5157 and 6806; HOUSE AMENDMENT No. 11 to SENATE BILL 1498.

State Government Administration: HOUSE BILLS 2259, 3940, 4233, 4362, 4532, 4567, 5908, 6574 and 6848.

Transportation & Motor Vehicles: HOUSE BILLS 4338, 4403, 4881 and 5076.

Develop Disabilities Mental Illness: HOUSE BILLS 4306 and 4502.

**COMMITTEE ON RULES
REASSIGNMENTS**

Representative Currie, Chairperson of the Committee on Rules, reassigned the following legislation:
HOUSE BILL 4197 was recalled from the Committee on Revenue and reassigned to the Committee on Human Services.

STATE MANDATES FISCAL NOTE SUPPLIED

A State Mandates Fiscal Note has been supplied for SENATE BILL 1498, as amended.

HOME RULE NOTE SUPPLIED

A Home Rule Note has been supplied for SENATE BILL 1498, as amended.

REPORTS FROM STANDING COMMITTEES

Representative Hoffman, Chairperson, from the Committee on Transportation & Motor Vehicles to which the following were referred, action taken on February 18, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4098 and 4346.

The committee roll call vote on House Bill 4098 is as follows:

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

- | | |
|--|--------------------------------------|
| Y Hoffman, Jay(D), Chairperson | Y Bassi, Suzanne(R) |
| N Black, William(R) | Y Brosnahan, James(D) |
| Y Fritchey, John(D) | Y Joyce, Kevin(D) |
| Y Lyons, Joseph(D) | Y Mathias, Sidney(R) |
| Y McAuliffe, Michael(R) | Y Miller, David(D), Vice-Chairperson |
| Y Millner, John(R) | Y Moffitt, Donald(R) (Lindner) |
| Y Molaro, Robert(D) | Y Reitz, Dan(D) |
| Y Soto, Cynthia(D) | N Tenhouse, Art(R) |
| Y Wait, Ronald(R), Republican Spokesperson | Y Watson, Jim(R) |

The committee roll call vote on House Bill 4346 is as follows:

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

- | | |
|--|--------------------------------------|
| Y Hoffman, Jay(D), Chairperson | Y Bassi, Suzanne(R) |
| Y Black, William(R) | Y Brosnahan, James(D) |
| Y Fritchey, John(D) | Y Joyce, Kevin(D) |
| Y Lyons, Joseph(D) | Y Mathias, Sidney(R) |
| Y McAuliffe, Michael(R) | Y Miller, David(D), Vice-Chairperson |
| Y Millner, John(R) | Y Moffitt, Donald(R) (Lindner) |
| Y Molaro, Robert(D) | Y Reitz, Dan(D) |
| Y Soto, Cynthia(D) | Y Tenhouse, Art(R) |
| Y Wait, Ronald(R), Republican Spokesperson | Y Watson, Jim(R) |

Representative Reitz, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken on February 18, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 3989 and 4769.

The committee roll call vote on House Bill 3989 is as follows:

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

Y Reitz,Dan(D), Chairperson	Y Bradley,John(D)
A Brauer,Rich(R)	Y Cultra,Shane(R)
Y Dugan,Lisa(D)	A Eddy,Roger(R)
A Flider,Robert(D)	Y Gordon,Careen(D)
Y Grunloh,William(D)	Y Mautino,Frank(D)
Y Moffitt,Donald(R), Rep Spokesperson (Bost)	Y Myers,Richard(R)
Y Phelps,Brandon(D)	Y Pritchard,Robert(R)
Y Sacia,Jim(R)	A Smith,Michael(D)
Y Verschoore,Patrick(D)	Y Winters,Dave(R)

The committee roll call vote on House Bill 4769 is as follows:

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

Y Reitz,Dan(D), Chairperson	Y Bradley,John(D)
A Brauer,Rich(R)	Y Cultra,Shane(R)
Y Dugan,Lisa(D)	Y Eddy,Roger(R)
Y Flider,Robert(D)	Y Gordon,Careen(D)
Y Grunloh,William(D)	Y Mautino,Frank(D)
Y Moffitt,Donald(R), Rep Spokesperson (Bost)	Y Myers,Richard(R)
Y Phelps,Brandon(D)	Y Pritchard,Robert(R)
Y Sacia,Jim(R)	A Smith,Michael(D)
Y Verschoore,Patrick(D)	Y Winters,Dave(R)

Representative Flowers, Chairperson, from the Committee on Health Care Availability & Access to which the following were referred, action taken on February 18, 2004, and reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 3996.

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4531.

The committee roll call vote on House Bill 3996 is as follows:

14, Yeas; 4, Nays; 2, Answering Present.

N Flowers,Mary(D), Chairperson	N Bailey,Patricia(D)
P Berrios,Maria(D)	P Chapa LaVia,Linda(D)
Y Coulson,Elizabeth(R)	Y Fritchey,John(D)
Y Graham,Deborah(D)	Y Hassert,Brent(R) (Mathias)
Y Howard,Constance(D) (Hamos)	Y Krause,Carolyn(R)
Y Kurtz,Rosemary(R), Republican Spokesperson	Y May,Karen(D), Vice-Chairperson
Y Miller,David(D)	Y Mulligan,Rosemary(R)
Y Munson,Ruth(R)	Y Ryg,Kathleen(D)
Y Slone,Ricca(D)	N Sommer,Keith(R)
Y Stephens,Ron(R)	N Aguilar,Frank(R)

The committee roll call vote on House Bill 4531 is as follows:

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

Y Flowers,Mary(D), Chairperson	Y Bailey,Patricia(D)
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Y Berrios, Maria(D)	Y Chapa LaVia, Linda(D)
Y Coulson, Elizabeth(R)	Y Fritchey, John(D)
Y Graham, Deborah(D)	Y Hassert, Brent(R) (Mathias)
Y Howard, Constance(D) (Hamos)	Y Krause, Carolyn(R)
Y Kurtz, Rosemary(R), Republican Spokesperson	Y May, Karen(D), Vice-Chairperson
Y Miller, David(D)	Y Mulligan, Rosemary(R)
Y Munson, Ruth(R)	Y Ryg, Kathleen(D)
Y Slone, Ricca(D)	Y Sommer, Keith(R)
Y Stephens, Ron(R)	Y Aguilar, Frank(R)

Representative Molaro, 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 bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4016.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4234 and 4705.

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 7 to SENATE BILL 1498.

The committee roll call vote on House Bill 4016 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)	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)	

The committee roll call vote on House Bill 4705 is as follows:

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

P Molaro, Robert(D), Chairperson	Y Beaubien, Mark(R), Republican Spokesperson
Y Biggins, Bob(R)	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)	

The committee roll call vote on House Bill 4234 is as follows:

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

Y Molaro, Robert(D), Chairperson	Y Beaubien, Mark(R), Republican Spokesperson
Y Biggins, Bob(R)	N 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)	

The committee roll call vote on Amendment No. 7 to Senate Bill 1498 is as follows:

6, Yeas; 1, Nays; 2, Answering Present.

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

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 bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 4831.

The committee roll call vote on House Bill 4831 is as follows:

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

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

Representative Fritchey, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: HOUSE BILLS 4076 and 4132.

The committee roll call vote on House Bills 4076 and 4132 is as follows:

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

Y Fritchey,John(D), Chairperson	Y Bailey,Patricia(D)
Y Berrios,Maria(D)	Y Bradley,John(D)
A Brosnahan,James(D)	Y Cultra,Shane(R)
Y Froehlich,Paul(R)	Y Hamos,Julie(D)
Y Hoffman,Jay(D)	Y Hultgren,Randall(R), Republican Spokesperson
Y Lang,Lou(D)	Y Mathias,Sidney(R)
Y May,Karen(D)	Y Nekritz,Elaine(D)
Y Osmond,JoAnn(R)	Y Rose,Chapin(R)
Y Sacia,Jim(R)	Y Scully,George(D), Vice-Chairperson
Y Wait,Ronald(R)	

CHANGE OF SPONSORSHIP

Representative Soto asked and obtained unanimous consent to be removed as chief sponsor and Representative Delgado asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 4831.

RESOLUTIONS

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

HOUSE RESOLUTION 677

Offered by Representative Black:

WHEREAS, State employee health insurance coverage is extended to the dependents of State employees under the State Employees Group Insurance Act of 1971; and

WHEREAS, Subsection (h) of Section 3 of that Act, 5 ILCS 375/3(h), defines "a dependent as a member's spouse and any unmarried child (1) from birth to age 19 including an adopted child, a child who lives with the member from the time of the filing of a petition for adoption until entry of an order of adoption, a stepchild or recognized child who lives with the member in a parent-child relationship, or a child who lives with the member if such member is a court appointed guardian of the child, or (2) age 19 to 23 enrolled as a full-time student in any accredited school, financially dependent upon the member, and

eligible to be claimed as a dependent for income tax purposes, or (3) age 19 or over who is mentally or physically handicapped. For the health plan only, the term "dependent" also includes any person enrolled prior to the effective date of this Section who is dependent upon the member to the extent that the member may claim such person as a dependent for income tax deduction purposes; no other such person may be enrolled. For the health plan only, the term "dependent" also includes any person who has received after June 30, 2000 an organ transplant and who is financially dependent upon the member and eligible to be claimed as a dependent for income tax purposes"; and

WHEREAS, The Department of Central Management Services, as administrator of the State group insurance program, determines who meets the statutory definition of a dependent; and

WHEREAS, The General Assembly, and all State employees, are keenly interested in the fair and consistent administration of the group insurance program, which the General Assembly recognizes and intends as a valuable benefit of State employment; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that this body requests that the Department of Central Management Services report to the General Assembly by March 31, 2004 upon the administration of the State employee group insurance program with respect to dependent coverage, including (i) the Department's criteria for determining dependent status; (ii) the number of persons, by classification, rejected by the Department as not meeting those dependent criteria during the current fiscal year and fiscal year 2003; and (iii) the the rules and procedure by which the Department's denial of dependent status may be appealed; and be it further; and be it further

RESOLVED, That a copy of this resolution be transmitted to the Director of Central Management Services.

HOUSE RESOLUTION 679

Offered by Representative Flowers:

WHEREAS, According to Federal Reserve data, in 2001 Americans owed more than \$500 billion in outstanding auto loans and paid close to \$45 billion in interest on these auto loans; and

WHEREAS, According to the Consumer Federation of America, in their 2003 Report, "The Hidden Mark-up of Auto Loans," African-Americans and Hispanics pay higher finance interest rates than other borrowers; and

WHEREAS, Discrepancies in finance rates between African-Americans and Hispanics and other consumers cannot be explained by difference of creditworthiness; and

WHEREAS, In 2001, DaimlerChrysler ranked third among the top ten companies in auto finance; and

WHEREAS, Data shows that the average annual rate of interest on vehicle loans for African-American and Hispanic households is higher than that of other households; and

WHEREAS, 35 percent of African-American households held auto loans averaging a little more than \$15,000 at an average interest rate of a little more than 10 percent; thus paying approximately \$6 billion in interest annually; and

WHEREAS, Elected officials and civic leaders in Chicago and Cook County have called for a nationwide boycott against DaimlerChrysler as a result of racial discrimination that included systematic denial of financing to African-Americans at two local dealerships in Chicago neighborhoods and making racially insensitive remarks by corporate executives and employees; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we call upon DaimlerChrysler Corporation and Chrysler Financial Corporation to halt all patterns and practices of racial discrimination, including discriminatory lending practices; and to take corrective action including employment termination of executives who have made racially insensitive remarks and increase the number of minority-owned dealerships and the number of minorities in executive positions; and be it further

RESOLVED, That copies of this resolution be sent to DaimlerChrysler Corporation and Chrysler Financial Corporation.

HOUSE RESOLUTION 680

Offered by Representative Gordon:

WHEREAS, The Senior HelpLine helps senior citizens locate services in their communities; provides referral to local programs for seniors and caregivers, including case management, choices for care, senior companion, elder abuse, and intergenerational programs; addresses seniors' needs and answers their questions; and provides information, assistance and literature; and

WHEREAS, The Senior HelpLine is an outstanding service that is supported by the Illinois General Assembly; and

WHEREAS, Currently, there are three different phone numbers people must call to access the Senior HelpLine, depending on the time of day and where they are calling from; one number is to be used when calling from 8:30 a.m. to 5 p.m., Monday through Friday; a second number is to be used when calling after hours, on weekends or on holidays; and a third number is to be used by callers from outside Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Department on Aging to create one all-purpose number that callers can use and to allow current technology to transfer calls made from this one all-purpose number to wherever needed in an effort to make the Senior HelpLine more user-friendly and make obtaining information from the Senior HelpLine easier; and be it further

RESOLVED, That a copy of this resolution be sent to the Director of the Department on Aging.

HOUSE RESOLUTION 681

Offered by Representative Kosel:

WHEREAS, Music in the schools of Illinois is designed to bring about recognition of the vital place of music in the education process; and

WHEREAS, Music is a powerful and aesthetic force that gives our young people a sense of civilization because it dignifies the realm of feeling by merging intellect and emotion in the search for a humane way of life; and

WHEREAS, Music is a basic influence in the lives of millions of people who participate in creating, performing, and listening experiences developed through music in the schools; and

WHEREAS, Music in our Schools Month is a special opportunity for citizens to understand and support the ongoing process of music education; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate March of 2004 as "Music in our Schools" Month in the State of Illinois.

HOUSE RESOLUTION 686

Offered by Representative Yarbrough:

WHEREAS, African-Americans have been a presence in Illinois since the 1700s; in fact, the first outpost on the land that is now Chicago was founded by a black man, Jean-Baptiste DuSable; many are not aware of facts like these and black history in Illinois in general, and that is why Black History Month is so important to share our heritage with not only other African-Americans, but all people, and to foster a sense of pride and respect; and

WHEREAS, At the beginning of the 93rd General Assembly, January of 2003, Springfield welcomed 9 African-American State Senators and 19 State Representatives; they joined the total of 120 African-American legislators to serve Illinois throughout its history; and

WHEREAS, Illinois' first black State legislator, John W. E. Thomas, was elected to the House of Representatives in 1876; it is important to mention him first, not only because he was the first, but he is often the first to be overlooked; if one takes a tour of the Statehouse in Springfield, there is a statue of the first black State Senator; but many tour guides will tell you the statue represents the first elected black legislator; and

WHEREAS, John Thomas was born in Alabama in the 1840s and moved to Chicago in 1869; he was an

educator and opened the city's first school for African-American children, along with running a grocery store; when he won his election in 1876, African-Americans were less than 2 percent of the city's population, and a minority in his district; but despite the way blacks were viewed at the time, Mr. Thomas put the issue of equality for all on the table; he could have meekly sat in the back of the chamber and remained inconspicuous, but he instead chose to meet the issue of equality head on and was a sponsor of the State civil rights law of 1885; and

WHEREAS, Not much has been written on John W. E. Thomas, but his character and commitment to public service in the face of adversity warrant an understanding of his work and a memorial of his name; and

WHEREAS, Cecil Partee was the first African-American elected to serve as one of the State's top four legislative leaders; he spent 20 years in the General Assembly and held the positions of both Senate Minority Leader and Senate President; his breakthrough paved the way for African-Americans to reach leadership positions in State government; and

WHEREAS, Today, Emil Jones, Jr. serves as Senate President and Jesse White, who served in the House of Representatives, is Secretary of State; and

WHEREAS, Harold Washington, Chicago's first black mayor, also started his career in the State legislature; he served in the House of Representatives from 1965 to 1977 and in the State Senate from 1977 through 1981; and

WHEREAS, Women are also included among the ranks of African-American legislators, and although they are not as common, their achievements are no less worthy of admiration; black women have overcome two barriers in order to serve the State of Illinois, barriers of race and gender; and

WHEREAS, Floy Clements was the woman who opened the door for African-American women legislators to hold elected office in Illinois, and she did this in 1958, a time when women in general garnered less respect than men; and

WHEREAS, Carol Mosely Braun has had a long commitment to serving the people of Illinois, through her recent attempt to become the first black President, as well as the first female President of the United States; she served in the Illinois House of Representatives from 1979 through 1988, during which she served as Assistant Minority Leader; she left the House to become the Cook County Recorder of Deeds; seeing no boundaries to her ambition, she became the first black woman elected to the United States Senate; and

WHEREAS, This lesson is taken seriously; all the African-American State Representatives and two Latino members are organized into the Illinois House Legislative Black Caucus; and

WHEREAS, The Black Caucus stresses teamwork in order to achieve equality; this means civil equality, economic equality, educational equality, and political equality; they have fought against racial profiling, the death penalty fiasco, equal funding for schools that serve underprivileged communities, and prejudice; and

WHEREAS, Unity and cooperation are best means to get things done; since the same basic values and goals are shared, it only makes sense that we fight together in one battle instead of 21 separate clandestine missions; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize the efforts of African-American legislators and their role in the history of this State.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 682

Offered by Representative Kosel:

WHEREAS, The members of the Illinois House of Representatives congratulate Supriya Jain of Frankfort on being named one of the top youth volunteers in Illinois for 2004, in the ninth annual Prudential Spirit of Community Awards program; and

WHEREAS, The Prudential Spirit of Community Awards, created by Prudential Financial in partnership with the National Association of Secondary School Principals (NASSP), constitute America's largest youth

recognition program based exclusively on volunteerism; the awards are designed to emphasize the importance our nation places on service to others, and to encourage young Americans of all backgrounds to contribute to their communities; this is an extraordinary honor, more than 20,000 young people across the country were considered for recognition this year; and

WHEREAS, Supriya Jain is a senior at Lincoln-Way East High School and organized a youth leadership conference to inspire and empower junior high and high school students; the conference, "Discover Leadership: Challenge Yourself to Make a Difference," drew more than 100 students from five communities, as well as elected officials, church leaders, educators, and businessman; and

WHEREAS, As a Distinguished Finalist in this year's program, Supriya will receive an engraved bronze medallion at a local ceremony; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Supriya Jain on being named one of the top youth volunteers in Illinois for 2004; and be it further

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

HOUSE RESOLUTION 683

Offered by Representatives Morrow and Madigan:

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Holy Cross Hospital of Chicago on the occasion of its 75th anniversary; and

WHEREAS, In September of 1928, ground was broken for the first Holy Cross Hospital; this began an important legacy of healing and service that continues today; and

WHEREAS, Holy Cross Hospital is a community hospital, overlooking Marquette Park, just southwest of the center of Chicago, and is sponsored by the Sisters of St. Casimir; and

WHEREAS, Beginning with Mother Maria Kaupas, the dynamic young woman who began the Sisters of St. Casimir, a strong commitment of caring and healing have been the cornerstone of the Holy Cross Hospital mission; the contemporary mission of healing and respect for all people continues the proud legacy of the courageous religious women and talented physicians who began Holy Cross Hospital; and

WHEREAS, Holy Cross Hospital's founding commitment to bring healing to people continues today with renewed vitality; the physicians and staff of Holy Cross work hard to understand what is important to every patient and every patient's family; and

WHEREAS, Holy Cross Hospital services include inpatient medical, surgical, obstetric, and pediatric care; intensive care units for cardiac, respiratory, and medical care; 24 hour emergency medicine; express care for minor emergencies; physical rehabilitation; a family birth center; laboratory; radiology; magnetic resonance imaging (MRI); CT scan; outpatient services; ambulatory care; endoscopy; physical therapy; occupational therapy; speech therapy; audiology; a sleep lab; and community outreach; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Holy Cross Hospital of Chicago on the occasion of its 75th anniversary; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Holy Cross Hospital as an expression of our esteem and with best wishes for the future success of Holy Cross Hospital.

HOUSE RESOLUTION 684

Offered by Representative Granberg:

WHEREAS, The members of the Illinois House of Representatives wish to congratulate the All-Saints Academy 8th grade girls basketball team on becoming the Southern Illinois Class M State Champions; and

WHEREAS, All-Saints defeated the Sesser-Valier Lady Devils, 51-22, to become the medium school State champions for Southern Illinois; and

WHEREAS, The coach of the team is Mike Kreke; the assistant coach is Bob Kasson; and

WHEREAS, The members of the All-Saints girls basketball team are Libby Deiters, Megan Strieker, Erin Kasson, Lydia Bruegge, Hayley Schnieder, Ashley Timmermann, Jessica Hemann, and Kalyn

Keilbach; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the All-Saints Academy 8th grade girls basketball team on becoming the Southern Illinois Class M State Champions; and be it further

RESOLVED, That suitable copies of this resolution be presented to the coaches and team members of the All-Saints Academy 8th grade girls basketball team as a token of our respect and esteem.

HOUSE RESOLUTION 685

Offered by Representative Granberg:

WHEREAS, The members of the Illinois House of Representatives wish to congratulate the Carlyle Jr. High Lady Indians on winning the Southern Illinois State Basketball Championship, large school title; and

WHEREAS, The Carlyle Indians defeated Salem, Centralia, West Frankfort, Metropolis, and Carmi to become the large school State champions for Southern Illinois; they won with a 39-35 victory over the Carmi Lady Bulldogs; and

WHEREAS, The members of the team are Ashlee Johnson, Jolyn Alexander, Paige Isaak, Maddie Beckmann, Hannah Beckmann, Kaitlyn Williams, Raelyn Bell, Mandy Laws, Stacie Hughes, Lara Delahunt, Christie Ronnenberg, Lauren Luebbers, Kaitlin Bolk, Kayla Boehne, and Lauren Timmermann; and

WHEREAS, The Carlyle Indians are lead by coach Randy Voss (8th grade) and Jeff Wessel (7th grade); the team managers and statisticians are Tia Robertson, Cassie Funderburk, Courtney Berry, and Kayla Carpenter; the waterboys are Ryan Drake, Jody Gustafson, Kody Bolk, and Jacob Ade; and

WHEREAS, In addition to the players and coaches, congratulations go to Carlyle Jr. High Principal, Jim McClaren; and Superintendent, Rick DeFauw; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Carlyle Jr. High Lady Indians on winning the Southern Illinois State Basketball Championship, large school title, and we extend our best wishes for their future success; and be it further

RESOLVED, That suitable copies of this resolution be presented to the principal, superintendent, coaches, and to each member of the team as a token of our respect and esteem.

ACTION ON MOTIONS

Representative Feigenholtz asked and obtained unanimous consent to table House Bill 4193. The motion prevailed.

HOUSE BILLS ON SECOND READING

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 3865.

HOUSE BILL 4025. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary I - Civil Law, adopted and printed:

AMENDMENT NO. 1 . Amend House Bill 4025 on page 2, line 4, by replacing "clerk of the court" with "State's Attorney of the county in which the fine was imposed"; and on page 2, line 7, by replacing "clerk of the court" with "State's Attorney"; and on page 2, line 9, by replacing "clerk" with "State's Attorney".

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

HOUSE BILL 4031. Having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and printed:

AMENDMENT NO. 1 . Amend House Bill 4031 on page 4, line 8, after "has" by inserting "not"; and on page 4, line 8, by replacing "support for" with "opposition to".

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

HOUSE BILL 4106. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary I - Civil Law, adopted and printed:

AMENDMENT NO. 1 . Amend House Bill 4106 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by adding Section 2505-655 as follows:

(20 ILCS 2505/2505-655 new)

Sec. 2505-655. Collection of past due circuit court fees. Upon certification by the Clerk of the Circuit Court of the amounts of delinquent court fees, the Department of Revenue may collect the past due fees by intercepting the tax refund of any person owing the fees. The Department of Revenue shall enter into an agreement with the Clerk of the Circuit Court as provided in Section 27.2b of the Clerks of Courts Act prior to undertaking any collections under this Section. Any agreement between the Department of Revenue and the Clerk of the Circuit Court for the intercept of tax refunds shall contain provisions for certification of debt, notification to the taxpayer of the intercept, treatment of joint returns, and protest of the intercept that are consistent with the requirements for a refund withholding request under Section 911.2 of the Illinois Income Tax Act.

Section 10. The Illinois Income Tax Act is amended by changing Section 911.3 as follows:

(35 ILCS 5/911.3)

Sec. 911.3. Refunds withheld; order of honoring requests. The Department shall honor refund withholding requests in the following order:

(1) a refund withholding request to collect an unpaid State tax;

(2) a refund withholding request to collect certified past due child support amounts

under Section 2505-650 of the Department of Revenue Law of the Civil Administrative Code of Illinois;

(3) a refund withholding request to collect any debt owed to the State;

(4) a refund withholding request made by the Secretary of the Treasury of the United

States, or his or her delegate, to collect any tax liability arising from Title 26 of the United States Code;
~~and~~

(5) a refund withholding request pursuant to Section 911.2 of this Act; ~~and~~ -

(6) a refund withholding request to collect certified past due fees owed to the Clerk of the Circuit Court as authorized under Section 2505-655 of the Department of Revenue Law of the Civil Administrative Code of Illinois.

(Source: P.A. 92-826, eff. 8-21-02.)

Section 15. The Clerks of Courts Act is amended by changing Section 27.3b and by adding Section 27.2b as follows:

(705 ILCS 105/27.2b new)

Sec. 27.2b. State income tax refund intercept. The Clerk of the Circuit Court may enter into an agreement with the Illinois Department of Revenue to establish a pilot program for the purpose of collecting certain fees. The purpose shall be to intercept, in whole or in part, State income tax refunds due the persons who owe past due fees to the Clerk of the Circuit Court in order to satisfy unpaid fees pursuant to the fee requirements of Sections 27.1a, 27.2, and 27.2a of this Act. The agreement shall include, but may not be limited to, a certification by the Clerk of the Circuit Court that the debt claims forwarded to the Department of Revenue are valid and that reasonable efforts have been made to notify persons of the delinquency of the debt. The agreement shall include provisions for payment of the intercept by the

Department of Revenue to the Clerk of the Circuit Court and procedures for an appeal/protest by the debtor when an intercept occurs. The agreement may also include provisions to allow the Department of Revenue to recover its cost for administering the program.

Intercepts made pursuant to this Section shall not interfere with the collection of debts related to child support. During the collection of debts under this Section, when there are 2 or more debt claims certified to the Department at the same time, priority of collection shall be as provided in Section 911.3 of the Illinois Income Tax Act.

(705 ILCS 105/27.3b) (from Ch. 25, par. 27.3b)

Sec. 27.3b. The clerk of court may accept payment of fines, penalties, or costs by credit card or debit card approved by the clerk from an offender who has been convicted of or placed on court supervision for a traffic offense, petty offense, ordinance offense, or misdemeanor or who has been convicted of a felony offense. The clerk of the circuit court may accept credit card payments over the Internet for fines, penalties, or costs from offenders on voluntary electronic pleas of guilty in minor traffic and conservation offenses to satisfy the requirement of written pleas of guilty as provided in Illinois Supreme Court Rule 529. The clerk of the court may also accept payment of statutory fees by a credit card or debit card. The clerk of the court may also accept the credit card or debit card for the cash deposit of bail bond fees up to \$300.

The Clerk of the circuit court is authorized to enter into contracts with credit card or debit card companies approved by the clerk and to negotiate the payment of convenience and administrative fees to ~~pay those companies fees~~ normally charged by those companies for allowing the clerk of the circuit court to accept their credit cards or debit cards in payment as authorized herein. The clerk of the circuit court is authorized to enter into contracts with third party fund guarantors, facilitators, and service providers under which those entities may contract directly with customers of the clerk of the circuit court and guarantee and remit the payments to the clerk of the circuit court. Where the offender pays fines, penalties, or costs by credit card or debit card or through a third party fund guarantor, facilitator, or service provider, or anyone paying statutory fees of the circuit court clerk or the posting of cash bail, the clerk shall collect a service fee of up to \$5 or the amount charged to the clerk for use of its services by the credit card or debit card issuer, third party fund guarantor, facilitator, or service provider. This service fee shall be in addition to any other fines, penalties, or costs. The clerk of the circuit court is authorized to negotiate the assessment of convenience and administrative fees by the third party fund guarantors, facilitators, and service providers with the revenue earned by the clerk of the circuit court to be remitted to the county general revenue fund.

(Source: P.A. 93-391, eff. 1-1-04.)

Section 20. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Section 706.3 as follows:

(750 ILCS 5/706.3)

Sec. 706.3. Information concerning obligors.

(a) In this Section:

"Arrearage", "delinquency", "obligor", and "order for support" have the meanings attributed to those terms in the Income Withholding for Support Act.

"Consumer reporting agency" has the meaning attributed to that term in Section 603(f) of the Fair Credit Reporting Act, 15 U.S.C. 1681a(f).

(b) Whenever a court of competent jurisdiction finds that an obligor either owes an arrearage of more than \$10,000, ~~or~~ is delinquent in payment of an amount equal to at least 3 months' support obligation pursuant to an order for support, or fails to pay the child support annual fee for a period of 3 years, the court shall direct the clerk of the court to make information concerning the obligor available to consumer reporting agencies.

(c) Whenever a court of competent jurisdiction finds that an obligor either owes an arrearage of more than \$10,000 or is delinquent in payment of an amount equal to at least 3 months' support obligation pursuant to an order for support, the court shall direct the clerk of the court to cause the obligor's name and address to be published in a newspaper of general circulation in the area in which the obligor resides. The clerk shall cause the obligor's name and address to be published only after sending to the obligor at the obligor's last known address, by certified mail, return receipt requested, a notice of intent to publish the information. This subsection (c) applies only if the obligor resides in the county in which the clerk of the court holds office.

(Source: P.A. 90-466, eff. 1-1-98; 90-673, eff. 1-1-99.)"

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

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 4157.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 678, 682, 683, 684 and 685 were taken up for consideration.
Representative Currie moved the adoption of the agreed resolutions.
The motion prevailed and the Agreed Resolutions were adopted.

CONCURRENCES AND NON-CONCURRENCES IN SENATE AMENDMENTS TO HOUSE BILLS

Senate Amendment No. 1 to HOUSE BILL 1017, having been printed, was taken up for consideration.
Representative Parke 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:

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

(ROLL CALL 2)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 1017.

Ordered that the Clerk inform the Senate.

ACTION ON MOTIONS

Representative McGuire asked and obtained unanimous consent to table House Bill 4749.
The motion prevailed.

At the hour of 4:20 o'clock p.m., Representative Currie moved that the House do now adjourn until Friday, February 20, 2004, at 11:00 o'clock a.m.

The motion prevailed.

And the House stood adjourned.

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

February 19, 2004

0 YEAS

0 NAYS

116 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-THIRD
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1017
 TRUSTS-TECH
 MOTION TO CONCUR IN SENATE AMENDMENT No.1
 CONCURRED

February 19, 2004

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence