

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

36TH LEGISLATIVE DAY

REGULAR SESSION

TUESDAY, APRIL 17, 2007

12:00 O'CLOCK NOON

**HOUSE OF REPRESENTATIVES
Daily Journal Index
36th Legislative Day**

Action	Page(s)
Adjournment	116
Agreed Resolutions	15
Change of Sponsorship	13
Fiscal Note Requested	13
Fiscal Notes Supplied	13
Legislative Measures Approved for Floor Consideration	11
Legislative Measures Assigned to Committee	12
Motions Submitted	13
Quorum Roll Call	6
Reports	6
Reports From Standing Committees	12
Resolutions	14
Senate Bills on First Reading	15
State Mandates Fiscal Notes Supplied	13
Temporary Committee Assignments	11

Bill Number	Legislative Action	Page(s)
HB 0117	Third Reading	58
HB 0129	Second Reading – amendment	80
HB 0132	Second Reading – amendment	80
HB 0150	Third Reading	56
HB 0151	Second Reading – Amendment/s	23
HB 0161	Recall	97
HB 0192	Second Reading – Amendment/s	44
HB 0193	Second Reading – Amendment/s	76
HB 0196	Third Reading	67
HB 0224	Second Reading – Amendment/s	79
HB 0254	Third Reading	58
HB 0262	Motion Submitted	13
HB 0273	Second Reading – Amendment/s	89
HB 0274	Second Reading	95
HB 0362	Second Reading – Amendment/s	52
HB 0374	Third Reading	66
HB 0384	Committee Report – Floor Amendment/s	11
HB 0412	Third Reading	20
HB 0449	Third Reading	57
HB 0473	Second Reading – amendment	25
HB 0486	Third Reading	68
HB 0502	Second Reading	88
HB 0503	Motion	116
HB 0556	Second Reading	79
HB 0576	Second Reading	54
HB 0586	Second Reading	52
HB 0592	Third Reading	17
HB 0615	Third Reading	21
HB 0622	Third Reading	68
HB 0652	Committee Report – Floor Amendment/s	11
HB 0652	Second Reading – amendment	72
HB 0678	Third Reading	55
HB 0694	Motion	116

HB 0724	Third Reading	68
HB 0734	Second Reading.....	48
HB 0742	Second Reading.....	90
HB 0811	Committee Report	13
HB 0811	Second Reading – Amendment/s	58
HB 0857	Third Reading	56
HB 0909	Second Reading – amendment	97
HB 0948	Second Reading – amendment	48
HB 0949	Second Reading.....	43
HB 0949	Second Reading – amendment	44
HB 0950	Second Reading.....	56
HB 0983	Second Reading.....	116
HB 0985	Second Reading – Amendment/s	21
HB 0987	Third Reading	56
HB 0988	Second Reading.....	95
HB 1059	Third Reading	68
HB 1124	Second Reading.....	53
HB 1231	Committee Report	12
HB 1231	Second Reading.....	64
HB 1281	Second Reading – Amendment/s	91
HB 1289	Second Reading – amendment	92
HB 1290	Third Reading	57
HB 1294	Second Reading – Amendment/s	91
HB 1303	Third Reading	55
HB 1361	Recall	20
HB 1362	Second Reading – amendment	25
HB 1366	Second Reading – Amendment/s	30
HB 1403	Second Reading.....	54
HB 1407	Second Reading.....	30
HB 1462	Third Reading	67
HB 1497	Second Reading.....	95
HB 1509	Third Reading	20
HB 1529	Committee Report – Floor Amendment/s	11
HB 1529	Second Reading – amendment	79
HB 1558	Second Reading – Amendment/s	23
HB 1559	Third Reading	67
HB 1563	Second Reading – Amendment/s	54
HB 1605	Third Reading	58
HB 1608	Third Reading	90
HB 1647	Second Reading – Amendment/s	28
HB 1671	Third Reading	17
HB 1675	Second Reading – amendment	95
HB 1684	Second Reading.....	80
HB 1708	Second Reading – amendment	43
HB 1718	Second Reading – amendment	68
HB 1727	Second Reading – Amendment/s	53
HB 1732	Third Reading	66
HB 1743	Third Reading	57
HB 1775	Second Reading – Amendment/s	69
HB 1780	Second Reading – Amendment/s	53
HB 1784	Committee Report – Floor Amendment/s	11
HB 1835	Second Reading.....	95
HB 1855	Third Reading	90
HB 1864	Third Reading	20
HB 1881	Third Reading	56
HB 1888	Second Reading.....	53
HB 1911	Second Reading.....	28

HB 1921	Third Reading	20
HB 1958	Committee Report – Floor Amendment/s	12
HB 1959	Second Reading – Amendment/s	80
HB 1963	Second Reading – Amendment/s	95
HB 1974	Committee Report	12
HB 1974	Second Reading – Amendment/s	64
HB 1979	Second Reading – Amendment/s	26
HB 1988	Third Reading	57
HB 2781	Third Reading	57
HB 2786	Second Reading – Amendment/s	25
HB 2787	Second Reading – amendment	71
HB 2918	Second Reading – amendment	97
HB 3022	Recall	17
HB 3022	Second Reading – amendment	17
HB 3132	Second Reading – amendment	36
HB 3218	Second Reading	95
HB 3327	Second Reading – amendment	54
HB 3393	Third Reading	21
HB 3399	Third Reading	56
HB 3406	Third Reading	21
HB 3425	Third Reading	55
HB 3455	Second Reading	23
HB 3512	Second Reading	25
HB 3583	Third Reading	68
HB 3586	Third Reading	21
HB 3597	Second Reading – Amendment/s	29
HB 3621	Third Reading	20
HB 3628	Second Reading – amendment	88
HB 3653	Recall	67
HB 3653	Second Reading – amendment	67
HB 3658	Third Reading	68
HB 3672	Third Reading	57
HB 3677	Second Reading	48
HB 3766	Third Reading	55
HJR 0046	Resolution	14
HR 0169	Committee Report	12
HR 0267	Resolution	15
HR 0268	Resolution	15
HR 0268	Adoption	116
HR 0269	Resolution	15
HR 0269	Adoption	116
HR 0270	Resolution	16
HR 0270	Adoption	116
HR 0271	Resolution	16
HR 0271	Adoption	116
HR 0272	Resolution	16
HR 0273	Resolution	16
HR 0273	Adoption	116
HR 0274	Resolution	16
HR 0274	Adoption	116
HR 0275	Resolution	16
HR 0275	Adoption	116
HR 0276	Resolution	16
HR 0276	Adoption	116
HR 0277	Resolution	16
HR 0277	Adoption	116
HR 0278	Resolution	16

HR 0278	Adoption	116
HR 0279	Resolution	14
HR 0280	Resolution	17
HR 0280	Adoption	116
HR 0281	Resolution	17
HR 0281	Adoption	116
HR 0282	Resolution	17
HR 0282	Adoption	116
SB 0281	First Reading.....	15
SB 0365	First Reading.....	15
SB 0377	Committee Report.....	12
SB 0377	Second Reading – Amendment/s.....	64
SB 0384	First Reading.....	15
SB 0398	First Reading.....	15
SB 0417	First Reading.....	15
SB 0434	First Reading.....	15
SB 0486	First Reading.....	15
SB 0523	First Reading.....	15
SB 0532	First Reading.....	15
SB 0725	First Reading.....	15
SB 0809	First Reading.....	15
SB 0825	First Reading.....	15
SB 1094	First Reading.....	15
SB 1097	First Reading.....	15

The House met pursuant to adjournment.

Speaker of the House Madigan in the chair.

Prayer by Doorkeeper of the House Lee A. Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield, IL.

Representative Harris 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:

110 present. (ROLL CALL 1)

By unanimous consent, Representatives Boland, Dunn, Froehlich, Jerry Mitchell, Mulligan and Patterson 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 Rita, should be recorded as present at the hour of 1:42 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Scully, should be recorded as present at the hour of 2:25 o'clock p.m.

REPORTS

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

Compliance Examination of ISU, submitted by Office of the Auditor General.

Compliance Examination of ISU Foundation, submitted by Office of the Auditor General.

Financial Audit of WIU Foundation, submitted by Office of the Auditor General.

Compliance Examination of Department of Revenue, submitted by Office of the Auditor General.

Financial Audit of Department of Revenue, submitted by Office of the Auditor General.

Compliance Examination of Gaming Board, submitted by Office of the Auditor General.

Financial Audit of Tazewell County ROE 53, submitted by Office of the Auditor General.

Financial Audit of Marchall, Putnam, Woodford Counties ROE 43, submitted by Office of the Auditor General.

Financial Audit of Bureau, Henry, Stark Counties ROE 28, submitted by Office of the Auditor General.

Financial Audit of Fulton, Schuyler Counties ROE 22, submitted by Office of the Auditor General.

Financial Audit of Clinton, Marion, Washington Counties ROE 13, submitted by Office of the Auditor General.

Financial Audit of Regional Office of Education, submitted by Office of the Auditor General.

Financial Audit of Governors State University Foundation, submitted by Office of the Auditor General.

Financial Audit of Governors State University Alumni Association, submitted by Office of the Auditor General.

Financial Audit of Prairieland Energy, Inc., submitted by Office of the Auditor General.

Compliance Examination of Law Enforcement Training and Standards Board, submitted by Office of the Auditor General.

Compliance Examination of Procurement Policy Board, submitted by Office of the Auditor General.

Compliance Examination of Office of the Legislative Inspector General, submitted by Office of the Auditor General.

Compliance Examination of Joint Committee on Administrative Rules, submitted by Office of the Auditor General.

Compliance Examination of Legislative Ethics Commission, submitted by Office of the Auditor General.
Compliance Examination of Northeastern Illinois University, submitted by Office of the Auditor General.

Executive Summary Performance Audit of Mass Transit Agencies of Northeastern IL, RTA, CTA, Metra, and Pace, submitted by Office of the Auditor General.

Performance Audit of Mass Transit Agencies of Northeastern IL, RTA, Metra, and Pace, submitted by Office of the Auditor General.

Compliance Examination of Chicago Transit Authority, submitted by Office of the Auditor General.

Compliance Examination of Regional Transportation Authority Northeastern IL, submitted by Office of the Auditor General.

Compliance Examination of Metra, submitted by Office of the Auditor General.

Compliance Examination of Pace, submitted by Office of the Auditor General.

Financial Audit of Hamilton, Jefferson Counties ROE 25, submitted by Office of the Auditor General.

Compliance Examination of Violence Prevention Authority, submitted by Office of the Auditor General.

Compliance Examination of Pollution Control Board, submitted by Office of the Auditor General.

Financial Audit of Chicago State University Foundation, submitted by Office of the Auditor General.

Financial Audit of IL Student Assistance Commission, IL Prepaid Tuition Program, submitted by Office of the Auditor General.

Financial Audit of Peoria County ROE 48, submitted by Office of the Auditor General.

Compliance Examination of Prisoner Review Board, submitted by Office of the Auditor General.

Financial Audit of ROE 54, submitted by Office of the Auditor General.

Financial Audit of ROE 10, submitted by Office of the Auditor General.

Compliance Examination of Illinois Student Assistance Commission, submitted by Office of the Auditor General.

Financial Audit and Compliance Examination of State Board of Education, submitted by Office of the Auditor General.

Compliance Report of NIU, submitted by Office of the Auditor General.

Financial Audit of Clark, Coles, Cumberland, Douglas, Edgar, Moultrie, Shelby Counties ROE 11, submitted by Office of the Auditor General.

Compliance Examination of U of I Alumni Association, submitted by Office of the Auditor General.

Compliance Examination of Illinois Ventures, LLC, submitted by Office of the Auditor General.

Compliance Examination of NIU Alumni Association, submitted by Office of the Auditor General.

Compliance Examination of Prairieland Energy, Inc., submitted by Office of the Auditor General.

Compliance Examination of U of I Research Park, LLC, submitted by Office of the Auditor General.

Financial Audit of Jackson, Perry Counties ROE 30, submitted by Office of the Auditor General.

Compliance Examination of Wolcott, Wood, Taylor, Inc., submitted by Office of the Auditor General.

Compliance Examination of NIU Foundation, submitted by Office of the Auditor General.

Financial Audit of Bond, Fayette, Effingham Counties ROE 3, submitted by Office of the Auditor General.

Compliance Examination of U of I Foundation, submitted by Office of the Auditor General.

Compliance Examination of U of I, submitted by Office of the Auditor General.

Supplementary Financial Information for U of I, submitted by Office of the Auditor General.

Compliance Examination of Department of State Police, submitted by Office of the Auditor General.

Compliance Examination of Petroleum Resources Board, submitted by Office of the Auditor General.

Financial Audit of Department of Employment Security, submitted by Office of the Auditor General.

Compliance Examination of Community College Board, submitted by Office of the Auditor General.

Financial Audit and Compliance Examination of Department of Healthcare and Family Services, submitted by Office of the Auditor General.

Compliance Examination of Department of Children and Family Services, submitted by Office of the Auditor General.

Financial Audit of Department of Children and Family Services, submitted by Office of the Auditor General.

Financial Audit of Will County ROE 56, submitted by Office of the Auditor General.

Financial Audit of Monroe and Randolph Counties ROE 45, submitted by Office of the Auditor General.

Financial Audit of Boone and Winnebago Counties ROE 4, submitted by Office of the Auditor General.

Financial Audit of Capital Asset Account and Compliance Examination of Department of Natural Resources, submitted by Office of the Auditor General.

Financial Audit of IMSA Fund for Advancement of Education, submitted by Office of the Auditor General.

Financial Audit and Compliance Examination of Kankakee River Valley Area Airport Authority, submitted by Office of the Auditor General.

Compliance Examination of Department of Transportation, submitted by Office of the Auditor General.
Financial Audit of Department of Transportation, submitted by Office of the Auditor General.

Financial Audit of ISAC Illinois Designated Account Purchase Program, submitted by Office of the Auditor General.

Compliance Examination of Office of the State Appellate Defender, submitted by Office of the Auditor General.

Financial Audit of Chicago State University, submitted by Office of the Auditor General.

Compliance Examination of EIU, submitted by Office of the Auditor General.

Compliance Examination of Governors State University, submitted by Office of the Auditor General.

Financial Audit of Illinois Student Assistance Commission, submitted by Office of the Auditor General.

Financial Audit of ISU, submitted by Office of the Auditor General.

Financial Audit of Department of Human Services, submitted by Office of the Auditor General.

Financial Audit and Compliance Examination of Illinois Conservation Foundation, submitted by Office of the Auditor General.

Financial Audit of East St. Louis Financial Advisory Authority, submitted by Office of the Auditor General.

Compliance Examination of SIU, submitted by Office of the Auditor General.
Supplementary Information of SIU, submitted by Office of the Auditor General.

Financial Audits for SIU Housing and Auxiliary Facilities System and Medical Facilities System, submitted by Office of the Auditor General.

Financial Statements of SIU Foundation, Evergreen Terrace Family Housing Phase III, submitted by Office of the Auditor General.

Financial Audit of Illinois Finance Authority, submitted by Office of the Auditor General.

Financial Audit of Workers' Compensation Commission Self Insurers' Security Non shared Proprietary Fund, submitted by Office of the Auditor General.

Financial Audit and Compliance Examination of Chicago Technology Park Corp., submitted by Office of the Auditor General.

Program Audit of Office of the Inspector General, DHS, submitted by Office of the Auditor General.
Financial Audit of U of I Foundation, submitted by Office of the Auditor General.

Financial Audit of Office of the Treasurer, College Savings Program, submitted by Office of the Auditor General.

Financial Audit of Office of the Treasurer, The Illinois Funds, submitted by Office of the Auditor General.

Financial Statements of Illinois Housing Development Authority, submitted by Office of the Auditor General.

Financial Statements of Wolcott, Wood, and Taylor, Inc., submitted by Office of the Auditor General.

Compliance Examination of Illinois State Toll Highway Authority, submitted by Office of the Auditor General.

Financial Statements of U of I Alumni Association, submitted by Office of the Auditor General.

Financial Audit of DeWitt, Livingston, and McLean Counties ROE 17, submitted by Office of the Auditor General.

Financial Report of State Employees' Retirement System of Illinois, submitted by Office of the Auditor General.

Financial Report of General Assembly Retirement System, submitted by Office of the Auditor General.

Auditor's Report and Financial Audit of Teachers' Retirement System, submitted by Office of the Auditor General.

Financial Report of Judges' Retirement System, submitted by Office of the Auditor General.

Financial Statements of Illinois State Board of Investment, submitted by Office of the Auditor General.

Auditors' Report and Financial Audit of State Universities Retirement System, submitted by Office of the Auditor General.

Supplemental Digest to Retirement Systems' Audits, submitted by Office of the Auditor General.

Compliance Examination of Office of the Comptroller, Non fiscal Officer Responsibilities, submitted by Office of the Auditor General.

Compliance Examination of Office of the Comptroller, Fiscal Officer Responsibilities, submitted by Office of the Auditor General.

Financial Audit of Office of the Secretary of State, submitted by Office of the Auditor General.

Financial Audit and Compliance Examination of Office of the Treasurer, Fiscal Officer Responsibilities, submitted by Office of the Auditor General.

Compliance Examination of Office of the Attorney General, submitted by Office of the Auditor General.

Financial Audit of Sangamon County ROE 51, submitted by Office of the Auditor General.

Management Audit of Department of Transportation's Aeronautics Operations, submitted by Office of the Auditor General.

Financial Audit of Northeastern Illinois University, submitted by Office of the Auditor General.

Financial Audit of EIU, submitted by Office of the Auditor General.

Financial Audit of Governors State University, submitted by Office of the Auditor General.

Financial Audits of U of I Auxiliary Facilities System, Willard Airport Facility, and Health Services Facilities System, submitted by Office of the Auditor General.

Financial Audit of ISU Foundation, submitted by Office of the Auditor General.

Financial Audit of Illinois Ventures, LLC., submitted by Office of the Auditor General.

Financial Audit of EIU Alumni Association, Inc., submitted by Office of the Auditor General.

Financial Audit of Northeastern Illinois University Foundation, submitted by Office of the Auditor General.

Financial Audit of Northern Illinois University, submitted by Office of the Auditor General.

Financial Audit of NIU Alumni Association, submitted by Office of the Auditor General.

Financial Audit of EIU Foundation, submitted by Office of the Auditor General.

Financial Statements of SIU Edwardsville Foundation, submitted by Office of the Auditor General.

Financial Statements of SIU Edwardsville Alumni Association, submitted by Office of the Auditor General.

Financial Statements of SIU Edwardsville University Park, Inc., submitted by Office of the Auditor General.

Financial Audit of U of I Research Park, LLC., submitted by Office of the Auditor General.

Financial Statements of Southern Illinois Research Park, Inc., submitted by Office of the Auditor General.

Financial Audit of SIU Physicians and Surgeons, Inc., submitted by Office of the Auditor General.

Compliance Examination of State Police Merit Board, submitted by Office of the Auditor General.

Compliance Examination of Property Tax Appeal Board, submitted by Office of the Auditor General.

Compliance Examination of Legislative Information System, submitted by Office of the Auditor General.

Compliance Examination of Office of the State's Attorney Appellate Prosecutor, submitted by Office of the Auditor General.

Compliance Examination of Executive Ethics Commission, submitted by Office of the Auditor General.

Financial Audit of NIU, submitted by Office of the Auditor General.

Financial Statements of SIU Foundation at Carbondale, submitted by Office of the Auditor General.

Financial Statements of The Association of Alumni, Former Students, and Friends of SIU, Inc., submitted by Office of the Auditor General.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Molaro replaced Representative Burke in the Committee on Personnel and Pensions on April 17, 2007.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 17, 2007, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

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

Amendment No. 1 to HOUSE BILL 384.

Amendment No. 3 to HOUSE BILL 652.

Amendment No. 2 to HOUSE BILL 1529.

Amendment No. 2 to HOUSE BILL 1784.

Amendment No. 1 to HOUSE BILL 1958.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 169.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

- Agriculture & Conservation: HOUSE RESOLUTIONS 163, 208 and 242.
- Elementary & Secondary Education: HOUSE JOINT RESOLUTION 40; HOUSE RESOLUTIONS 162 and 228.
- Environment & Energy: HOUSE RESOLUTIONS 174 and 193.
- Environmental Health: HOUSE RESOLUTION 226.
- Executive: HOUSE AMENDMENT No. 2 to HOUSE BILL 2304.
- Human Services: HOUSE JOINT RESOLUTION 41; HOUSE RESOLUTION 243.
- International Trade & Commerce: HOUSE RESOLUTIONS 156, 186, 216 and 265.
- Judiciary II - Criminal Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 2749.
- Personnel and Pensions: HOUSE RESOLUTION 233.
- State Government Administration: HOUSE JOINT RESOLUTIONS 36, 37, 38, 42 and 43; HOUSE RESOLUTIONS 189, 218, 246 and 256.
- Juvenile Justice Reform: HOUSE AMENDMENT No. 2 to HOUSE BILL 1322.

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

3, Yeas; 1, Nay; 0, Answering Present.

- | | |
|--------------------------|-------------------------------------|
| Y Currie(D), Chairperson | N Black(R), Republican Spokesperson |
| Y Hannig(D) | A Hassert(R) |
| Y Turner(D) | |

REPORTS FROM STANDING COMMITTEES

Representative Richard Bradley, Chairperson, from the Committee on Personnel and Pensions to which the following were referred, action taken on April 17, 2007, 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 1231.

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 1974 and SENATE BILL 377 .

The committee roll call vote on Senate Bill 377 is as follows:

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

- | | |
|-----------------------------------|-------------------------------|
| Y Bradley, R. (D), Chairperson | Y Colvin(D), Vice-Chairperson |
| Y Poe(R), Republican Spokesperson | Y Brauer(R) |
| Y Molaro(D) (replacing Burke) | |

The committee roll call vote on House Bill 1231 is as follows:

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

- | | |
|-----------------------------------|-------------------------------|
| Y Bradley, R. (D), Chairperson | Y Colvin(D), Vice-Chairperson |
| N Poe(R), Republican Spokesperson | N Brauer(R) |
| Y Burke(D) | |

The committee roll call vote on House Bill 1974 is as follows:

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

- | | |
|-----------------------------------|-------------------------------|
| Y Bradley, R. (D), Chairperson | Y Colvin(D), Vice-Chairperson |
| P Poe(R), Republican Spokesperson | P Brauer(R) |
| Y Burke(D) | |

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on April 17, 2007, 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 811.

The committee roll call vote on House Bill 811 is as follows:

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

Y Burke(D), Chairperson	Y Lyons(D), Vice-Chairperson
Y Brady(R), Republican Spokesperson	A Acevedo(D)
Y Berrios(D)	Y Biggins(R)
Y Bradley, Richard(D)	Y Hassert(R)
Y Meyer(R)	Y Molaro(D)
A Rita(D)	Y Saviano(R)
A Turner(D)	

MOTIONS SUBMITTED

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 262.

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for HOUSE BILLS 193, as amended, 1407, 3397 and 3652.

STATE MANDATES FISCAL NOTES SUPPLIED

State Mandates Fiscal Notes have been supplied for HOUSE BILLS 193, as amended, 1050, 1517, 1518 and 1560, as amended.

REQUEST FOR FISCAL NOTE

Representative Mautino requested that a Fiscal Note be supplied for HOUSE BILL 441.

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Lang was removed as principal sponsor, and Representative Acevedo became the new principal sponsor of SENATE BILL 1545.

With the consent of the affected members, Representative Lang was removed as principal sponsor, and Representative Acevedo became the new principal sponsor of SENATE BILL 527.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Ramey became the new principal sponsor of HOUSE BILL 3341.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Lyons became the new principal sponsor of HOUSE BILL 2304.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative D'Amico became the new principal sponsor of HOUSE BILL 2749.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Ramey became the new principal sponsor of HOUSE BILL 3086.

With the consent of the affected members, Representative Mendoza was removed as principal sponsor, and Representative Cultra became the new principal sponsor of HOUSE BILL 1631.

With the consent of the affected members, Representative Flowers was removed as principal sponsor, and Representative Ford became the new principal sponsor of HOUSE BILL 475.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Saviano became the new principal sponsor of HOUSE BILL 2926.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Pihos became the new principal sponsor of HOUSE BILL 3288.

RESOLUTIONS

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

HOUSE RESOLUTION 279

Offered by Representative Holbrook:

WHEREAS, The 10th Amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."; and

WHEREAS, The 10th Amendment was ratified on December 15, 1791 as part of the original Bill of Rights; and

WHEREAS, The 10th Amendment makes a declaration of the relationship between the federal government and the states; and

WHEREAS, The 10th Amendment defines the total scope of federal power as being that specifically delegated by the United States Constitution and honors the powers of the individual 50 states; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the State of Illinois hereby claims the rights afforded to it under the 10th Amendment to the Constitution of the United States; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the President of the United States.

HOUSE JOINT RESOLUTION 46

Offered by Representative William Davis:

WHEREAS, Freedom from poverty is a basic human right; and

WHEREAS, Full participation in civic life cannot be achieved without the things that protect and preserve human dignity and make for a healthy life, including adequate nutrition and housing, meaningful work, safe communities, health care, and education; and

WHEREAS, The Preamble to the Constitution of the State of Illinois provides that the elimination of poverty is one of the fundamental goals of our State Government; and

WHEREAS, The Illinois Human Rights Act provides that the public policy of the State of Illinois is "to promote the public health, welfare and safety by protecting the interest of all people in Illinois in maintaining personal dignity, in realizing their full productive capacities, and in furthering their interests,

rights and privileges as citizens of this State"; and

WHEREAS, Persons living in extreme poverty have incomes of 50% or less of the federal poverty level, which is \$10,310 or less for a family of 4; and

WHEREAS, In 2006 over 681,000 individuals residing in Illinois were living in extreme poverty; and

WHEREAS, Extreme poverty exists in every county in Illinois; and

WHEREAS, Illinois is one of the wealthiest states in the United States, yet has one of the highest rates of extreme poverty in the midwest; and

WHEREAS, Illinois has no comprehensive plan for the elimination of extreme poverty; and

WHEREAS, The Office of the Lieutenant Governor has agreed to facilitate a series of 10 public hearings in defined geographic areas throughout the State beginning in June, 2007, aimed at documenting both the experiences of those living in extreme poverty and their ideas for eradicating extreme poverty in Illinois with the objective of creating a poverty eradication strategy that initially will halve the number of people living in extreme poverty in Illinois by the year 2015 and reduce overall poverty in Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the General Assembly applauds the Office of the Lieutenant Governor for agreeing to facilitate public hearings on the critical issue of extreme poverty in Illinois; and be it further

RESOLVED, That members of the General Assembly are urged to attend and participate in the public hearings covering their respective legislative or representative districts; and be it further

RESOLVED, That local stakeholders, including governmental officials, are encouraged to attend the hearings; and be it further

RESOLVED, That the Office of the Lieutenant Governor shall prepare and deliver a report of findings and recommendations based on information collected at the public hearings to the General Assembly and to the Governor no later than January 15, 2008; and be it further

RESOLVED, That a suitable copy of this resolution be transmitted to the Office of the Lieutenant Governor.

SENATE BILLS ON FIRST READING

Having been reproduced, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 281 (Tracy), 365 (Beaubien), 384 (Hoffman), 398 (Lang), 417 (Eddy), 434 (Joyce), 486 (Lang), 523 (Lyons), 532 (Molaro), 725 (Hoffman), 809 (Smith), 825 (Schock), 1094 (Reitz) and 1097 (Fortner).

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 267

Offered by Representative Fortner:

Congratulates the Wheaton St. Francis High School Volleyball team for winning the Class AA State Championship.

HOUSE RESOLUTION 268

Offered by Representative Molaro:

Congratulates the Illinois Association of Mortgage Brokers on its 20th anniversary.

HOUSE RESOLUTION 269

Offered by Representative Stephens:

Congratulates the Highland Middle School drill team for winning the State titles in both the dance and lyrical categories at the Illinois Drill Team Association Junior Varsity/Junior High Finals at Bloomington High School.

HOUSE RESOLUTION 270

Offered by Representative D'Amico:

Congratulates Ron Magers of Chicago on being named the recipient of the 2007 Dante Award presented by the Joint Civic Committee of Italian Americans.

HOUSE RESOLUTION 271

Offered by Representative Bill Mitchell:

Congratulates Carl Leonard Carr on his retirement as a trustee of the Niantic Fire Protection District.

HOUSE RESOLUTION 272

Offered by Representative Brady:

Congratulates the Ironmen of Normal Community High School on winning the IHSA Class 6A Football State Championship.

HOUSE RESOLUTION 273

Offered by Representative Jefferies:

Congratulates Geraldine "Travis" Hooten on her retirement from the City of Chicago Department of Human Services.

HOUSE RESOLUTION 274

Offered by Representative Hannig:

Mourns the death of former Illinois State Representative Rolland Tipsword of Taylorville.

HOUSE RESOLUTION 275

Offered by Representative May:

Congratulates Wendy Abrams on receiving the Environmental Leadership Award from the Illinois League of Conservation Voters.

HOUSE RESOLUTION 276

Offered by Representative William Davis:

Congratulates Mustapha Farrakhan on his achievements in the game of basketball.

HOUSE RESOLUTION 277

Offered by Representative McCarthy:

Congratulates the Carl Sandburg High School 2007 Class AA State Wrestling Champions.

HOUSE RESOLUTION 278

Offered by Representative Crespo:

Congratulates Kathy Jesuit of Hanover Park on receiving the 2007 Illinois Education Association Educational Support Professional Award.

HOUSE RESOLUTION 280

Offered by Representative Tracy:
 Congratulates the Brown County High School Basketball Team on their outstanding 2006-2007 season.

HOUSE RESOLUTION 281

Offered by Representative Tracy:
 Mourns the death of Richard "Butch" Bowen of Mt. Sterling.

HOUSE RESOLUTION 282

Offered by Representative Tracy:
 Congratulates Dan Dugan on his retirement as President and CEO of Mercantile Bancorp.

HOUSE BILLS ON THIRD READING

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

On motion of Representative Durkin, HOUSE BILL 1671 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 2, Nays; 0, Answering Present.

(ROLL CALL 2)

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

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

On motion of Representative Eddy, HOUSE BILL 592 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 110, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 3)

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

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

RECALL

At the request of the principal sponsor, Representative Lindner, HOUSE BILL 3022 was recalled from the order of Third Reading to the order of Second Reading.

HOUSE BILL ON SECOND READING

HOUSE BILL 3022. Having been recalled on April 17, 2007, the same was again taken up. Representative Lindner offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3022 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Mental Health Court Treatment Act.

Section 5. Purposes. The General Assembly recognizes that a large percentage of criminal defendants have a diagnosable mental illness and that mental illnesses have a dramatic effect on the criminal justice system in the State of Illinois. The General Assembly also recognizes that mental illness and substance abuse problems co-occur in a substantial percentage of criminal defendants. There is a critical need for a criminal justice system program that will reduce the number of persons with mental illnesses and with co-occurring mental illness and substance abuse problems in the criminal justice system, reduce recidivism among persons with mental illness and with co-occurring mental illness and substance abuse problems, provide appropriate treatment to persons with mental illnesses and co-occurring mental illness and substance abuse problems and reduce the incidence of crimes committed as a result of mental illnesses or co-occurring mental illness and substance abuse problems. It is the intent of the General Assembly to create specialized mental health courts with the necessary flexibility to meet the problems of criminal defendants with mental illnesses and co-occurring mental illness and substance abuse problems in the State of Illinois.

Section 10. Definitions. As used in this Act:

"Mental health court", "mental health court program", or "program" means a structured judicial intervention process for mental health treatment of eligible defendants that brings together mental health professionals, local social programs, and intensive judicial monitoring.

"Mental health court professional" means a judge, prosecutor, defense attorney, probation officer, or treatment provider involved with the mental health court program.

"Pre-adjudicatory mental health court program" means a program that allows the defendant, with the consent of the prosecution, to expedite the defendant's criminal case before conviction or before filing of a criminal case and requires successful completion of the mental health court program as part of the agreement.

"Post-adjudicatory mental health court program" means a program in which the defendant has admitted guilt or has been found guilty and agrees, along with the prosecution, to enter a mental health court program as part of the defendant's sentence.

"Combination mental health court program" means a mental health court program that includes a pre-adjudicatory mental health court program and a post-adjudicatory mental health court program.

"Co-occurring mental health and substance abuse court program" means a program that includes persons with co-occurring mental illness and substance abuse problems. Such programs shall include professionals with training and experience in treating persons with substance abuse problems and mental illness.

Section 15. Authorization. The Chief Judge of each judicial circuit may establish a mental health court program, including the format under which it operates under this Act.

Section 20. Eligibility.

(a) A defendant may be admitted into a mental health court program only upon the agreement of the prosecutor and the defendant and with the approval of the court.

(b) A defendant shall be excluded from a mental health court program if any of one of the following applies:

(1) The crime is a crime of violence as set forth in clause (3) of this subsection (b).

(2) The defendant does not demonstrate a willingness to participate in a treatment program.

(3) The defendant has been convicted of a crime of violence within the past 10 years excluding incarceration time, specifically first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, armed robbery, aggravated arson, arson, aggravated kidnapping, kidnapping, stalking, aggravated stalking, or any offense involving the discharge of a firearm.

(4) The defendant has previously completed or has been discharged from a mental health court program within 3 years of completion or discharge.

Section 25. Procedure.

(a) The court shall require an eligibility screening and an assessment of the defendant. An assessment need not be ordered if the court finds a valid assessment related to the present charge pending against the defendant has been completed within the previous 60 days.

(b) The judge shall inform the defendant that if the defendant fails to meet the requirements of the mental health court program, eligibility to participate in the program may be revoked and the defendant may be sentenced or the prosecution continued, as provided in the Unified Code of Corrections, for the crime charged.

(c) The defendant shall execute a written agreement as to his or her participation in the program and shall agree to all of the terms and conditions of the program, including but not limited to the possibility of

sanctions or incarceration for failing to abide or comply with the terms of the program.

(d) In addition to any conditions authorized under the Pretrial Services Act and Section 5-6-3 of the Unified Code of Corrections, the court may order the defendant to complete mental health or substance abuse treatment in an outpatient, inpatient, residential, or jail-based custodial treatment program. Any period of time a defendant shall serve in a jail-based treatment program may not be reduced by the accumulation of good time or other credits and may be for a period of up to 120 days.

(e) The mental health court program may include a regimen of graduated requirements and rewards and sanctions, including but not limited to: fines, fees, costs, restitution, incarceration of up to 180 days, individual and group therapy, medication, drug analysis testing, close monitoring by the court and supervision of progress, educational or vocational counseling as appropriate and other requirements necessary to fulfill the mental health court program.

Section 30. Mental health and substance abuse treatment.

(a) The mental health court program may maintain or collaborate with a network of mental health treatment programs and, if it is a co-occurring mental health and substance abuse court program, a network of substance abuse treatment programs representing a continuum of treatment options commensurate with the needs of defendants and available resources.

(b) Any substance abuse treatment program to which defendants are referred must meet all of the rules and governing programs in Parts 2030 and 2060 of Title 77 of the Illinois Administrative Code.

(c) The mental health court program may, at its discretion, employ additional services or interventions, as it deems necessary on a case by case basis.

Section 35. Violation; termination; discharge.

(a) If the court finds from the evidence presented, including but not limited to the reports or proffers of proof from the mental health court professionals that:

- (1) the defendant is not performing satisfactorily in the assigned program;
- (2) the defendant is not benefiting from education, treatment, or rehabilitation;
- (3) the defendant has engaged in criminal conduct rendering him or her unsuitable for the program; or
- (4) the defendant has otherwise violated the terms and conditions of the program or his or her sentence or is for any reason unable to participate;

the court may impose reasonable sanctions under prior written agreement of the defendant, including but not limited to imprisonment or dismissal of the defendant from the program; and the court may reinstate criminal proceedings against him or her or proceed under Section 5-6-4 of the Unified Code of Corrections for a violation of probation, conditional discharge, or supervision hearing. No defendant may be dismissed from the program unless, prior to such dismissal, the defendant is informed in writing: (i) of the reason or reasons for the dismissal; (ii) the evidentiary basis supporting the reason or reasons for the dismissal; (iii) that the defendant has a right to a hearing at which he or she may present evidence supporting his or her continuation in the program. Based upon the evidence presented, the court shall determine whether the defendant has violated the conditions of the program and whether the defendant should be dismissed from the program or whether some other alternative may be appropriate in the interests of the defendant and the public.

(b) Upon successful completion of the terms and conditions of the program, the court may dismiss the original charges against the defendant or successfully terminate the defendant's sentence or otherwise discharge him or her from the program or from any further proceedings against him or her in the original prosecution."

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

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

HOUSE BILLS ON THIRD READING

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

On motion of Representative Moffitt, HOUSE BILL 1921 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 109, Yeas; 0, Nays; 1, Answering Present.

(ROLL CALL 4)

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

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

On motion of Representative Poe, HOUSE BILL 412 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 109, Yeas; 0, Nays; 1, Answering Present.

(ROLL CALL 5)

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

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

On motion of Representative Ramey, HOUSE BILL 1864 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 110, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 6)

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

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

On motion of Representative Reboletti, HOUSE BILL 3621 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 110, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 7)

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

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

DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 1 was distributed to the Members at 12:35 o'clock p.m.

RECALL

At the request of the principal sponsor, Representative Ford, HOUSE BILL 1361 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON THIRD READING

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

On motion of Representative Currie, HOUSE BILL 1509 was taken up and read by title a third time.

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

73, Yeas; 37, Nays; 0, Answering Present.
(ROLL CALL 8)

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

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

On motion of Representative Chapa LaVia, HOUSE BILL 3393 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
86, Yeas; 24, Nays; 0, Answering Present.
(ROLL CALL 9)

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

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

On motion of Representative Hassert, HOUSE BILL 3406 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
110, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 10)

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

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

On motion of Representative Dunkin, HOUSE BILL 615 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
110, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 11)

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

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

On motion of Representative Flider, HOUSE BILL 3586 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
109, Yeas; 0, Nays; 1, Answering Present.
(ROLL CALL 12)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 985. Having been reproduced, was taken up and read by title a second time.
The following amendment was offered in the Committee on Labor, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 985 by replacing everything after the enacting clause with the following:

"Section 5. The Prevailing Wage Act is amended by changing Sections 2 and 3 as follows:
(820 ILCS 130/2) (from Ch. 48, par. 39s-2)

Sec. 2. This Act applies to the wages of laborers, mechanics and other workers employed in any public works, as hereinafter defined, by any public body and to anyone under contracts for public works. This includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.

As used in this Act, unless the context indicates otherwise:

"Public works" means all fixed works constructed by any public body, other than work done directly by any public utility company, whether or not done under public supervision or direction, or paid for wholly or in part out of public funds. "Public works" as defined herein includes all projects financed in whole or in part with bonds issued under the Industrial Project Revenue Bond Act (Article 11, Division 74 of the Illinois Municipal Code), the Industrial Building Revenue Bond Act, the Illinois Finance Authority Act, the Illinois Sports Facilities Authority Act, or the Build Illinois Bond Act, and all projects financed in whole or in part with loans or other funds made available pursuant to the Build Illinois Act. "Public works" also includes all projects financed in whole or in part with funds from the Fund for Illinois' Future under Section 6z-47 of the State Finance Act, funds for school construction under Section 5 of the General Obligation Bond Act, funds authorized under Section 3 of the School Construction Bond Act, funds for school infrastructure under Section 6z-45 of the State Finance Act, and funds for transportation purposes under Section 4 of the General Obligation Bond Act. "Public works" also includes all projects financed in whole or in part with funds from the Department of Commerce and Economic Opportunity under the Illinois Renewable Fuels Development Program Act for which there is no project labor agreement. "Public works" also includes all projects at leased facility property used for airport purposes under Section 35 of the Local Government Facility Lease Act.

"Construction" means all work on public works involving laborers, workers or mechanics. This includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented.

"Locality" means the county where the physical work upon public works is performed, except (1) that if there is not available in the county a sufficient number of competent skilled laborers, workers and mechanics to construct the public works efficiently and properly, "locality" includes any other county nearest the one in which the work or construction is to be performed and from which such persons may be obtained in sufficient numbers to perform the work and (2) that, with respect to contracts for highway work with the Department of Transportation of this State, "locality" may at the discretion of the Secretary of the Department of Transportation be construed to include two or more adjacent counties from which workers may be accessible for work on such construction.

"Public body" means the State or any officer, board or commission of the State or any political subdivision or department thereof, or any institution supported in whole or in part by public funds, and includes every county, city, town, village, township, school district, irrigation, utility, reclamation improvement or other district and every other political subdivision, district or municipality of the state whether such political subdivision, municipality or district operates under a special charter or not.

The terms "general prevailing rate of hourly wages", "general prevailing rate of wages" or "prevailing rate of wages" when used in this Act mean the hourly cash wages plus fringe benefits for training and apprenticeship programs approved by the U.S. Department of Labor, Bureau of Apprenticeship and Training, health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character on public works.

(Source: P.A. 93-15, eff. 6-11-03; 93-16, eff. 1-1-04; 93-205, eff. 1-1-04; 94-750, eff. 5-9-06.)

(820 ILCS 130/3) (from Ch. 48, par. 39s-3)

Sec. 3. Not less than the general prevailing rate of hourly wages for work of a similar character on public works in the locality in which the work is performed, and not less than the general prevailing rate of hourly wages for legal holiday and overtime work, shall be paid to all laborers, workers and mechanics employed by or on behalf of any public body engaged in the construction of public works. This includes any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented. Only such laborers, workers and mechanics as are directly employed by contractors or subcontractors in actual construction work on the site of the building or construction job, and laborers, workers and mechanics engaged in the transportation of materials and equipment to or from the site, but not including the transportation by the sellers and suppliers or the manufacture or processing of materials or equipment, in the execution of any contract or contracts for public works with any public body shall be deemed to be employed upon public works. The wage for a tradesman performing maintenance is equivalent to that of a tradesman engaged in construction.

(Source: P.A. 93-15, eff. 6-11-03; 93-16, eff. 1-1-04.)

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

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

HOUSE BILL 1558. Having been reproduced, was taken up and read by title a second time.
The following amendment was offered in the Committee on Revenue, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1558 as follows:
on page 1, by replacing lines 12 through 13 with the following:
"such items of income and deduction, and any factor taken into account in allocating non-business income to this State, to such extent as"; and
on page 2, line 1, by changing "principle" to "principal"; and
on page 2, line 3, by changing "Illinois" to "state".

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 3455.

HOUSE BILL 151. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Agriculture & Conservation, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 151 as follows:
on page 3, line 19, by replacing "a veteran or" with "an"; and
on page 3, by replacing lines 22 through 26 with "fee for a hunting license to hunt all species. For purposes of this Section, "active-duty military member" means a person who is currently serving on active duty as a member of the Armed Forces of the United States, the Illinois National Guard, or any reserve component of the Armed Forces of the United States."; and
on page 4, by deleting lines 1 through 5.

Representative Bost offered and withdrew Amendment No. 2.

Representative Bost offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 151, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Wildlife Code is amended by changing Section 3.2 as follows:
(520 ILCS 5/3.2) (from Ch. 61, par. 3.2)

Sec. 3.2. Hunting license; application; instruction. Before the Department or any county, city, village, township, incorporated town clerk or his duly designated agent or any other person authorized or designated by the Department to issue hunting licenses shall issue a hunting license to any person, the person shall file his application with the Department or other party authorized to issue licenses on a form provided by the Department and further give definite proof of identity and place of legal residence. Each clerk designating agents to issue licenses and stamps shall furnish the Department, within 10 days following the appointment, the names and mailing addresses of the agents. Each clerk or his duly designated agent shall be authorized to sell licenses and stamps only within the territorial area for which he was elected or appointed. No duly designated agent is authorized to furnish licenses or stamps for issuance by any other business establishment. Each application shall be executed and sworn to and shall set forth the name and description of the applicant and place of residence.

No hunting license shall be issued to any person born on or after January 1, 1980 unless he presents the person authorized to issue the license evidence that he has held a hunting license issued by the State of Illinois or another state in a prior year, or a certificate of competency as provided in this Section. Persons under 16 years of age may be issued a Lifetime Hunting or Sportsmen's Combination License as provided under Section 20-45 of the Fish and Aquatic Life Code but shall not be entitled to hunt unless they have a certificate of competency as provided in this Section and they shall have the certificate in their possession

while hunting.

The Department of Natural Resources shall authorize personnel of the Department or certified volunteer instructors to conduct courses, of not less than 10 hours in length, in firearms and hunter safety, which may include training in bow and arrow safety, at regularly specified intervals throughout the State. Persons successfully completing the course shall receive a certificate of competency. The Department of Natural Resources may further cooperate with any reputable association or organization in establishing courses if the organization has as one of its objectives the promotion of safety in the handling of firearms or bow and arrow.

The Department of Natural Resources shall designate any person found by it to be competent to give instruction in the handling of firearms, hunter safety, and bow and arrow. The persons so appointed shall give the course of instruction and upon the successful completion shall issue to the person instructed a certificate of competency in the safe handling of firearms, hunter safety, and bow and arrow. No charge shall be made for any course of instruction except for materials or ammunition consumed. The Department of Natural Resources shall furnish information on the requirements of hunter safety education programs to be distributed free of charge to applicants for hunting licenses by the persons appointed and authorized to issue licenses. Funds for the conducting of firearms and hunter safety courses shall be taken from the fee charged for the Firearm Owners Identification Card.

The fee for a hunting license to hunt all species for a resident of Illinois is \$7. For residents age 65 or older, the fee is one-half of the fee charged for a hunting license to hunt all species for a resident of Illinois. Nonresidents shall be charged \$50 for a hunting license.

If any person who is currently serving on active-duty as a member of the Armed Forces of the United States or any reserve component of the Armed Forces of the United States has a valid Firearm Owner's Identification Card, or the equivalent issued by another state, issued in his or her name, then there is no fee for a hunting license to hunt all species for that person. The Department shall establish standards for the verification of active-duty service under this paragraph. The active-duty military member shall provide verification of active-duty service to the Department at the Department's office in Springfield.

Nonresidents may be issued a nonresident hunting license for a period not to exceed 10 consecutive days' hunting in the State and shall be charged a fee of \$28.

A special nonresident hunting license authorizing a nonresident to take game birds by hunting on a game breeding and hunting preserve area only, established under Section 3.27, shall be issued upon proper application being made and payment of a fee equal to that for a resident hunting license. The expiration date of this license shall be on the same date each year that game breeding and hunting preserve area licenses expire.

Each applicant for a State Migratory Waterfowl Stamp, regardless of his residence or other condition, shall pay a fee of \$10 and shall receive a stamp. Except as provided under Section 20-45 of the Fish and Aquatic Life Code, the stamp shall be signed by the person or affixed to his license or permit in a space designated by the Department for that purpose.

Each applicant for a State Habitat Stamp, regardless of his residence or other condition, shall pay a fee of \$5 and shall receive a stamp. Except as provided under Section 20-45 of the Fish and Aquatic Life Code, the stamp shall be signed by the person or affixed to his license or permit in a space designated by the Department for that purpose.

Nothing in this Section shall be construed as to require the purchase of more than one State Habitat Stamp by any person in any one license year.

The Department shall furnish the holders of hunting licenses and stamps with an insignia as evidence of possession of license, or license and stamp, as the Department may consider advisable. The insignia shall be exhibited and used as the Department may order.

All other hunting licenses and all State stamps shall expire upon March 31 of each year.

Every person holding any license, permit, or stamp issued under the provisions of this Act shall have it in his possession for immediate presentation for inspection to the officers and authorized employees of the Department, any sheriff, deputy sheriff, or any other peace officer making a demand for it. This provision shall not apply to Department owned or managed sites where it is required that all hunters deposit their license, permit, or Firearm Owner's Identification Card at the check station upon entering the hunting areas. (Source: P.A. 93-554, eff. 8-20-03.)"

The foregoing motion prevailed and Amendment No. 3 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 473. Having been reproduced, was taken up and read by title a second time. Representative Fritchey offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 473 on page 2, by replacing lines 12 and 13 with the following:

"\$25,000;

(C) does not include moneys received by a retailer serving as a vendor as part of a reimbursement-only program for goods and services through the Department of Children and Family Services, the Department of Human Services, the Department of Healthcare and Family Services, the Department of Public Health, the Department on Aging, or any of their successor agencies; and

(D) before October 1, 2008, does not include credit".

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

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 3512.

HOUSE BILL 1362. Having been reproduced, was taken up and read by title a second time. Representative Brauer offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1362 on page 1, line 10, before "certification", by inserting "national"; and on page 1, line 11, by replacing "Behaviorial" with "Behavioral".

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

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

HOUSE BILL 2786. Having been reproduced, was taken up and read by title a second time. The following amendment was offered in the Committee on Insurance, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 2786 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 236 as follows:

(215 ILCS 5/236) (from Ch. 73, par. 848)

Sec. 236. Discrimination prohibited.

(a) No life company doing business in this State shall make or permit any distinction or discrimination in favor of individuals among insured persons of the same class and equal expectation of life in the issuance of its policies, in the amount of payment of premiums or rates charged for policies of insurance, in the amount of any dividends or other benefits payable thereon, or in any other of the terms and conditions of the contracts it makes.

(b) No life company shall make or permit any distinction or discrimination against individuals with handicaps or disabilities in the amount of payment of premiums or rates charged for policies of life insurance, in the amount of any dividends or death benefits payable thereon, or in any other terms and conditions of the contract it makes unless the rate differential is based on sound actuarial principles and a reasonable system of classification and is related to actual or reasonably anticipated experience directly

associated with the handicap or disability.

(c) No life company shall refuse to insure, or refuse to continue to insure, or limit the amount or extent or kind of coverage available to an individual, or charge an individual a different rate for the same coverage solely because of blindness or partial blindness. With respect to all other conditions, including the underlying cause of the blindness or partial blindness, persons who are blind or partially blind shall be subject to the same standards of sound actuarial principles or actual or reasonably anticipated experience as are sighted persons. Refusal to insure includes denial by an insurer of disability insurance coverage on the grounds that the policy defines "disability" as being presumed in the event that the insured loses his or her eyesight. However, an insurer may exclude from coverage disabilities consisting solely of blindness or partial blindness when such condition existed at the time the policy was issued.

(d) No life company shall refuse to insure or to continue to insure an individual solely because of the individual's status as a member of the United States Air Force, Army, Coast Guard, Marines, or Navy or solely because of the individual's status as a member of the National Guard or Armed Forces Reserve.

(e) An insurer or producer authorized to issue policies of insurance in this State may not make a distinction or otherwise discriminate between persons, reject an applicant, cancel a policy, or demand or require a higher rate of premium for reasons based solely upon an applicant's or insured's past lawful travel experiences or future lawful travel plans. This subsection (e) does not prohibit an insurer or producer from excluding or limiting coverage under a policy or refusing to offer the policy based upon past lawful travel or future lawful travel plans or from charging a different rate for that coverage when that action is based upon sound actuarial principles or is related to actual or reasonably expected experience and is not based solely on the destination's inclusion on the United States Department of State's travel warning list. No life company may refuse to insure, refuse to continue to insure, limit the amount or extent or kind of coverage available to an individual, or charge an individual a different rate for the same coverage solely for reasons associated with an applicant's or insured's past lawful travel experiences.

(Source: P.A. 93-850, eff. 7-30-04.)"

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 1979. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on Judiciary II - Criminal Law, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1979 by replacing lines 4 through 23 on page 1 and all of pages 2, 3, 4, 5, 6, and 7 with the following:

"Section 5. The Criminal Code of 1961 is amended by adding Section 10-5.1 as follows:"; and on page 8, by replacing lines 4 and 5 with the following:

"years of age or older and knowingly contacts or communicates"; and

on page 9, by deleting lines 1 through 3; and

on page 9, by replacing lines 18 through 20 with the following:

"a Class 3 felony. A defendant is not eligible".

AMENDMENT NO. 2. Amend House Bill 1979 by replacing lines 4 through 23 on page 1 and all of pages 2, 3, 4, 5, 6, 7, 8, and 9, and lines 1 and 2 on page 10 with the following:

"Section 5. The Criminal Code of 1961 is amended by adding Section 10-5.1 as follows:

(720 ILCS 5/10-5.1 new)

Sec. 10-5.1. Luring of a minor.

(a) A person commits the offense of luring of a minor when the offender is 21 years of age or older and knowingly contacts or communicates electronically to the minor:

(1) knowing the minor is under 15 years of age;

(2) with the intent to persuade, lure or transport the minor away from his or her home, or other location known by the minor's parent or legal guardian to be the place where the minor is to be located;

(3) without the express consent of the person's parent or legal guardian;

(4) with the intent to avoid the consent of the person's parent or legal guardian; and

(5) is a stranger to the parents or legal guardian of the minor.

(b) A person commits the offense of luring of a minor when the offender is at least 18 years of age but

under 21 years of age and knowingly contacts or communicates electronically to the minor:

(1) knowing the minor is under 15 years of age;

(2) with the intent to persuade, lure, or transport the minor away from his or her home or other location known by the minor's parent or legal guardian, to be the place where the minor is to be located;

(3) for an unlawful purpose;

(4) without the express consent of the person's parent or legal guardian;

(5) with the intent to avoid the express consent of the person's parent or legal guardian;

(6) after so communicating, commits any act in furtherance of the intent; and

(7) is a stranger to the parents or legal guardian of the minor.

(c) Definitions. For purposes of this Section:

(1) "Emergency situation" means a situation in which the minor is threatened with imminent bodily harm, emotional harm or psychological harm.

(2) "Express consent" means oral or written permission that is positive, direct, and unequivocal, requiring no inference or implication to supply its meaning.

(3) "Contacts or communicates electronically" includes but is not limited to, any attempt to make contact or communicate telephonically or through the Internet or text messages.

(4) "Luring" shall mean any knowing act to solicit, entice, tempt, or attempt to attract the minor.

(5) "Minor" shall mean any person under the age of 15.

(6) "Stranger" shall have its common and ordinary meaning, including but not limited to, a person over 21 years of age that is either not known by the parents of the minor or does not have any association with the parents of the minor.

(7) "Unlawful purpose" shall mean any violation of State law or a similar federal or sister state law or local ordinance.

(d) This Section may not be interpreted to criminalize an act or person contacting a minor within the scope and course of his employment, or status as a volunteer of a recognized civic, charitable or youth organization.

(e) This Section is intended to protect minors and to help parents and legal guardians exercise reasonable care, supervision, protection, and control over minor children.

(f) Affirmative defenses.

(1) It shall be an affirmative defense to any offense under this Section 10-5.1 that the accused reasonably believed that the minor was over the age of 15.

(2) It shall be an affirmative defense to any offense under this Section 10-5.1 that the accused is assisting the minor in an emergency situation.

(3) It shall not be a defense to the prosecution of any offense under this Section 10-5.1 if the person who is contacted by the offender is posing as a minor and is in actuality an adult law enforcement officer.

(g) Penalties.

(1) A first offense of luring of a minor under subsection (a) shall be a Class 4 felony. A person convicted of luring of a minor under subsection (a) shall undergo a sex offender evaluation prior to a sentence being imposed. An offense of luring of a minor under subsection (a) when a person has a prior conviction in Illinois of a sex offense as defined in the Sex Offender Registration Act, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign government offense, is guilty of a Class 2 felony.

(2) A first offense of luring of a minor under subsection (b) is a Class B misdemeanor.

(3) A second or subsequent offense of luring of a minor under subsection (a) is a Class 3 felony. A second or subsequent offense of luring of a minor under subsection (b) is a Class 4 felony. A second or subsequent offense when a person has a prior conviction in Illinois of a sex offense as defined in the Sex Offender Registration Act, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign government offense, is a Class 1 felony. A defendant convicted a second time of an offense under subsection (a) or (b) shall register as a sexual predator of children pursuant to the Sex Offender Registration Act.

(4) A third or subsequent offense is a Class 1 felony. A third or subsequent offense when a person has a prior conviction in Illinois of a sex offense as defined in the Sex Offender Registration Act, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign government offense, is a Class X felony.

(h) For violations of subsection (a), jurisdiction shall be established if the transmission that constitutes the offense either originates in this State or is received in this State and does not apply to emergency situations. For violations of subsection (b), jurisdiction shall be established in any county where the act in

furtherance of the commission of the offense is committed, in the county where the minor resides, or in the county where the offender resides."

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 1911.

HOUSE BILL 1647. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1647 on page 4, line 19, by replacing "No" with "Except in cases of willful or wanton misconduct, no".

Representative Pihos offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 1647, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 22-41 as follows:

(105 ILCS 5/22-41 new)

Sec. 22-41. School counseling, psychological, and social work services; confidentiality.

(a) As used in this Section, "information of a personal nature" does not include routine objective information related to academic and career counseling.

(b) Any information of a personal nature disclosed by a pupil 12 years of age or older in the process of receiving (i) school counseling services, as defined in Section 10-22.24b of this Code, from a school counselor or school counselor intern; (ii) school psychological services, as defined in Section 14-1.09.1 of this Code, from a school psychologist or school psychologist intern; or (iii) school social work services, as defined in Section 14-1.09.2 of this Code, from a school social worker or school social worker intern is confidential.

(c) Any information of a personal nature disclosed to a school counselor or school counselor intern, a school psychologist or school psychologist intern, or a school social worker or school social worker intern by a parent or guardian of a pupil who is 12 years of age or older and who is in the process of receiving (i) school counseling services, as defined in Section 10-22.24b of this Code, from a school counselor or school counselor intern; (ii) school psychological services, as defined in Section 14-1.09.1 of this Code, from a school psychologist or school psychologist intern; or (iii) school social work services, as defined in Section 14-1.09.2 of this Code, from a school social worker or school social worker intern is confidential.

(d) Information disclosed under subsection (b) or (c) of this Section must not become part of the pupil's record without the written consent of the pupil who disclosed the confidential information to the school counselor or school counselor intern, the school psychologist or school psychologist intern, or the school social worker or school social worker intern. The information must not be revealed, released, discussed, or referred to, except as follows:

(1) Discussion with psychotherapists, other health care providers, or the school nurse, for the sole purpose of referring the pupil for treatment.

(2) Reporting of child abuse or neglect as required by law.

(3) Reporting information to the principal or parents of the pupil when the school counselor or school counselor intern, the school psychologist or school psychologist intern, or the school social worker or school social worker intern has reasonable cause to believe that disclosure is necessary to avert a clear, imminent risk of serious physical or mental injury or disease or death being inflicted upon the pupil who disclosed the confidential information to the school counselor or school counselor intern, the school psychologist or school psychologist intern, or the school social worker or school social worker intern or upon other persons in the school community, such as administrators, teachers, school staff, parents, pupils, and other school community members.

(4) Reporting information to one or more persons specified in a written waiver of confidentiality, after

this written waiver is read and signed by the pupil and preserved in the pupil's file.

(e) Notwithstanding any other provision of this Section, a school counselor or school counselor intern, a school psychologist or school psychologist intern, or a school social worker or school social worker intern may not disclose information deemed to be confidential pursuant to this Section to the parents of the pupil when the school counselor or school counselor intern, the school psychologist or school psychologist intern, or the school social worker or school social worker intern has reasonable cause to believe that the disclosure would result in a clear and present danger to the health, safety, or welfare of the pupil.

(f) Notwithstanding any other provision of this Section, a school counselor or school counselor intern, a school psychologist or school psychologist intern, or a school social worker or school social worker intern shall disclose information deemed to be confidential pursuant to this Section to law enforcement agencies when ordered to do so by order of a court of law or when ordered to testify in an administrative or judicial proceeding by order of a court of law.

(g) Nothing in this Section shall be deemed to limit access to a pupil's records. Nothing in this Section shall be deemed to limit the school counselor or school counselor intern, the school psychologist or school psychologist intern, or the school social worker or school social worker intern from conferring with other school staff, as appropriate, regarding modification of the pupil's academic program.

(h) It is the intent of the General Assembly that counselors use the privilege of confidentiality under this Section to assist the pupil whenever possible to communicate more effectively with parents, school staff, and others.

(i) Except in cases of willful or wanton misconduct, no person required by this Section to keep information discussed confidential may incur any civil or criminal liability as a result of keeping that information confidential.

Section 90. The State Mandates Act is amended by adding Section 8.31 as follows:

(30 ILCS 805/8.31 new)

Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 95th General Assembly."

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 3597. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 3597 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-1129 as follows:

(55 ILCS 5/5-1129 new)

Sec. 5-1129. Annexation agreements. The county board of a county referenced in subsection (c) of Section 11-15.1-2.1 of the Illinois Municipal Code may, in accordance with subsection (c) of Section 11-15.1-2.1 of the Illinois Municipal Code, retain jurisdiction over land that is the subject of an annexation agreement and is located more than 1.5 miles from the corporate boundaries of the municipality.

Section 10. The Illinois Municipal Code is amended by changing Section 11-15.1-2.1 as follows:

(65 ILCS 5/11-15.1-2.1) (from Ch. 24, par. 11-15.1-2.1)

Sec. 11-15.1-2.1. Annexation agreement; municipal jurisdiction.

(a) Except as provided in subsections (b) and (c), property ~~Property~~ that is the subject of an annexation agreement adopted under this Division is subject to the ordinances, control, and jurisdiction of the annexing municipality in all respects the same as property that lies within the annexing municipality's corporate limits.

(b) This Section shall not apply in (i) a county with a population of more than 3,000,000, (ii) a county that borders a county with a population of more than 3,000,000 or (iii) a county with a population of more than 246,000 according to the 1990 federal census and bordered by the Mississippi River, unless the parties to the annexation agreement have, at the time the agreement is signed, ownership or control of all property

that would make the property that is the subject of the agreement contiguous to the annexing municipality, in which case the property that is the subject of the annexation agreement is subject to the ordinances, control, and jurisdiction of the municipality in all respects the same as property owned by the municipality that lies within its corporate limits.

(c) In the case of property that is located in a county that borders a county referenced in item (ii) of subsection (b) of this Section, if the property that is the subject of an annexation agreement is located within 1.5 miles of the corporate boundaries of the municipality, that property is subject to the ordinances, control, and jurisdiction of the annexing municipality. If the property is located more than 1.5 miles from the corporate boundaries of the annexing municipality, that property is subject to the ordinances, control, and jurisdiction of the annexing municipality unless the county board retains jurisdiction by the affirmative vote of two-thirds of its members.

(d) If the county board retains jurisdiction under subsection (c) of this Section, the annexing municipality may file a request for jurisdiction with the county board on a case by case basis. If the county board agrees by the affirmative vote of a majority of its members, then the property covered by the annexation agreement shall be subject to the ordinances, control, and jurisdiction of the annexing municipality.

(Source: P.A. 87-1137.)"

Representative Pritchard offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 3597, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, by replacing line 25 on page 2 through line 2 on page 3 with the following:

"(c) In the case of property that is located in Boone, DeKalb, Grundy, Kankakee, Kendall, LaSalle, Ogle, or Winnebago County, if the property that is the subject of an"

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 1407. Having been recalled on March 28, 2007, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL 1366. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Registration and Regulation, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1366 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Optometric Practice Act of 1987 is amended by changing Sections 15.1 and 16 as follows:

(225 ILCS 80/15.1)

(Section scheduled to be repealed on January 1, 2017)

Sec. 15.1. Diagnostic and therapeutic authority.

(a) For purposes of the Act, "ocular pharmaceutical agents" means topical anesthetics, topical mydriatics, topical cycloplegics, topical miotics and mydriatic reversing agents, ~~topical~~ anti-infective agents, ~~topical~~ anti-allergy agents, ~~topical~~ anti-glaucoma agents (except oral carbonic anhydrase inhibitors, which may be prescribed only in a quantity sufficient to provide treatment for up to 72 hours), ~~topical~~ anti-inflammatory agents (except oral steroids), ~~topical anesthetic agents~~, over-the-counter agents, and non-narcotic oral analgesic agents, and mydriatic reversing agents when used for diagnostic or therapeutic purposes.

(a-5) Ocular pharmaceutical agents administered by injection may be used only for the treatment of anaphylaxis.

(a-10) Oral pharmaceutical agents may be prescribed for a child under 5 years of age only in consultation with a physician licensed to practice medicine in all its branches.

(a-15) The authority to prescribe a Schedule III, IV, or V controlled substance shall include only

analgesic agents in a quantity sufficient to provide treatment for up to 72 hours. The prescription of a Schedule II controlled substance is prohibited.

(b) A licensed optometrist may remove superficial foreign bodies from the human eye and adnexa and may give orders for patient care to a nurse licensed to practice under Illinois law.

(c) An optometrist's license shall be revoked or suspended by the Department upon recommendation of the Board based upon either of the following causes:

- (1) grave or repeated misuse of any ocular pharmaceutical agent; and
- (2) the use of any agent or procedure in the course of optometric practice by an optometrist not properly authorized under this Act.

(d) The Secretary of Financial and Professional Regulation shall notify the Director of Public Health as to the categories of ocular pharmaceutical agents permitted for use by an optometrist. The Director of Public Health shall in turn notify every licensed pharmacist in the State of the categories of ocular pharmaceutical agents that can be utilized and prescribed by an optometrist.

(Source: P.A. 94-787, eff. 5-19-06.)

(225 ILCS 80/16) (from Ch. 111, par. 3916)

(Section scheduled to be repealed on January 1, 2017)

Sec. 16. Renewal, reinstatement or restoration of licenses; military service. The expiration date and renewal period for each license issued under this Act shall be set by rule.

All renewal applicants shall provide proof of having met the requirements of continuing education set forth in the rules of the Department. The Department shall, by rule, provide for an orderly process for the reinstatement of licenses which have not been renewed due to failure to meet the continuing education requirements. The continuing education requirement may be waived for such good cause, including but not limited to illness or hardship, as defined by rules of the Department.

The Department shall establish by rule a means for the verification of completion of the continuing education required by this Section. This verification may be accomplished through audits of records maintained by registrants; by requiring the filing of continuing education certificates with the Department; or by other means established by the Department.

Any licensee seeking renewal of his or her license during the renewal cycle beginning April 1, 2008 must first complete a tested educational course in the use of oral pharmaceutical agents for the management of ocular conditions, as approved by Board.

Any optometrist who has permitted his or her license to expire or who has had his or her license on inactive status may have his or her license restored by making application to the Department and filing proof acceptable to the Department of his or her fitness to have his or her license restored and by paying the required fees. Such proof of fitness may include evidence certifying to active lawful practice in another jurisdiction and must include proof of the completion of the continuing education requirements specified in the rules for the preceding license renewal period that has been completed during the 2 years prior to the application for license restoration.

The Department shall determine, by an evaluation program established by rule, his or her fitness for restoration of his or her license and shall establish procedures and requirements for such restoration.

However, any optometrist whose license expired while he or she was (1) in Federal Service on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his or her license restored without paying any lapsed renewal fees if within 2 years after honorable termination of such service, training, or education, he or she furnishes the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

All licenses without "Therapeutic Certification" on March 31, 2006 shall be placed on non-renewed status and may only be renewed after the licensee meets those requirements established by the Department that may not be waived.

(Source: P.A. 94-787, eff. 5-19-06.)

Section 10. The Illinois Controlled Substances Act is amended by changing Sections 102 and 103 as follows:

(720 ILCS 570/102) (from Ch. 56 1/2, par. 1102)

Sec. 102. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Addict" means any person who habitually uses any drug, chemical, substance or dangerous drug other than alcohol so as to endanger the public morals, health, safety or welfare or who is so far addicted to the use of a dangerous drug or controlled substance other than alcohol as to have lost the power of self

control with reference to his addiction.

(b) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient, research subject, or animal (as defined by the Humane Euthanasia in Animal Shelters Act) by:

- (1) a practitioner (or, in his presence, by his authorized agent),
- (2) the patient or research subject at the lawful direction of the practitioner, or
- (3) a euthanasia technician as defined by the Humane Euthanasia in Animal Shelters Act.

(c) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseman or employee of the carrier or warehouseman.

(c-1) "Anabolic Steroids" means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, and corticosteroids) that promotes muscle growth, and includes:

- (i) boldenone,
- (ii) chlorotestosterone,
- (iii) chostebol,
- (iv) dehydrochlormethyltestosterone,
- (v) dihydrotestosterone,
- (vi) drostanolone,
- (vii) ethylestrenol,
- (viii) fluoxymesterone,
- (ix) formebulone,
- (x) mesterolone,
- (xi) methandienone,
- (xii) methandranone,
- (xiii) methandriol,
- (xiv) methandrostenolone,
- (xv) methenolone,
- (xvi) methyltestosterone,
- (xvii) mibolerone,
- (xviii) nandrolone,
- (xix) norethandrolone,
- (xx) oxandrolone,
- (xxi) oxymesterone,
- (xxii) oxymetholone,
- (xxiii) stanolone,
- (xxiv) stanozolol,
- (xxv) testolactone,
- (xxvi) testosterone,
- (xxvii) trenbolone, and
- (xxviii) any salt, ester, or isomer of a drug or substance described or listed in this paragraph, if that salt, ester, or isomer promotes muscle growth.

Any person who is otherwise lawfully in possession of an anabolic steroid, or who otherwise lawfully manufactures, distributes, dispenses, delivers, or possesses with intent to deliver an anabolic steroid, which anabolic steroid is expressly intended for and lawfully allowed to be administered through implants to livestock or other nonhuman species, and which is approved by the Secretary of Health and Human Services for such administration, and which the person intends to administer or have administered through such implants, shall not be considered to be in unauthorized possession or to unlawfully manufacture, distribute, dispense, deliver, or possess with intent to deliver such anabolic steroid for purposes of this Act.

(d) "Administration" means the Drug Enforcement Administration, United States Department of Justice, or its successor agency.

(e) "Control" means to add a drug or other substance, or immediate precursor, to a Schedule under Article II of this Act whether by transfer from another Schedule or otherwise.

(f) "Controlled Substance" means a drug, substance, or immediate precursor in the Schedules of Article II of this Act.

(g) "Counterfeit substance" means a controlled substance, which, or the container or labeling of which, without authorization bears the trademark, trade name, or other identifying mark, imprint, number or

device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance.

(h) "Deliver" or "delivery" means the actual, constructive or attempted transfer of possession of a controlled substance, with or without consideration, whether or not there is an agency relationship.

(i) "Department" means the Illinois Department of Human Services (as successor to the Department of Alcoholism and Substance Abuse) or its successor agency.

(j) "Department of State Police" means the Department of State Police of the State of Illinois or its successor agency.

(k) "Department of Corrections" means the Department of Corrections of the State of Illinois or its successor agency.

(l) "Department of Professional Regulation" means the Department of Professional Regulation of the State of Illinois or its successor agency.

(m) "Depressant" or "stimulant substance" means:

(1) a drug which contains any quantity of (i) barbituric acid or any of the salts of barbituric acid which has been designated as habit forming under section 502 (d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352 (d)); or

(2) a drug which contains any quantity of (i) amphetamine or methamphetamine and any of their optical isomers; (ii) any salt of amphetamine or methamphetamine or any salt of an optical isomer of amphetamine; or (iii) any substance which the Department, after investigation, has found to be, and by rule designated as, habit forming because of its depressant or stimulant effect on the central nervous system; or

(3) lysergic acid diethylamide; or

(4) any drug which contains any quantity of a substance which the Department, after investigation, has found to have, and by rule designated as having, a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect.

(n) (Blank).

(o) "Director" means the Director of the Department of State Police or the Department of Professional Regulation or his designated agents.

(p) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a prescriber, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.

(q) "Dispenser" means a practitioner who dispenses.

(r) "Distribute" means to deliver, other than by administering or dispensing, a controlled substance.

(s) "Distributor" means a person who distributes.

(t) "Drug" means (1) substances recognized as drugs in the official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; (2) substances intended for use in diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (3) substances (other than food) intended to affect the structure of any function of the body of man or animals and (4) substances intended for use as a component of any article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.

(t-5) "Euthanasia agency" means an entity certified by the Department of Professional Regulation for the purpose of animal euthanasia that holds an animal control facility license or animal shelter license under the Animal Welfare Act. A euthanasia agency is authorized to purchase, store, possess, and utilize Schedule II nonnarcotic and Schedule III nonnarcotic drugs for the sole purpose of animal euthanasia.

(t-10) "Euthanasia drugs" means Schedule II or Schedule III substances (nonnarcotic controlled substances) that are used by a euthanasia agency for the purpose of animal euthanasia.

(u) "Good faith" means the prescribing or dispensing of a controlled substance by a practitioner in the regular course of professional treatment to or for any person who is under his treatment for a pathology or condition other than that individual's physical or psychological dependence upon or addiction to a controlled substance, except as provided herein: and application of the term to a pharmacist shall mean the dispensing of a controlled substance pursuant to the prescriber's order which in the professional judgment of the pharmacist is lawful. The pharmacist shall be guided by accepted professional standards including, but not limited to the following, in making the judgment:

(1) lack of consistency of doctor-patient relationship,

(2) frequency of prescriptions for same drug by one prescriber for large numbers of patients,

- (3) quantities beyond those normally prescribed,
- (4) unusual dosages,
- (5) unusual geographic distances between patient, pharmacist and prescriber,
- (6) consistent prescribing of habit-forming drugs.

(u-1) "Home infusion services" means services provided by a pharmacy in compounding solutions for direct administration to a patient in a private residence, long-term care facility, or hospice setting by means of parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion.

(v) "Immediate precursor" means a substance:

- (1) which the Department has found to be and by rule designated as being a principal compound used, or produced primarily for use, in the manufacture of a controlled substance;
- (2) which is an immediate chemical intermediary used or likely to be used in the manufacture of such controlled substance; and
- (3) the control of which is necessary to prevent, curtail or limit the manufacture of such controlled substance.

(w) "Instructional activities" means the acts of teaching, educating or instructing by practitioners using controlled substances within educational facilities approved by the State Board of Education or its successor agency.

(x) "Local authorities" means a duly organized State, County or Municipal peace unit or police force.

(y) "Look-alike substance" means a substance, other than a controlled substance which (1) by overall dosage unit appearance, including shape, color, size, markings or lack thereof, taste, consistency, or any other identifying physical characteristic of the substance, would lead a reasonable person to believe that the substance is a controlled substance, or (2) is expressly or impliedly represented to be a controlled substance or is distributed under circumstances which would lead a reasonable person to believe that the substance is a controlled substance. For the purpose of determining whether the representations made or the circumstances of the distribution would lead a reasonable person to believe the substance to be a controlled substance under this clause (2) of subsection (y), the court or other authority may consider the following factors in addition to any other factor that may be relevant:

- (a) statements made by the owner or person in control of the substance concerning its nature, use or effect;
- (b) statements made to the buyer or recipient that the substance may be resold for profit;
- (c) whether the substance is packaged in a manner normally used for the illegal distribution of controlled substances;
- (d) whether the distribution or attempted distribution included an exchange of or demand for money or other property as consideration, and whether the amount of the consideration was substantially greater than the reasonable retail market value of the substance.

Clause (1) of this subsection (y) shall not apply to a noncontrolled substance in its finished dosage form that was initially introduced into commerce prior to the initial introduction into commerce of a controlled substance in its finished dosage form which it may substantially resemble.

Nothing in this subsection (y) prohibits the dispensing or distributing of noncontrolled substances by persons authorized to dispense and distribute controlled substances under this Act, provided that such action would be deemed to be carried out in good faith under subsection (u) if the substances involved were controlled substances.

Nothing in this subsection (y) or in this Act prohibits the manufacture, preparation, propagation, compounding, processing, packaging, advertising or distribution of a drug or drugs by any person registered pursuant to Section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

(y-1) "Mail-order pharmacy" means a pharmacy that is located in a state of the United States, other than Illinois, that delivers, dispenses or distributes, through the United States Postal Service or other common carrier, to Illinois residents, any substance which requires a prescription.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance other than methamphetamine, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling of its container, except that this term does not include:

- (1) by an ultimate user, the preparation or compounding of a controlled substance for his own use; or
- (2) by a practitioner, or his authorized agent under his supervision, the preparation,

compounding, packaging, or labeling of a controlled substance:

- (a) as an incident to his administering or dispensing of a controlled substance in the course of his professional practice; or
- (b) as an incident to lawful research, teaching or chemical analysis and not for sale.

(z-1) (Blank).

(aa) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (1), but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salts, compound, isomer, salt of an isomer, derivative, or preparation of coca leaves including cocaine or ecgonine, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine (for the purpose of this paragraph, the term "isomer" includes optical, positional and geometric isomers).

(bb) "Nurse" means a registered nurse licensed under the Nursing and Advanced Practice Nursing Act.

(cc) (Blank).

(dd) "Opiate" means any substance having an addiction forming or addiction sustaining liability similar to morphine or being capable of conversion into a drug having addiction forming or addiction sustaining liability.

(ee) "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.

(ff) "Parole and Pardon Board" means the Parole and Pardon Board of the State of Illinois or its successor agency.

(gg) "Person" means any individual, corporation, mail-order pharmacy, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other entity.

(hh) "Pharmacist" means any person who holds a certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act of 1987.

(ii) "Pharmacy" means any store, ship or other place in which pharmacy is authorized to be practiced under the Pharmacy Practice Act of 1987.

(jj) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(kk) "Practitioner" means a physician licensed to practice medicine in all its branches, dentist, optometrist, podiatrist, veterinarian, scientific investigator, pharmacist, physician assistant, advanced practice nurse, licensed practical nurse, registered nurse, hospital, laboratory, or pharmacy, or other person licensed, registered, or otherwise lawfully permitted by the United States or this State to distribute, dispense, conduct research with respect to, administer or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

(ll) "Pre-printed prescription" means a written prescription upon which the designated drug has been indicated prior to the time of issuance.

(mm) "Prescriber" means a physician licensed to practice medicine in all its branches, dentist, optometrist, podiatrist or veterinarian who issues a prescription, a physician assistant who issues a prescription for a Schedule III, IV, or V controlled substance in accordance with Section 303.05 and the written guidelines required under Section 7.5 of the Physician Assistant Practice Act of 1987, or an advanced practice nurse with prescriptive authority in accordance with Section 303.05 and a written collaborative agreement under Sections 15-15 and 15-20 of the Nursing and Advanced Practice Nursing Act.

(nn) "Prescription" means a lawful written, facsimile, or verbal order of a physician licensed to practice medicine in all its branches, dentist, podiatrist or veterinarian for any controlled substance, of an optometrist for a Schedule III, IV, or V controlled substance in accordance with Section 15.1 of the Illinois Optometric Practice Act of 1987, of a physician assistant for a Schedule III, IV, or V controlled substance in accordance with Section 303.05 and the written guidelines required under Section 7.5 of the Physician Assistant Practice Act of 1987, or of an advanced practice nurse who issues a prescription for a Schedule

III, IV, or V controlled substance in accordance with Section 303.05 and a written collaborative agreement under Sections 15-15 and 15-20 of the Nursing and Advanced Practice Nursing Act.

(oo) "Production" or "produce" means manufacture, planting, cultivating, growing, or harvesting of a controlled substance other than methamphetamine.

(pp) "Registrant" means every person who is required to register under Section 302 of this Act.

(qq) "Registry number" means the number assigned to each person authorized to handle controlled substances under the laws of the United States and of this State.

(rr) "State" includes the State of Illinois and any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America.

(ss) "Ultimate user" means a person who lawfully possesses a controlled substance for his own use or for the use of a member of his household or for administering to an animal owned by him or by a member of his household.

(Source: P.A. 93-596, eff. 8-26-03; 93-626, eff. 12-23-03; 94-556, eff. 9-11-05.)

(720 ILCS 570/103) (from Ch. 56 1/2, par. 1103)

Sec. 103. Scope of Act. Nothing in this Act limits the lawful authority granted by the Medical Practice Act of 1987, the Nursing and Advanced Practice Nursing Act, the Illinois Optometric Practice Act of 1987, or the Pharmacy Practice Act of 1987.

(Source: P.A. 90-742, eff. 8-13-98.)"

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 3132. Having been reproduced, was taken up and read by title a second time. Representative Schmitz offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 3132 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 3-604, 3-609, 11-209, 11-1301.1, 11-1301.2, 11-1301.3, 11-1301.5, and 11-1301.6 and by adding Section 3-609.01 as follows:

(625 ILCS 5/3-604) (from Ch. 95 1/2, par. 3-604)

Sec. 3-604. Expiration of special plates. Every special plate issued, except those issued for dealers, manufacturers and transporters under Section 3-602 and persons with disabilities under Sections 3-609, 3-609.01, or 3-616, or deaf or hard of hearing under Section 3-616 of this Code, may be issued for a 2 year period beginning January 1st of each odd-numbered year and ending December 31st of the subsequent even-numbered year. The special plates issued to a person with disabilities or a person who is deaf or hard of hearing shall expire according to the multi-year procedure as established by Section 3-414 of this Code.

Special plates issued to members of the General Assembly under Section 3-606 shall expire at midnight on the 31st day of January in odd-numbered years.

(Source: P.A. 88-685, eff. 1-24-95; 89-245, eff. 1-1-96.)

(625 ILCS 5/3-609) (from Ch. 95 1/2, par. 3-609)

Sec. 3-609. Disabled Veterans' Plates. Any disabled veteran whose degree of disability has been declared to be 100% by the United States Department of Veterans Affairs and who has been or declared eligible for funds for the purchase of a motor vehicle of the first division or for a motor vehicle of the second division weighing not more than 8,000 pounds by the United States Federal Government because of his disability, may make application for the registration of one such vehicle, to the Secretary of State without the payment of any registration fee. Registration shall be for a multi-year period effective in 1980 and may be issued staggered registration.

Any disabled veteran of World War I, of World War II, of the National Emergency between June 25, 1950 and January 31, 1955 or of the period beginning February 1, 1955 and ending on the day before the first day thereafter in which individuals (other than individuals liable for induction by reason of prior deferment) are no longer liable for induction for training and service into the armed forces under the Military Selective Service Act of 1967, or of any armed conflict involving the armed forces of the United States, who has a service-connected disability of such a nature that it would, if it had been incurred in World War II, have entitled him to be awarded an automobile by the United States Federal Government, or who is receiving compensation from the Veterans Administration for total service-connected disability, may make application to the Secretary of State for the registration of one motor vehicle of the first division

without accompanying such application with the payment of any fee.

Renewal of such registration must be accompanied with documentation for eligibility of registration without fee unless the applicant has a permanent qualifying disability, and such registration plates may not be issued to any person not eligible therefor.

The Illinois Veterans Commission may assist in providing the documentation of disability.

(Source: P.A. 86-444; 87-895.)

(625 ILCS 5/3-609.01 new)

Sec. 3-609.01. Handicapped Veterans' plates.

(a) Any disabled veteran whose degree of disability has been declared to be less than 100% by the United States Department of Veterans Affairs and who has been or declared eligible for funds for the purchase of a motor vehicle of the first division or for a motor vehicle of the second division weighing not more than 8,000 pounds by the United States Federal Government because of his or her disability, may make application for the registration of one of those vehicles, to the Secretary of State without the payment of any registration fee. Registration shall be for a multi-year period and may be issued staggered registration.

(b) Any disabled veteran of World War I, of World War II, of the National Emergency between June 25, 1950 and January 31, 1955 or of the period beginning February 1, 1955 and ending on the day before the first day thereafter in which individuals (other than individuals liable for induction by reason of prior deferment) are no longer liable for induction for training and service into the armed forces under the Military Selective Service Act of 1967, or of any armed conflict involving the armed forces of the United States, who has a service-connected disability of such a nature that it would, if it had been incurred in World War II, have entitled him to be awarded an automobile by the United States Federal Government, or who is receiving compensation from the Veterans Administration for total service-connected disability, may make application to the Secretary of State for the registration of one motor vehicle of the first division without accompanying his or her application with the payment of any fee.

(c) Renewal of this registration must be accompanied with documentation for eligibility of registration without fee unless the applicant has a permanent qualifying disability, and these registration plates may not be issued to any person not eligible to receive them.

(d) The Illinois Veterans Commission may assist in providing the documentation of disability.

(625 ILCS 5/11-209) (from Ch. 95 1/2, par. 11-209)

Sec. 11-209. Powers of municipalities and counties - Contract with school boards, hospitals, churches, condominium complex unit owners' associations, and commercial and industrial facility, shopping center, and apartment complex owners for regulation of traffic.

(a) The corporate authorities of any municipality or the county board of any county, and a school board, hospital, church, condominium complex unit owners' association, or owner of any commercial and industrial facility, shopping center, or apartment complex which controls a parking area located within the limits of the municipality, or outside the limits of the municipality and within the boundaries of the county, may, by contract, empower the municipality or county to regulate the parking of automobiles and the traffic at such parking area. Such contract shall empower the municipality or county to accomplish all or any part of the following:

1. The erection of stop signs, flashing signals, person with disabilities parking area signs or yield signs at specified locations in a parking area and the adoption of appropriate regulations thereto pertaining, or the designation of any intersection in the parking area as a stop intersection or as a yield intersection and the ordering of like signs or signals at one or more entrances to such intersection, subject to the provisions of this Chapter.

2. The prohibition or regulation of the turning of vehicles or specified types of vehicles at intersections or other designated locations in the parking area.

3. The regulation of a crossing of any roadway in the parking area by pedestrians.

4. The designation of any separate roadway in the parking area for one-way traffic.

5. The establishment and regulation of loading zones.

6. The prohibition, regulation, restriction or limitation of the stopping, standing or parking of vehicles in specified areas of the parking area.

7. The designation of safety zones in the parking area and fire lanes.

8. Providing for the removal and storage of vehicles parked or abandoned in the parking area during snowstorms, floods, fires, or other public emergencies, or found unattended in the parking area, (a) where they constitute an obstruction to traffic, or (b) where stopping, standing or parking is prohibited, and for the payment of reasonable charges for such removal and storage by the owner or

operator of any such vehicle.

9. Providing that the cost of planning, installation, maintenance and enforcement of parking and traffic regulations pursuant to any contract entered into under the authority of this paragraph (a) of this Section be borne by the municipality or county, or by the school board, hospital, church, property owner, apartment complex owner, or condominium complex unit owners' association, or that a percentage of the cost be shared by the parties to the contract.

10. Causing the installation of parking meters on the parking area and establishing whether the expense of installing said parking meters and maintenance thereof shall be that of the municipality or county, or that of the school board, hospital, church, condominium complex unit owners' association, shopping center or apartment complex owner. All moneys obtained from such parking meters as may be installed on any parking area shall belong to the municipality or county.

11. Causing the installation of parking signs in accordance with Section 11-301 in areas of the parking lots covered by this Section and where desired by the person contracting with the appropriate authority listed in paragraph (a) of this Section, indicating that such parking spaces are reserved for persons with disabilities.

12. Contracting for such additional reasonable rules and regulations with respect to traffic and parking in a parking area as local conditions may require for the safety and convenience of the public or of the users of the parking area.

(b) No contract entered into pursuant to this Section shall exceed a period of 20 years. No lessee of a shopping center or apartment complex shall enter into such a contract for a longer period of time than the length of his lease.

(c) Any contract entered into pursuant to this Section shall be recorded in the office of the recorder in the county in which the parking area is located, and no regulation made pursuant to the contract shall be effective or enforceable until 3 days after the contract is so recorded.

(d) At such time as parking and traffic regulations have been established at any parking area pursuant to the contract as provided for in this Section, then it shall be a petty offense for any person to do any act forbidden or to fail to perform any act required by such parking or traffic regulation. If the violation is the parking in a parking space reserved for persons with disabilities under paragraph (11) of this Section, by a person without special registration plates issued to a person with disabilities, as defined by Section 1-159.1, pursuant to Section 3-616 of this Code, or to a disabled veteran pursuant to Section 3-609 or 3-609.01 of this Code, the local police of the contracting corporate municipal authorities shall issue a parking ticket to such parking violator and issue a fine in accordance with Section 11-1301.3.

(e) The term "shopping center", as used in this Section, means premises having one or more stores or business establishments in connection with which there is provided on privately-owned property near or contiguous thereto an area, or areas, of land used by the public as the means of access to and egress from the stores and business establishments on such premises and for the parking of motor vehicles of customers and patrons of such stores and business establishments on such premises.

(f) The term "parking area", as used in this Section, means an area, or areas, of land near or contiguous to a school, church, or hospital building, shopping center, apartment complex, or condominium complex, but not the public highways or alleys, and used by the public as the means of access to and egress from such buildings and the stores and business establishments at a shopping center and for the parking of motor vehicles.

(g) The terms "owner", "property owner", "shopping center owner", and "apartment complex owner", as used in this Section, mean the actual legal owner of the shopping center parking area or apartment complex, the trust officer of a banking institution having the right to manage and control such property, or a person having the legal right, through lease or otherwise, to manage or control the property.

(g-5) The term "condominium complex unit owners' association", as used in this Section, means a "unit owners' association" as defined in Section 2 of the Condominium Property Act.

(h) The term "fire lane", as used in this Section, means travel lanes for the fire fighting equipment upon which there shall be no standing or parking of any motor vehicle at any time so that fire fighting equipment can move freely thereon.

(i) The term "apartment complex", as used in this Section, means premises having one or more apartments in connection with which there is provided on privately-owned property near or contiguous thereto an area, or areas, of land used by occupants of such apartments or their guests as a means of access to and egress from such apartments or for the parking of motor vehicles of such occupants or their guests.

(j) The term "condominium complex", as used in this Section, means the units, common elements, and limited common elements that are located on the parcels, as those terms are defined in Section 2 of the

Condominium Property Act.

(k) The term "commercial and industrial facility", as used in this Section, means a premises containing one or more commercial and industrial facility establishments in connection with which there is provided on privately-owned property near or contiguous to the premises an area or areas of land used by the public as the means of access to and egress from the commercial and industrial facility establishment on the premises and for the parking of motor vehicles of customers, patrons, and employees of the commercial and industrial facility establishment on the premises.

(l) The provisions of this Section shall not be deemed to prevent local authorities from enforcing, on private property, local ordinances imposing fines, in accordance with Section 11-1301.3, as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, or disabled veterans by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran.

This amendatory Act of 1972 is not a prohibition upon the contractual and associational powers granted by Article VII, Section 10 of the Illinois Constitution.

(Source: P.A. 89-551, eff. 1-1-97; 90-106, eff. 1-1-98; 90-145, eff. 1-1-98; 90-481, eff. 8-17-97; 90-655, eff. 7-30-98.)

(625 ILCS 5/11-1301.1) (from Ch. 95 1/2, par. 11-1301.1)

Sec. 11-1301.1. Persons with disabilities - Parking privileges - Exemptions. A motor vehicle bearing registration plates issued to a person with disabilities, as defined by Section 1-159.1, pursuant to Section 3-616 or to a disabled veteran pursuant to Section 3-609 or 3-609.01 or a special decal or device issued pursuant to Section 3-616 or pursuant to Section 11-1301.2 of this Code or a motor vehicle registered in another jurisdiction, state, district, territory or foreign country upon which is displayed a registration plate, special decal or device issued by the other jurisdiction designating the vehicle is operated by or for a person with disabilities shall be exempt from the payment of parking meter fees and exempt from any statute or ordinance imposing time limitations on parking, except limitations of one-half hour or less, on any street or highway zone, or any parking lot or parking place which are owned, leased or owned and leased by a municipality or a municipal parking utility; and shall be recognized by state and local authorities as a valid license plate or parking device and shall receive the same parking privileges as residents of this State; but, such vehicle shall be subject to the laws which prohibit parking in "no stopping" and "no standing" zones in front of or near fire hydrants, driveways, public building entrances and exits, bus stops and loading areas, and is prohibited from parking where the motor vehicle constitutes a traffic hazard, whereby such motor vehicle shall be moved at the instruction and request of a law enforcement officer to a location designated by the officer. Any motor vehicle bearing registration plates or a special decal or device specified in this Section or in Section 3-616 of this Code or such parking device as specifically authorized in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran may park, in addition to any other lawful place, in any parking place specifically reserved for such vehicles by the posting of an official sign as provided under Section 11-301. Parking privileges granted by this Section are strictly limited to the person to whom the special registration plates, special decal or device were issued and to qualified operators acting under his express direction while the person with disabilities is present. A person to whom privileges were granted shall, at the request of a police officer or any other person invested by law with authority to direct, control, or regulate traffic, present an identification card with a picture as verification that the person is the person to whom the special registration plates, special decal or device was issued.

Such parking privileges granted by this Section are also extended to motor vehicles of not-for-profit organizations used for the transportation of persons with disabilities when such motor vehicles display the decal or device issued pursuant to Section 11-1301.2 of this Code.

No person shall use any area for the parking of any motor vehicle pursuant to Section 11-1303 of this Code or where an official sign controlling such area expressly prohibits parking at any time or during certain hours.

(Source: P.A. 90-106, eff. 1-1-98.)

(625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

Sec. 11-1301.2. Special decals for a person with disabilities parking.

(a) The Secretary of State shall provide for, by administrative rules, the design, size, color, and placement of a person with disabilities motorist decal or device and shall provide for, by administrative rules, the content and form of an application for a person with disabilities motorist decal or device, which shall be used by local authorities in the issuance thereof to a person with temporary disabilities, provided

that the decal or device is valid for no more than 90 days, subject to renewal for like periods based upon continued disability, and further provided that the decal or device clearly sets forth the date that the decal or device expires. The application shall include the requirement of an Illinois Identification Card number or a State of Illinois driver's license number. This decal or device shall be the property of such person with disabilities and may be used by that person to designate and identify a vehicle not owned or displaying a registration plate as provided in Sections 3-609, 3-609.01, and 3-616 of this Act to designate when the vehicle is being used to transport said person or persons with disabilities, and thus is entitled to enjoy all the privileges that would be afforded a person with disabilities licensed vehicle. Person with disabilities decals or devices issued and displayed pursuant to this Section shall be recognized and honored by all local authorities regardless of which local authority issued such decal or device.

The decal or device shall be issued only upon a showing by adequate documentation that the person for whose benefit the decal or device is to be used has a temporary disability as defined in Section 1-159.1 of this Code.

(b) The local governing authorities shall be responsible for the provision of such decal or device, its issuance and designated placement within the vehicle. The cost of such decal or device shall be at the discretion of such local governing authority.

(c) The Secretary of State may, pursuant to Section 3-616(c), issue a person with disabilities parking decal or device to a person with disabilities as defined by Section 1-159.1. Any person with disabilities parking decal or device issued by the Secretary of State shall be registered to that person with disabilities in the form to be prescribed by the Secretary of State. The person with disabilities parking decal or device shall not display that person's address. One additional decal or device may be issued to an applicant upon his or her written request and with the approval of the Secretary of State. The written request must include a justification of the need for the additional decal or device.

(d) Replacement decals or devices may be issued for lost, stolen, or destroyed decals upon application and payment of a \$10 fee. The replacement fee may be waived for individuals that have claimed and received a grant under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act.

(Source: P.A. 92-411, eff. 1-1-02.)

(625 ILCS 5/11-1301.3) (from Ch. 95 1/2, par. 11-1301.3)

Sec. 11-1301.3. Unauthorized use of parking places reserved for persons with disabilities.

(a) It shall be prohibited to park any motor vehicle which is not properly displaying registration plates or decals issued to a person with disabilities, as defined by Section 1-159.1, pursuant to Sections 3-616, 11-1301.1 or 11-1301.2, or to a disabled veteran pursuant to Section 3-609 or 3-609.01 of this Act, as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran, in any parking place, including any private or public offstreet parking facility, specifically reserved, by the posting of an official sign as designated under Section 11-301, for motor vehicles displaying such registration plates. It shall be prohibited to park any motor vehicle in a designated access aisle adjacent to any parking place specifically reserved for persons with disabilities, by the posting of an official sign as designated under Section 11-301, for motor vehicles displaying such registration plates. When using the parking privileges for persons with disabilities, the parking decal or device must be displayed properly in the vehicle where it is clearly visible to law enforcement personnel, either hanging from the rearview mirror or placed on the dashboard of the vehicle in clear view. Any motor vehicle properly displaying a disability license plate or a parking decal or device containing the International symbol of access issued to persons with disabilities by any local authority, state, district, territory or foreign country shall be recognized by State and local authorities as a valid license plate or device and receive the same parking privileges as residents of this State.

(a-1) An individual with a vehicle displaying disability license plates or a parking decal or device issued to a qualified person with a disability under Sections 3-616, 11-1301.1, or 11-1301.2 or to a disabled veteran under Section 3-609 or 3-609.01 is in violation of this Section if (i) the person using the disability license plate or parking decal or device is not the authorized holder of the disability license plate or parking decal or device or is not transporting the authorized holder of the disability license plate or parking decal or device to or from the parking location and (ii) the person uses the disability license plate or parking decal or device to exercise any privileges granted through the disability license plate or parking decals or devices under this Code.

(b) Any person or local authority owning or operating any public or private offstreet parking facility may, after notifying the police or sheriff's department, remove or cause to be removed to the nearest garage or other place of safety any vehicle parked within a stall or space reserved for use by a person with

disabilities which does not display person with disabilities registration plates or a special decal or device as required under this Section.

(c) Any person found guilty of violating the provisions of subsection (a) shall be fined \$250 in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under this Section; but municipalities by ordinance may impose a fine up to \$350 and shall display signs indicating the fine imposed. If the amount of the fine is subsequently changed, the municipality shall change the sign to indicate the current amount of the fine. It shall not be a defense to a charge under this Section that either the sign posted pursuant to this Section or the intended accessible parking place does not comply with the technical requirements of Section 11-301, Department regulations, or local ordinance if a reasonable person would be made aware by the sign or notice on or near the parking place that the place is reserved for a person with disabilities.

(c-1) Any person found guilty of violating the provisions of subsection (a-1) shall be fined \$500. The circuit clerk shall distribute \$250 of the \$500 fine imposed on any person who is found guilty of or pleads guilty to violating this Section, including any person placed on court supervision for violating this Section, to the law enforcement agency that issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation or making the arrest, the \$250 shall be shared equally.

(d) Local authorities shall impose fines as established in subsections (c) and (c-1) for violations of this Section.

(e) As used in this Section, "authorized holder" means an individual issued a disability license plate under Section 3-616 of this Code, an individual issued a parking decal or device under Section 11-1301.2 of this Code, or an individual issued a disabled veteran's license plate under Section 3-609 or 3-609.01 of this Code.

(f) Any person who commits a violation of subsection (a-1) may have his or her driving privileges suspended or revoked by the Secretary of State for a period of time determined by the Secretary of State. The Secretary of State may also suspend or revoke the disability license plates or parking decal or device for a period of time determined by the Secretary of State.

(Source: P.A. 94-619, eff. 1-1-06; 94-930, eff. 6-26-06.)

(625 ILCS 5/11-1301.5)

Sec. 11-1301.5. Fictitious or unlawfully altered disability license plate or parking decal or device.

(a) As used in this Section:

"Fictitious disability license plate or parking decal or device" means any issued disability license plate or parking decal or device, or any license plate issued to a disabled veteran under Section 3-609 or 3-609.01 of this Code, that has been issued by the Secretary of State or an authorized unit of local government that was issued based upon false information contained on the required application.

"False information" means any incorrect or inaccurate information concerning the name, date of birth, social security number, driver's license number, physician certification, or any other information required on the Persons with Disabilities Certification for Plate or Parking Placard, on the Application for Replacement Disability Parking Placard, or on the application for license plates issued to disabled veterans under Section 3-609 or 3-609.01 of this Code, that falsifies the content of the application.

"Unlawfully altered disability license plate or parking permit or device" means any disability license plate or parking permit or device, or any license plate issued to a disabled veteran under Section 3-609 or 3-609.01 of this Code, issued by the Secretary of State or an authorized unit of local government that has been physically altered or changed in such manner that false information appears on the license plate or parking decal or device.

"Authorized holder" means an individual issued a disability license plate under Section 3-616 of this Code or an individual issued a parking decal or device under Section 11-1301.2 of this Code, or an individual issued a disabled veteran's license plate under Section 3-609 or 3-609.01 of this Code.

(b) It is a violation of this Section for any person:

- (1) to knowingly possess any fictitious or unlawfully altered disability license plate or parking decal or device;
- (2) to knowingly issue or assist in the issuance of, by the Secretary of State or unit of local government, any fictitious disability license plate or parking decal or device;
- (3) to knowingly alter any disability license plate or parking decal or device;
- (4) to knowingly manufacture, possess, transfer, or provide any documentation used in the application process whether real or fictitious, for the purpose of obtaining a fictitious disability license plate or parking decal or device;
- (5) to knowingly provide any false information to the Secretary of State or a unit of

local government in order to obtain a disability license plate or parking decal or device; or

(6) to knowingly transfer a disability license plate or parking decal or device for the purpose of exercising the privileges granted to an authorized holder of a disability license plate or parking decal or device under this Code in the absence of the authorized holder.

(c) Sentence.

(1) Any person convicted of a violation of paragraph (1), (2), (3), (4), or (5) of subsection (b) of this Section shall be guilty of a Class A misdemeanor and fined not less than \$500 for a first offense and shall be guilty of a Class 4 felony and fined not less than \$1,000 for a second or subsequent offense. Any person convicted of a violation of subdivision (b)(6) of this Section is guilty of a Class A misdemeanor and shall be fined not less than \$500 for a first offense and not less than \$1,000 for a second or subsequent offense. The circuit clerk shall distribute one-half of any fine imposed on any person who is found guilty of or pleads guilty to violating this Section, including any person placed on court supervision for violating this Section, to the law enforcement agency that issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation or making the arrest, one-half of the fine imposed shall be shared equally.

(2) Any person who commits a violation of this Section may have his or her driving privileges suspended or revoked by the Secretary of State for a period of time determined by the Secretary of State. The Secretary of State may suspend or revoke the parking decal or device or the disability license plate of any person who commits a violation of this Section.

(3) Any police officer may seize the parking decal or device from any person who commits a violation of this Section. Any police officer may seize the disability license plate upon authorization from the Secretary of State. Any police officer may request that the Secretary of State revoke the parking decal or device or the disability license plate of any person who commits a violation of this Section.

(Source: P.A. 94-619, eff. 1-1-06.)

(625 ILCS 5/11-1301.6)

Sec. 11-1301.6. Fraudulent disability license plate or parking decal or device.

(a) As used in this Section:

"Fraudulent disability license plate or parking decal or device" means any disability license plate or parking decal or device that purports to be an official disability license plate or parking decal or device and that has not been issued by the Secretary of State or an authorized unit of local government.

"Disability license plate or parking decal or device-making implement" means any implement specially designed or primarily used in the manufacture, assembly, or authentication of a disability license plate or parking decal or device, or a license plate issued to a disabled veteran under Section 3-609 or 3-609.01 of this Code, issued by the Secretary of State or a unit of local government.

(b) It is a violation of this Section for any person:

- (1) to knowingly possess any fraudulent disability license plate or parking decal;
- (2) to knowingly possess without authority any disability license plate or parking decal or device-making implement;
- (3) to knowingly duplicate, manufacture, sell, or transfer any fraudulent or stolen disability license plate or parking decal or device;
- (4) to knowingly assist in the duplication, manufacturing, selling, or transferring of any fraudulent, stolen, or reported lost or damaged disability license plate or parking decal or device; or
- (5) to advertise or distribute a fraudulent disability license plate or parking decal or device.

(c) Sentence.

(1) Any person convicted of a violation of this Section shall be guilty of a Class A misdemeanor and fined not less than \$1,000 for a first offense and shall be guilty of a Class 4 felony and fined not less than \$2,000 for a second or subsequent offense. The circuit clerk shall distribute half of any fine imposed on any person who is found guilty of or pleads guilty to violating this Section, including any person placed on court supervision for violating this Section, to the law enforcement agency that issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation or making the arrest, one-half of the fine imposed shall be shared equally.

(2) Any person who commits a violation of this Section may have his or her driving privileges suspended or revoked by the Secretary of State for a period of time determined by the

Secretary of State.

(3) Any police officer may seize the parking decal or device from any person who commits a violation of this Section. Any police officer may seize the disability license plate upon authorization from the Secretary of State. Any police officer may request that the Secretary of State revoke the parking decal or device or the disability license plate of any person who commits a violation of this Section.

(Source: P.A. 94-619, eff. 1-1-06.)

Section 10. The Motor Fuel Sales Act is amended by changing Section 2 as follows:

(815 ILCS 365/2) (from Ch. 121 1/2, par. 1502)

Sec. 2. Any attendant on duty at a service station described in Section 1 shall, upon request, dispense motor fuel for the driver of a car which is parked at a self-service island and displays: (a) registration plates issued to a physically disabled person pursuant to Section 3-616 of the Illinois Vehicle Code; or (b) registration plates issued to a disabled veteran pursuant to Section 3-609 or 3-609.01 of such Code; or (c) a special decal or device issued pursuant to Section 11-1301.2 of such Code; and shall only charge such driver prices as offered to the general public for motor fuel dispensed at the self-service island. However, such attendant shall not be required to perform other services which are offered at the full-service island.

(Source: P.A. 84-877.)".

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

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

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 949.

HOUSE BILL 1708. Having been reproduced, was taken up and read by title a second time.

Representative Schock offered and withdrew Amendment No. 1.

Representative Schock offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 1708 by replacing everything after the enacting clause with the following:

"Section 5. The Developmental Disability and Mental Disability Services Act is amended by changing Section 3-5 as follows:

(405 ILCS 80/3-5) (from Ch. 91 1/2, par. 1803-5)

Sec. 3-5. The Department shall create application forms which shall be used to determine the eligibility of families for the Program. The forms shall require at least the following items of information which constitute the eligibility criteria for participation in the Program:

(a) A statement that the family resides in the State of Illinois.

(b) A statement that the family member is 17 years of age or younger.

(c) A statement that the family member resides, or is expected to reside, with his or her parent or legal guardian, or that the family member resides in an out-of-home placement with the expectation of residing with the parent or legal guardian within 2 months of the date of the application.

(d) Verification that the family member has one of the following conditions: severe autism, severe mental illness, severe or profound mental retardation, or severe and multiple impairments. Verification of the family member's condition shall be:

(1) by the family member's local school district for family members enrolled with a local school district;

or

(2) by an entity designated by the Department.

(e) Verification that the taxable income for the family for the year immediately preceding the date of the application did not exceed an amount to be established by rule of the Department, unless it can be verified that the taxable income for the family for the year in which the application is made will be less than such amount. The maximum taxable family income set by rule of the Department may not be less than \$65,000

beginning January 1, 2008.

(Source: P.A. 86-921.)

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

HOUSE BILL 949. Having been read by title a second time on April 17, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Jefferies offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 949 on page 2, line 1, by replacing "June 3" with "June 30"; and on page 7, line 5, by replacing "June 3" with "June 30".

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

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

HOUSE BILL 192. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on Health Care Availability and Access, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 192 on page 1, by replacing lines 10 and 11 with the following:

"of Public Health, shall adopt rules that may require one or more of the facilities described in Section 4 of this Act to implement comprehensive"; and

on page 2, by deleting lines 3 through 10; and

on page 2, line 23, by deleting "all"; and

on page 3, by replacing line 1 with the following:

"Department that may require one or more types of those facilities to comply with the 2006"; and by deleting line 26 on page 3 and lines 1 and 2 on page 4; and

by deleting lines 23 and 24 on page 4 and lines 1 through 7 on page 5; and

by deleting lines 23 and 24 on page 5 and lines 1 through 6 on page 6.

AMENDMENT NO. 2. Amend House Bill 192, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by adding Section 10.5 as follows:

(20 ILCS 1705/10.5 new)

Sec. 10.5. Prevention and control of Multidrug-Resistant Organisms. The Department, in consultation with the Department of Public Health, shall adopt rules that may require one or more of the facilities described in Section 4 of this Act to implement comprehensive interventions to prevent and control multidrug-resistant organisms (MDROs), including methicillin-resistant Staphylococcus aureus (MRSA), vancomycin-resistant enterococci (VRE), and certain gram-negative bacilli (GNB), pursuant to prevention and control interventions recommended by the U.S. Centers for Disease Control and Prevention (2006). The Department shall also require facilities to submit reports to the Department that contain substantially the same information contained in the related infection reports required to be submitted by hospitals to the Department of Public Health under Section 25 of the Hospital Report Card Act. The Department shall provide that information to the Department of Public Health upon the Department of Public Health's request.

Section 10. The Department of Public Health Powers and Duties Law of the Civil Administrative Code

of Illinois is amended by adding Section 2310-312 as follows:

(20 ILCS 2310/2310-312 new)

Sec. 2310-312. Multidrug-Resistant Organisms. The Department shall perform the following functions in relation to the prevention and control of Multidrug-Resistant Organisms (MDROs), including methicillin-resistant Staphylococcus aureus (MRSA), vancomycin-resistant (VRE) and certain gram-negative bacilli (GNB), as these terms are referenced by the United States Centers for Disease Control and Prevention:

(1) Except with regard to hospitals, for which administrative rules shall be adopted in accordance with Section 6.23 of the Hospital Licensing Act and Section 7 of the University of Illinois Hospital Act, the Department shall adopt administrative rules for health care facilities subject to licensure, certification, registration, or other regulation by the Department that may require one or more types of those facilities to develop an infection control policy for MDROs that takes into consideration the 2006 recommendations of the U.S. Centers for Disease Control and Prevention for the prevention and control of Multidrug-Resistant Organisms (MDROs).

(2) The Department shall conduct a public information campaign for health care providers not subject to regulation by the Department, including physicians, health facilities, public health departments, other public and private health care providers, laboratories, and the general public, on Multidrug Resistant Organisms (MDROs) to reduce the incidence of infection. This program shall include, but need not be limited to, the establishment of a statewide information clearinghouse that will provide periodic reports and releases to public officials, health professionals, and the general public regarding new developments or procedures concerning prevention and treatment of MDROs.

(3) The Department shall create and administer a training program for health care providers who have a need for understanding matters relating to MDROs. The training shall include information on the cause and effects of MDROs and the means of preventing and controlling transmission. The training may be made available to public employees and the employees of private agencies. The Department may charge fees to cover the costs of the training.

Section 15. The University of Illinois Hospital Act is amended by adding Section 7 as follows:

(110 ILCS 330/7 new)

Sec. 7. Prevention and control for Multidrug-Resistant Organisms. The University shall develop an infection control policy for the University of Illinois hospital to implement comprehensive interventions to prevent and control multidrug-resistant organisms (MDROs), including methicillin-resistant Staphylococcus aureus (MRSA), vancomycin-resistant enterococci (VRE), and certain gram-negative bacilli (GNB) that takes into consideration the guidelines of the U.S. Centers for Disease Control and Prevention for the management of MDROs in healthcare settings. The University shall also require the Hospital to submit reports to the University that contain substantially the same information contained in the related infection reports required to be submitted by hospitals to the Department of Public Health under Section 25 of the Hospital Report Card Act. The University shall provide that information to the Department of Public Health upon the Department's request.

Section 20. The Hospital Licensing Act is amended by adding Section 6.23 as follows:

(210 ILCS 85/6.23 new)

Sec. 6.23. Prevention and control of Multidrug-Resistant Organisms. Each hospital shall develop an infection control policy to implement comprehensive interventions to prevent and control multidrug-resistant organisms (MDROs), including methicillin-resistant Staphylococcus aureus (MRSA), vancomycin-resistant enterococci (VRE), and certain gram-negative bacilli (GNB) that takes into consideration the guidelines of the U.S. Centers for Disease Control and Prevention for the management of MDROs in healthcare settings. The Department shall also require hospitals to submit related infection reports under Section 25 of the Hospital Report Card Act.

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

Representative Flowers offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 192, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by adding Section 10.5 as follows:

(20 ILCS 1705/10.5 new)

Sec. 10.5. Prevention and control of Multidrug-Resistant Organisms. The Department, in consultation

with the Department of Public Health, shall adopt rules that may require one or more of the facilities described in Section 4 of this Act to implement comprehensive interventions to prevent and control multidrug-resistant organisms (MDROs), including methicillin-resistant Staphylococcus aureus (MRSA), vancomycin-resistant enterococci (VRE), and certain gram-negative bacilli (GNB), pursuant to updated prevention and control interventions recommended by the U.S. Centers for Disease Control and Prevention. The Department shall also require facilities to submit reports to the Department that contain substantially the same information contained in the related infection reports required to be submitted by hospitals to the Department of Public Health under Section 25 of the Hospital Report Card Act. The Department shall provide that information to the Department of Public Health upon the Department of Public Health's request.

Section 10. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 2310-312 as follows:

(20 ILCS 2310/2310-312 new)

Sec. 2310-312. Multidrug-Resistant Organisms. The Department shall perform the following functions in relation to the prevention and control of Multidrug-Resistant Organisms (MDROs), including methicillin-resistant Staphylococcus aureus (MRSA), vancomycin-resistant (VRE) and certain gram-negative bacilli (GNB), as these terms are referenced by the United States Centers for Disease Control and Prevention:

(1) Except with regard to hospitals, for which administrative rules shall be adopted in accordance with Section 6.23 of the Hospital Licensing Act and Section 7 of the University of Illinois Hospital Act, the Department shall adopt administrative rules for health care facilities subject to licensure, certification, registration, or other regulation by the Department that may require one or more types of those facilities to (i) perform an annual infection control risk assessment, (ii) develop infection control policies for MDROs that are based on this assessment and incorporate, as appropriate, updated recommendations of the U.S. Centers for Disease Control and Prevention for the prevention and control of MDROs, and (iii) enforce hand hygiene requirements.

(2) The Department shall:

(A) publicize guidelines for reducing the incidence of MDROs to health care providers, health care facilities, public health departments, prisons, jails, and the general public; and

(B) provide periodic reports and updates to public officials, health professionals, and the general public statewide regarding new developments or procedures concerning prevention and management of infections due to MDROs.

(3) The Department shall publish a yearly report regarding MRSA and Clostridium difficile infections based on the Hospital Discharge Dataset. The Department is authorized to require hospitals, based on guidelines developed by the National Center for Health Statistics, after October 1, 2007, to submit data to the Department that is coded as "present on admission" and "occurred during the stay".

(4) Reporting to the Department under the Hospital Report Card Act shall include organisms, including but not limited to MRSA, that are responsible for central venous catheter-associated bloodstream infections and ventilator-associated pneumonia in designated hospital units.

(5) The Department shall implement surveillance for designated cases of community associated MRSA infections for a period of at least 3 years, beginning on or before January 1, 2008.

Section 15. The University of Illinois Hospital Act is amended by adding Section 7 as follows:

(110 ILCS 330/7 new)

Sec. 7. Prevention and control for Multidrug-Resistant Organisms. The University of Illinois Hospital shall develop and implement comprehensive interventions to prevent and control multidrug-resistant organisms (MDROs), including methicillin-resistant Staphylococcus aureus (MRSA), vancomycin-resistant enterococci (VRE), and certain gram-negative bacilli (GNB), that take into consideration guidelines of the U.S. Centers for Disease Control and Prevention for the management of MDROs in healthcare settings. The Department of Public Health shall adopt administrative rules that require the University of Illinois Hospital to perform an annual facility-wide infection control risk assessment and enforce hand hygiene and contact precaution requirements.

Section 20. The Hospital Licensing Act is amended by adding Section 6.23 as follows:

(210 ILCS 85/6.23 new)

Sec. 6.23. Prevention and control of Multidrug-Resistant Organisms. Each hospital shall develop and implement comprehensive interventions to prevent and control multidrug-resistant organisms (MDROs), including methicillin-resistant Staphylococcus aureus (MRSA), vancomycin-resistant enterococci (VRE), and certain gram-negative bacilli (GNB), that take into consideration guidelines of the U.S. Centers for

Disease Control and Prevention for the management of MDROs in healthcare settings. The Department shall adopt administrative rules that require hospitals to perform an annual facility-wide infection control risk assessment and enforce hand hygiene and contact precaution requirements.

Section 25. The Hospital Report Card Act is amended by changing Section 25 as follows:

(210 ILCS 86/25)

Sec. 25. Hospital reports.

(a) Individual hospitals shall prepare a quarterly report including all of the following:

(1) Nursing hours per patient day, average daily census, and average daily hours worked for each clinical service area.

(2) Infection-related measures for the facility for the specific clinical procedures

and devices determined by the Department by rule under 2 or more of the following categories:

(A) Surgical procedure outcome measures.

(B) Surgical procedure infection control process measures.

(C) Outcome or process measures related to ventilator-associated pneumonia.

(D) Central vascular catheter-related bloodstream infection rates in designated critical care units.

(3) Information required under paragraph (4) of Section 2310-312 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois.

The infection-related measures developed by the Department shall be based upon measures and methods developed by the Centers for Disease Control and Prevention, the Centers for Medicare and Medicaid Services, the Agency for Healthcare Research and Quality, the Joint Commission on Accreditation of Healthcare Organizations, or the National Quality Forum.

The Department shall include interpretive guidelines for infection-related indicators and, when available, shall include relevant benchmark information published by national organizations.

(b) Individual hospitals shall prepare annual reports including vacancy and turnover rates for licensed nurses per clinical service area.

(c) None of the information the Department discloses to the public may be made available in any form or fashion unless the information has been reviewed, adjusted, and validated according to the following process:

(1) The Department shall organize an advisory committee, including representatives from the Department, public and private hospitals, direct care nursing staff, physicians, academic researchers, consumers, health insurance companies, organized labor, and organizations representing hospitals and physicians. The advisory committee must be meaningfully involved in the development of all aspects of the Department's methodology for collecting, analyzing, and disclosing the information collected under this Act, including collection methods, formatting, and methods and means for release and dissemination.

(2) The entire methodology for collecting and analyzing the data shall be disclosed to all relevant organizations and to all hospitals that are the subject of any information to be made available to the public before any public disclosure of such information.

(3) Data collection and analytical methodologies shall be used that meet accepted standards of validity and reliability before any information is made available to the public.

(4) The limitations of the data sources and analytic methodologies used to develop comparative hospital information shall be clearly identified and acknowledged, including but not limited to the appropriate and inappropriate uses of the data.

(5) To the greatest extent possible, comparative hospital information initiatives shall use standard-based norms derived from widely accepted provider-developed practice guidelines.

(6) Comparative hospital information and other information that the Department has compiled regarding hospitals shall be shared with the hospitals under review prior to public dissemination of such information and these hospitals have 30 days to make corrections and to add helpful explanatory comments about the information before the publication.

(7) Comparisons among hospitals shall adjust for patient case mix and other relevant risk factors and control for provider peer groups, when appropriate.

(8) Effective safeguards to protect against the unauthorized use or disclosure of hospital information shall be developed and implemented.

(9) Effective safeguards to protect against the dissemination of inconsistent, incomplete, invalid, inaccurate, or subjective hospital data shall be developed and implemented.

(10) The quality and accuracy of hospital information reported under this Act and its

data collection, analysis, and dissemination methodologies shall be evaluated regularly.

(11) Only the most basic identifying information from mandatory reports shall be used, and information identifying a patient, employee, or licensed professional shall not be released. None of the information the Department discloses to the public under this Act may be used to establish a standard of care in a private civil action.

(d) Quarterly reports shall be submitted, in a format set forth in rules adopted by the Department, to the Department by April 30, July 31, October 31, and January 31 each year for the previous quarter. Data in quarterly reports must cover a period ending not earlier than one month prior to submission of the report. Annual reports shall be submitted by December 31 in a format set forth in rules adopted by the Department to the Department. All reports shall be made available to the public on-site and through the Department.

(e) If the hospital is a division or subsidiary of another entity that owns or operates other hospitals or related organizations, the annual public disclosure report shall be for the specific division or subsidiary and not for the other entity.

(f) The Department shall disclose information under this Section in accordance with provisions for inspection and copying of public records required by the Freedom of Information Act provided that such information satisfies the provisions of subsection (c) of this Section.

(g) Notwithstanding any other provision of law, under no circumstances shall the Department disclose information obtained from a hospital that is confidential under Part 21 of Article 8 of the Code of Civil Procedure.

(h) No hospital report or Department disclosure may contain information identifying a patient, employee, or licensed professional.

(Source: P.A. 93-563, eff. 1-1-04; 94-275, eff. 7-19-05.)

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

The foregoing motion prevailed and Amendment No. 3 was adopted.

There being no further amendments, the foregoing Amendments numbered 1, 2 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 734 and 3677.

HOUSE BILL 948. Having been recalled on March 20, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Jefferies offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 948 by replacing everything after the enacting clause with the following:

"Section 5. The Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act is amended by changing Section 4 as follows:

(320 ILCS 25/4) (from Ch. 67 1/2, par. 404)

Sec. 4. Amount of Grant.

(a) In general. Any individual 65 years or older or any individual who will become 65 years old during the calendar year in which a claim is filed, and any surviving spouse of such a claimant, who at the time of death received or was entitled to receive a grant pursuant to this Section, which surviving spouse will become 65 years of age within the 24 months immediately following the death of such claimant and which surviving spouse but for his or her age is otherwise qualified to receive a grant pursuant to this Section, and any disabled person whose annual household income is less than \$14,000 for grant years before the 1998 grant year, less than \$16,000 for the 1998 and 1999 grant years, and less than (i) \$21,218 for a household containing one person, (ii) \$28,480 for a household containing 2 persons, or (iii) \$35,740 for a household containing 3 or more persons for the 2000 grant year and thereafter and whose household is liable for payment of property taxes accrued or has paid rent constituting property taxes accrued and is domiciled in this State at the time he or she files his or her claim is entitled to claim a grant under this Act. With respect to claims filed by individuals who will become 65 years old during the calendar year in which a claim is filed, the amount of any grant to which that household is entitled shall be an amount equal to 1/12 of the

amount to which the claimant would otherwise be entitled as provided in this Section, multiplied by the number of months in which the claimant was 65 in the calendar year in which the claim is filed.

(b) Limitation. Except as otherwise provided in subsections (a) and (f) of this Section, the maximum amount of grant which a claimant is entitled to claim is the amount by which the property taxes accrued which were paid or payable during the last preceding tax year or rent constituting property taxes accrued upon the claimant's residence for the last preceding taxable year exceeds 3 1/2% of the claimant's household income for that year but in no event is the grant to exceed (i) \$700 less 4.5% of household income for that year for those with a household income of \$14,000 or less or (ii) \$70 if household income for that year is more than \$14,000.

(c) Public aid recipients. If household income in one or more months during a year includes cash assistance in excess of \$55 per month from the Department of Healthcare and Family Services or the Department of Human Services (acting as successor to the Department of Public Aid under the Department of Human Services Act) which was determined under regulations of that Department on a measure of need that included an allowance for actual rent or property taxes paid by the recipient of that assistance, the amount of grant to which that household is entitled, except as otherwise provided in subsection (a), shall be the product of (1) the maximum amount computed as specified in subsection (b) of this Section and (2) the ratio of the number of months in which household income did not include such cash assistance over \$55 to the number twelve. If household income did not include such cash assistance over \$55 for any months during the year, the amount of the grant to which the household is entitled shall be the maximum amount computed as specified in subsection (b) of this Section. For purposes of this paragraph (c), "cash assistance" does not include any amount received under the federal Supplemental Security Income (SSI) program.

(d) Joint ownership. If title to the residence is held jointly by the claimant with a person who is not a member of his or her household, the amount of property taxes accrued used in computing the amount of grant to which he or she is entitled shall be the same percentage of property taxes accrued as is the percentage of ownership held by the claimant in the residence.

(e) More than one residence. If a claimant has occupied more than one residence in the taxable year, he or she may claim only one residence for any part of a month. In the case of property taxes accrued, he or she shall prorate 1/12 of the total property taxes accrued on his or her residence to each month that he or she owned and occupied that residence; and, in the case of rent constituting property taxes accrued, shall prorate each month's rent payments to the residence actually occupied during that month.

(f) There is hereby established a program of pharmaceutical assistance to the aged and disabled which shall be administered by the Department in accordance with this Act, to consist of payments to authorized pharmacies, on behalf of beneficiaries of the program, for the reasonable costs of covered prescription drugs. Each beneficiary who pays \$5 for an identification card shall pay no additional prescription costs. Each beneficiary who pays \$25 for an identification card shall pay \$3 per prescription. In addition, after a beneficiary receives \$2,000 in benefits during a State fiscal year, that beneficiary shall also be charged 20% of the cost of each prescription for which payments are made by the program during the remainder of the fiscal year. To become a beneficiary under this program a person must: (1) be (i) 65 years of age or older, or (ii) the surviving spouse of such a claimant, who at the time of death received or was entitled to receive benefits pursuant to this subsection, which surviving spouse will become 65 years of age within the 24 months immediately following the death of such claimant and which surviving spouse but for his or her age is otherwise qualified to receive benefits pursuant to this subsection, or (iii) disabled, and (2) be domiciled in this State at the time he or she files his or her claim, and (3) have a maximum household income of less than \$14,000 for grant years before the 1998 grant year, less than \$16,000 for the 1998 and 1999 grant years, and less than (i) \$21,218 for a household containing one person, (ii) \$28,480 for a household containing 2 persons, or (iii) \$35,740 for a household containing 3 more persons for the 2000 grant year and thereafter. In addition, each eligible person must (1) obtain an identification card from the Department, (2) at the time the card is obtained, sign a statement assigning to the State of Illinois benefits which may be otherwise claimed under any private insurance plans, and (3) present the identification card to the dispensing pharmacist.

The Department may adopt rules specifying participation requirements for the pharmaceutical assistance program, including copayment amounts, identification card fees, expenditure limits, and the benefit threshold after which a 20% charge is imposed on the cost of each prescription, to be in effect on and after July 1, 2004. Notwithstanding any other provision of this paragraph, however, the Department may not increase the identification card fee above the amount in effect on May 1, 2003 without the express consent of the General Assembly. To the extent practicable, those requirements shall be commensurate with the

requirements provided in rules adopted by the Department of Healthcare and Family Services to implement the pharmacy assistance program under Section 5-5.12a of the Illinois Public Aid Code.

Whenever a generic equivalent for a covered prescription drug is available, the Department shall reimburse only for the reasonable costs of the generic equivalent, less the co-pay established in this Section, unless (i) the covered prescription drug contains one or more ingredients defined as a narrow therapeutic index drug at 21 CFR 320.33, (ii) the prescriber indicates on the face of the prescription "brand medically necessary", and (iii) the prescriber specifies that a substitution is not permitted. When issuing an oral prescription for covered prescription medication described in item (i) of this paragraph, the prescriber shall stipulate "brand medically necessary" and that a substitution is not permitted. If the covered prescription drug and its authorizing prescription do not meet the criteria listed above, the beneficiary may purchase the non-generic equivalent of the covered prescription drug by paying the difference between the generic cost and the non-generic cost plus the beneficiary co-pay.

Any person otherwise eligible for pharmaceutical assistance under this Act whose covered drugs are covered by any public program for assistance in purchasing any covered prescription drugs shall be ineligible for assistance under this Act to the extent such costs are covered by such other plan.

The fee to be charged by the Department for the identification card shall be equal to \$5 per coverage year for persons below the official poverty line as defined by the United States Department of Health and Human Services and \$25 per coverage year for all other persons.

In the event that 2 or more persons are eligible for any benefit under this Act, and are members of the same household, (1) each such person shall be entitled to participate in the pharmaceutical assistance program, provided that he or she meets all other requirements imposed by this subsection and (2) each participating household member contributes the fee required for that person by the preceding paragraph for the purpose of obtaining an identification card.

The provisions of this subsection (f), other than this paragraph, are inoperative after December 31, 2005. Beneficiaries who received benefits under the program established by this subsection (f) are not entitled, at the termination of the program, to any refund of the identification card fee paid under this subsection.

(g) Effective January 1, 2006, there is hereby established a program of pharmaceutical assistance to the aged and disabled, entitled the Illinois Seniors and Disabled Drug Coverage Program, which shall be administered by the Department of Healthcare and Family Services and the Department on Aging in accordance with this subsection, to consist of coverage of specified prescription drugs on behalf of beneficiaries of the program as set forth in this subsection. The program under this subsection replaces and supersedes the program established under subsection (f), which shall end at midnight on December 31, 2005.

To become a beneficiary under the program established under this subsection, a person must:

- (1) be (i) 65 years of age or older or (ii) disabled; and
- (2) be domiciled in this State; and
- (3) enroll with a qualified Medicare Part D Prescription Drug Plan if eligible and apply for all available subsidies under Medicare Part D; and

(4) have a maximum household income of (i) less than \$21,218 for a household containing one person, (ii) less than \$28,480 for a household containing 2 persons, or (iii) less than \$35,740 for a household containing 3 or more persons. If any income eligibility limit set forth in items (i) through (iii) is less than 200% of the Federal Poverty Level for any year, the income eligibility limit for that year for households of that size shall be income equal to or less than 200% of the Federal Poverty Level.

All individuals enrolled as of December 31, 2005, in the pharmaceutical assistance program operated pursuant to subsection (f) of this Section and all individuals enrolled as of December 31, 2005, in the SeniorCare Medicaid waiver program operated pursuant to Section 5-5.12a of the Illinois Public Aid Code shall be automatically enrolled in the program established by this subsection for the first year of operation without the need for further application, except that they must apply for Medicare Part D and the Low Income Subsidy under Medicare Part D. A person enrolled in the pharmaceutical assistance program operated pursuant to subsection (f) of this Section as of December 31, 2005, shall not lose eligibility in future years due only to the fact that they have not reached the age of 65.

To the extent permitted by federal law, the Department may act as an authorized representative of a beneficiary in order to enroll the beneficiary in a Medicare Part D Prescription Drug Plan if the beneficiary has failed to choose a plan and, where possible, to enroll beneficiaries in the low-income subsidy program under Medicare Part D or assist them in enrolling in that program.

Beneficiaries under the program established under this subsection shall be divided into the

following 5 eligibility groups:

(A) Eligibility Group 1 shall consist of beneficiaries who are not eligible for Medicare Part D coverage and who are disabled and under age 65. ÷

~~(i) disabled and under age 65; or~~

~~(ii) age 65 or older, with incomes over 200% of the Federal Poverty Level; or~~

~~(iii) age 65 or older, with incomes at or below 200% of the Federal Poverty Level and not eligible for federally funded means tested benefits due to immigration status.~~

(B) Eligibility Group 2 shall consist of beneficiaries otherwise described in Eligibility Group 1 but who are eligible for Medicare Part D coverage.

~~(C) Eligibility Group 3 shall consist of beneficiaries age 65 or older who, with incomes at or below 200% of the Federal Poverty Level, who are not barred from receiving federally funded means tested benefits due to immigration status and are eligible for~~

~~Medicare Part D coverage.~~

~~(D) Eligibility Group 4 shall consist of beneficiaries age 65 or older who, with incomes at or below 200% of the Federal Poverty Level, who are not barred from receiving federally funded means tested benefits due to immigration status and are not eligible~~

~~for Medicare Part D coverage.~~

If the State applies and receives federal approval for a waiver under Title XIX of the Social Security Act, persons in Eligibility Group 4 shall continue to receive benefits through the approved waiver, and Eligibility Group 4 may be expanded to include disabled persons under age 65 with incomes under 200% of the Federal Poverty Level who are not eligible for Medicare and who are not barred from receiving federally funded means-tested benefits due to immigration status.

(E) On and after January 1, 2007, Eligibility Group 5 shall consist of beneficiaries who are otherwise described in Eligibility Group 1 but are eligible for Medicare Part D and have a diagnosis of HIV or AIDS.

The program established under this subsection shall cover the cost of covered prescription drugs in excess of the beneficiary cost-sharing amounts set forth in this paragraph that are not covered by Medicare. In 2006, beneficiaries shall pay a co-payment of \$2 for each prescription of a generic drug and \$5 for each prescription of a brand-name drug. In future years, beneficiaries shall pay co-payments equal to the co-payments required under Medicare Part D for "other low-income subsidy eligible individuals" pursuant to 42 CFR 423.782(b). For individuals in Eligibility Groups 1, 2, 3, and 4, once the program established under this subsection and Medicare combined have paid \$1,750 in a year for covered prescription drugs, the beneficiary shall pay 20% of the cost of each prescription in addition to the co-payments set forth in this paragraph. For individuals in Eligibility Group 5, once the program established under this subsection and Medicare combined have paid \$1,750 in a year for covered prescription drugs, the beneficiary shall pay 20% of the cost of each prescription in addition to the co-payments set forth in this paragraph unless the drug is included in the formulary of the Illinois AIDS Drug Assistance Program operated by the Illinois Department of Public Health. If the drug is included in the formulary of the Illinois AIDS Drug Assistance Program, individuals in Eligibility Group 5 shall continue to pay the co-payments set forth in this paragraph after the program established under this subsection and Medicare combined have paid \$1,750 in a year for covered prescription drugs.

For beneficiaries eligible for Medicare Part D coverage, the program established under this subsection shall pay 100% of the premiums charged by a qualified Medicare Part D Prescription Drug Plan for Medicare Part D basic prescription drug coverage, not including any late enrollment penalties. Qualified Medicare Part D Prescription Drug Plans may be limited by the Department of Healthcare and Family Services to those plans that sign a coordination agreement with the Department.

Notwithstanding Section 3.15, for purposes of the program established under this subsection, the term "covered prescription drug" has the following meanings: For Eligibility Group 1, "covered prescription drug" means: (1) any cardiovascular agent or drug; (2) any insulin or other prescription drug used in the treatment of diabetes, including syringe and needles used to administer the insulin; (3) any prescription drug used in the treatment of arthritis; (4) any prescription drug used in the treatment of cancer; (5) any prescription drug used in the treatment of Alzheimer's disease; (6) any prescription drug used in the treatment of Parkinson's disease; (7) any prescription drug used in the treatment of glaucoma; (8) any prescription drug used in the treatment of lung disease and smoking-related illnesses; (9) any prescription drug used in the treatment of osteoporosis; and (10) any prescription drug used in the treatment of multiple sclerosis. The Department may add additional therapeutic classes by rule. The Department may adopt a preferred drug list within any of the classes of drugs described in items (1) through (10) of this paragraph. The specific drugs or therapeutic classes of covered prescription drugs

shall be indicated by rule.

For Eligibility Group 2, "covered prescription drug" means those drugs covered for Eligibility Group 1 that are also covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled.

For Eligibility Group 3, "covered prescription drug" means those drugs covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled.

For Eligibility Group 4, "covered prescription drug" means those drugs covered by the Medical Assistance Program under Article V of the Illinois Public Aid Code.

For Eligibility Group 5, "covered prescription drug" means: (1) those drugs covered for Eligibility Group 1 that are also covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled; and (2) those drugs included in the formulary of the Illinois AIDS Drug Assistance Program operated by the Illinois Department of Public Health that are also covered by the Medicare Part D Prescription Drug Plan in which the beneficiary is enrolled.

An individual in Eligibility Group 3 or 4 may opt to receive a \$25 monthly payment in lieu of the direct coverage described in this subsection.

Any person otherwise eligible for pharmaceutical assistance under this subsection whose covered drugs are covered by any public program is ineligible for assistance under this subsection to the extent that the cost of those drugs is covered by the other program.

The Department of Healthcare and Family Services shall establish by rule the methods by which it will provide for the coverage called for in this subsection. Those methods may include direct reimbursement to pharmacies or the payment of a capitated amount to Medicare Part D Prescription Drug Plans.

For a pharmacy to be reimbursed under the program established under this subsection, it must comply with rules adopted by the Department of Healthcare and Family Services regarding coordination of benefits with Medicare Part D Prescription Drug Plans. A pharmacy may not charge a Medicare-enrolled beneficiary of the program established under this subsection more for a covered prescription drug than the appropriate Medicare cost-sharing less any payment from or on behalf of the Department of Healthcare and Family Services.

The Department of Healthcare and Family Services or the Department on Aging, as appropriate, may adopt rules regarding applications, counting of income, proof of Medicare status, mandatory generic policies, and pharmacy reimbursement rates and any other rules necessary for the cost-efficient operation of the program established under this subsection.

(Source: P.A. 93-130, eff. 7-10-03; 94-86, eff. 1-1-06; 94-909, eff. 6-23-06.)"

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

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 586.

HOUSE BILL 362. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Veterans Affairs, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 362, on page 2, by replacing lines 4 and 5 with the following:

"Of the amounts collected as fines under this subsection (b), 99% shall be deposited into the Illinois Military Family Relief Fund and 1% shall be deposited into the Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law."; and

by replacing lines 25 and 26 on page 7 and line 1 on page 8 with the following:

"(f) Of the amounts collected as fines under subsection (b) of Section 3-712 of the Illinois Vehicle Code, 99% shall be deposited into the Illinois Military Family Relief Fund and 1% shall be deposited into the

Circuit Court Clerk Operation and Administrative Fund created by the Clerk of the Circuit Court to be used to offset the costs incurred by the Circuit Court Clerk in performing the additional duties required to collect and disburse funds to entities of State and local government as provided by law."

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 1888.

HOUSE BILL 1727. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on Judiciary I - Civil Law, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1727 as follows:
on page 3, by replacing lines 10 through 14 with the following:
"against access through those computers to visual depictions that are obscene, child pornography, or harmful to minors; and".

AMENDMENT NO. 2. Amend House Bill 1727 as follows:
on page 3, by replacing line 18 with the following:
"purpose; and
(3) disablement of the technology protection measure by an employee of the public library upon the request of a minor to use the computer for legitimate research or some other lawful purpose if that minor is adequately supervised for the duration of the minor's use of the computer by an individual who is 21 years of age or older."

Representative Joyce offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 1727 as follows:
on page 2, line 14, by changing "; or" to "; and"; and
on page 5, by replacing lines 18 and 19 with the following:
"each administrative unit must annually attest in writing that all public library locations within".

The foregoing motion prevailed and Amendment No. 3 was adopted.

There being no further amendments, the foregoing Amendments numbered 1, 2 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 1124.

HOUSE BILL 1780. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 1780 as follows:
on page 3, by deleting lines 16 through 18.

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 576 and 1403.

HOUSE BILL 1563. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on Public Utilities, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1563 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by adding Section 8-307 as follows:

(220 ILCS 5/8-307 new)

Sec. 8-307. Billing for service. A gas utility shall bill a customer for service only after that service is actually provided to the customer.

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

AMENDMENT NO. 2. Amend House Bill 1563, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by adding Section 8-307 as follows:

(220 ILCS 5/8-307 new)

Sec. 8-307. Billing for service. A utility shall bill a customer for service only (i) after the service meter has been connected or (ii) if the service is to new construction and the utility is actually providing service to the customer.

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

Representative Washington offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 1563, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by adding Section 8-307 as follows:

(220 ILCS 5/8-307 new)

Sec. 8-307. Billing for a utility commodity. A utility shall bill a customer for the legally-obtained commodity only (i) after the service meter has been connected or (ii) if the service is to new construction, after the meter has been connected to the service line.

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

The foregoing motion prevailed and Amendment No. 3 was adopted.

There being no further amendments, the foregoing Amendments numbered 1, 2 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 3327. Having been reproduced, was taken up and read by title a second time.

Representative Cross offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 3327 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 27-17 as follows:

(105 ILCS 5/27-17) (from Ch. 122, par. 27-17)

Sec. 27-17. Safety education. School boards of public schools and all boards in charge of educational institutions supported wholly or partially by the State may provide instruction in safety education in all grades and include such instruction in the courses of study regularly taught therein.

In this section "safety education" means and includes instruction in the following:

1. automobile safety, including traffic regulations, and highway safety, and the consequences of alcohol consumption and the operation of a motor vehicle;

2. safety in the home;

3. safety in connection with recreational activities;

4. safety in and around school buildings;
5. safety in connection with vocational work or training; and
6. cardio-pulmonary resuscitation for pupils enrolled in grades 9 through 11.

Such boards may make suitable provisions in the schools and institutions under their jurisdiction for instruction in safety education for not less than 16 hours during each school year.

The curriculum in all State universities shall contain an elective course of instruction in safety education for teachers, comprising at least 48 fifty-minute periods or the equivalent thereof.

(Source: P.A. 80-1283.)

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

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

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

HOUSE BILLS ON THIRD READING

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

On motion of Representative Kosel, HOUSE BILL 1303 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 67, Yeas; 43, Nays; 0, Answering Present.

(ROLL CALL 13)

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

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

On motion of Representative Fortner, HOUSE BILL 3766 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 111, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 14)

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

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

On motion of Representative Mautino, HOUSE BILL 678 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 111, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 15)

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

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

On motion of Representative May, HOUSE BILL 3425 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 70, Yeas; 40, Nays; 1, Answering Present.

(ROLL CALL 16)

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

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

On motion of Representative Turner, HOUSE BILL 150 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 111, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 17)

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

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

HOUSE BILL ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 950.

HOUSE BILLS ON THIRD READING

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

On motion of Representative Molaro, HOUSE BILL 857 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 109, Yeas; 0, Nays; 2, Answering Present.

(ROLL CALL 18)

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

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

On motion of Representative Phelps, HOUSE BILL 987 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 111, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 19)

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

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

On motion of Representative Smith, HOUSE BILL 3399 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 111, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 20)

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

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

On motion of Representative Ryg, HOUSE BILL 1881 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 92, Yeas; 18, Nays; 1, Answering Present.

(ROLL CALL 21)

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

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

On motion of Representative Turner, HOUSE BILL 1290 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 22)

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

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

On motion of Representative Smith, HOUSE BILL 1988 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 23)

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

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

On motion of Representative Soto, HOUSE BILL 1743 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 24)

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

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

On motion of Representative William Davis, HOUSE BILL 2781 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 25)

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

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

On motion of Representative Tracy, HOUSE BILL 449 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 26)

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

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

On motion of Representative Watson, HOUSE BILL 3672 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 27)

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

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

On motion of Representative Winters, HOUSE BILL 117 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 62, Yeas; 50, Nays; 0, Answering Present.

(ROLL CALL 28)

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

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

On motion of Representative Lindner, HOUSE BILL 254 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 29)

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

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

On motion of Representative Younge, HOUSE BILL 1605 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 91, Yeas; 14, Nays; 7, Answering Present.

(ROLL CALL 30)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 811. Having been reproduced, was taken up and read by title a second time. The following amendment was offered in the Committee on Executive, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 811 by replacing everything after the enacting clause with the following:

"Section 5. The Use Tax Act is amended by changing Section 3-61 as follows:

(35 ILCS 105/3-61)

Sec. 3-61. Motor vehicles; trailers; use as rolling stock definition.

Section 99. Through June 30, 2003, "use as rolling stock moving in interstate commerce" in subsections (b) and (c) of Section 3-55 means for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, and trailers, as defined in Section 1-209 of the Illinois Vehicle Code, when on 15 or more occasions in a 12-month period the motor vehicle and trailer has carried persons or property for hire in interstate commerce, even just between points in Illinois, if the motor vehicle and trailer transports persons whose journeys or property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those motor vehicles or trailers as a part thereof.

(b) On and after July 1, 2003 and through June 30, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (b) and (c) of Section 3-55 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for 51% of its total trips and transports persons whose journeys or property whose shipments originate or terminate outside Illinois. Trips that are only between points in Illinois shall not be counted as interstate trips when calculating whether the tangible personal property qualifies for the exemption but such trips shall be included in total trips taken.

© Beginning July 1, 2004, "use as rolling stock moving in interstate commerce" in paragraphs (b) and (c) of Section 3-55 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate

commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased motor vehicles prior to July 1, 2004 shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that motor vehicle for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, motor vehicles that carry persons or property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the motor vehicle transports persons whose journeys or property whose shipments originate or terminate outside Illinois. ~~The exemption for motor vehicles used as rolling stock moving in interstate commerce may be claimed only for motor vehicles whose gross vehicle weight rating exceeds 16,000 pounds.~~ This definition applies to all property purchased for the purpose of being attached to those motor vehicles as a part thereof.

(d) Beginning July 1, 2004, “use as rolling stock moving in interstate commerce” in paragraphs (b) and (c) of Section 3-55 occurs for trailers, as defined in Section 1-209 of the Illinois Vehicle Code, semitrailers as defined in Section 1-187 of the Illinois Vehicle Code, and pole trailers as defined in Section 1-161 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption for a trailer or trailers that will not be dedicated to a motor vehicle or group of motor vehicles shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased trailers prior to July 1, 2004 that are not dedicated to a motor vehicle or group of motor vehicles shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that trailer for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, trailers, semitrailers, or pole trailers that carry property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the trailers, semitrailers, or pole trailers transport property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those trailers, semitrailers, or pole trailers as a part thereof. In lieu of a person providing documentation regarding the qualifying use of each individual trailer, semitrailer, or pole trailer, that person may document such qualifying use by providing documentation of the following:

(1) If a trailer, semitrailer, or pole trailer is dedicated to a motor vehicle that qualifies as rolling stock moving in interstate commerce under subsection © of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(2) If a trailer, semitrailer, or pole trailer is dedicated to a group of motor vehicles that all qualify as rolling stock moving in interstate commerce under subsection © of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(3) If one or more trailers, semitrailers, or pole trailers are dedicated to a group of motor vehicles and not all of those motor vehicles in that group qualify as rolling stock moving in interstate commerce under subsection © of this Section, then the percentage of those trailers, semitrailers, or pole trailers that qualifies as rolling stock moving in interstate commerce under this subsection is equal to the percentage of those motor vehicles in that group that qualify as rolling stock moving in interstate commerce under subsection © of this Section to which those trailers, semitrailers, or pole trailers are dedicated. However, to determine the qualification for the exemption provided under this item (3), the mathematical application of the qualifying percentage to one or more trailers, semitrailers, or pole trailers under this subpart shall not be allowed as to any fraction of a trailer, semitrailer, or pole trailer.

(Source: P.A. 93-23, eff. 6-20-03; 93-1033, eff. 9-3-04.)

Section 10. The Service Use Tax Act is amended by changing Section 3-51 as follows:

(35 ILCS 110/3-51)

Sec. 3-51. Motor vehicles; trailers; use as rolling stock definition.

Section 99. Through June 30, 2003, “use as rolling stock moving in interstate commerce” in subsection (b) of Section 3-45 means for motor vehicles, as defined in Section 1-46 of the Illinois Vehicle Code, and trailers, as defined in Section 1-209 of the Illinois Vehicle Code, when on 15 or more occasions in a 12-month period the motor vehicle and trailer has carried persons or property for hire in interstate commerce, even just between points in Illinois, if the motor vehicle and trailer transports persons whose journeys or property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those motor vehicles or trailers as a part thereof.

(b) On and after July 1, 2003 and through June 30, 2004, “use as rolling stock moving in interstate commerce” in paragraphs (4) and (4a) of the definition of “sale of service” in Section 2 and subsection (b) of Section 3-45 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for 51% of its total trips and transports persons whose journeys or property whose shipments originate or terminate outside Illinois. Trips that are only between points in Illinois shall not be counted as interstate trips when calculating whether the tangible personal property qualifies for the exemption but such trips shall be included in total trips taken.

© Beginning July 1, 2004, “use as rolling stock moving in interstate commerce” in paragraphs (4) and (4a) of the definition of “sale of service” in Section 2 and subsection (b) of Section 3-45 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased motor vehicles prior to July 1, 2004 shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that motor vehicle for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, motor vehicles that carry persons or property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the motor vehicle transports persons whose journeys or property whose shipments originate or terminate outside Illinois. ~~The exemption for motor vehicles used as rolling stock moving in interstate commerce may be claimed only for motor vehicles whose gross vehicle weight rating exceeds 16,000 pounds.~~ This definition applies to all property purchased for the purpose of being attached to those motor vehicles as a part thereof.

(d) Beginning July 1, 2004, “use as rolling stock moving in interstate commerce” in paragraphs (4) and (4a) of the definition of “sale of service” in Section 2 and subsection (b) of Section 3-45 occurs for trailers, as defined in Section 1-209 of the Illinois Vehicle Code, semitrailers as defined in Section 1-187 of the Illinois Vehicle Code, and pole trailers as defined in Section 1-161 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption for a trailer or trailers that will not be dedicated to a motor vehicle or group of motor vehicles shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased trailers prior to July 1, 2004 that are not dedicated to a motor vehicle or group of motor vehicles shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that trailer for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, trailers, semitrailers, or pole trailers that carry property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the trailers, semitrailers, or pole trailers transport property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those trailers, semitrailers, or pole trailers as a part thereof. In lieu of a person providing documentation regarding the qualifying use of each individual trailer, semitrailer, or pole trailer, that person may document such qualifying use by providing documentation of the following:

(1) If a trailer, semitrailer, or pole trailer is dedicated to a motor vehicle that

qualifies as rolling stock moving in interstate commerce under subsection © of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(2) If a trailer, semitrailer, or pole trailer is dedicated to a group of motor vehicles that all qualify as rolling stock moving in interstate commerce under subsection © of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(3) If one or more trailers, semitrailers, or pole trailers are dedicated to a group of motor vehicles and not all of those motor vehicles in that group qualify as rolling stock moving in interstate commerce under subsection © of this Section, then the percentage of those trailers, semitrailers, or pole trailers that qualifies as rolling stock moving in interstate commerce under this subsection is equal to the percentage of those motor vehicles in that group that qualify as rolling stock moving in interstate commerce under subsection © of this Section to which those trailers, semitrailers, or pole trailers are dedicated. However, to determine the qualification for the exemption provided under this item (3), the mathematical application of the qualifying percentage to one or more trailers, semitrailers, or pole trailers under this subpart shall not be allowed as to any fraction of a trailer, semitrailer, or pole trailer.

(Source: P.A. 93-23, eff. 6-20-03; 93-1033, eff. 9-3-04.)

Section 15. The Service Occupation Tax Act is amended by changing Section 2d as follows:

(35 ILCS 115/2d)

Sec. 2d. Motor vehicles; trailers; use as rolling stock definition.

Section 99. Through June 30, 2003, “use as rolling stock moving in interstate commerce” in subsections (d) and (d-1) of the definition of “sale of service” in Section 2 means for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, and trailers, as defined in Section 1-209 of the Illinois Vehicle Code, when on 15 or more occasions in a 12-month period the motor vehicle and trailer has carried persons or property for hire in interstate commerce, even just between points in Illinois, if the motor vehicle and trailer transports persons whose journeys or property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those motor vehicles or trailers as a part thereof.

(b) On and after July 1, 2003 and through June 30, 2004, “use as rolling stock moving in interstate commerce” in paragraphs (d) and (d-1) of the definition of “sale of service” in Section 2 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for 51% of its total trips and transports persons whose journeys or property whose shipments originate or terminate outside Illinois. Trips that are only between points in Illinois will not be counted as interstate trips when calculating whether the tangible personal property qualifies for the exemption but such trips will be included in total trips taken.

© Beginning July 1, 2004, “use as rolling stock moving in interstate commerce” in paragraphs (d) and (d-1) of the definition of “sale of service” in Section 2 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased motor vehicles prior to July 1, 2004 shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that motor vehicle for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, motor vehicles that carry persons or property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the motor vehicle transports persons whose journeys or property whose shipments originate or terminate outside Illinois. ~~The exemption for motor vehicles used as rolling stock moving in interstate commerce may be claimed only for motor vehicles whose gross vehicle weight rating exceeds 16,000 pounds.~~ This definition applies to all property purchased for the purpose of being attached to those motor vehicles as a part thereof.

(d) Beginning July 1, 2004, “use as rolling stock moving in interstate commerce” in paragraphs (d) and

(d-1) of the definition of “sale of service” in Section 2 occurs for trailers, as defined in Section 1-209 of the Illinois Vehicle Code, semitrailers as defined in Section 1-187 of the Illinois Vehicle Code, and pole trailers as defined in Section 1-161 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption for a trailer or trailers that will not be dedicated to a motor vehicle or group of motor vehicles shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased trailers prior to July 1, 2004 that are not dedicated to a motor vehicle or group of motor vehicles shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that trailer for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, trailers, semitrailers, or pole trailers that carry property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the trailers, semitrailers, or pole trailers transport property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those trailers, semitrailers, or pole trailers as a part thereof. In lieu of a person providing documentation regarding the qualifying use of each individual trailer, semitrailer, or pole trailer, that person may document such qualifying use by providing documentation of the following:

(1) If a trailer, semitrailer, or pole trailer is dedicated to a motor vehicle that qualifies as rolling stock moving in interstate commerce under subsection © of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(2) If a trailer, semitrailer, or pole trailer is dedicated to a group of motor vehicles that all qualify as rolling stock moving in interstate commerce under subsection © of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(3) If one or more trailers, semitrailers, or pole trailers are dedicated to a group of motor vehicles and not all of those motor vehicles in that group qualify as rolling stock moving in interstate commerce under subsection © of this Section, then the percentage of those trailers, semitrailers, or pole trailers that qualifies as rolling stock moving in interstate commerce under this subsection is equal to the percentage of those motor vehicles in that group that qualify as rolling stock moving in interstate commerce under subsection © of this Section to which those trailers, semitrailers, or pole trailers are dedicated. However, to determine the qualification for the exemption provided under this item (3), the mathematical application of the qualifying percentage to one or more trailers, semitrailers, or pole trailers under this subpart shall not be allowed as to any fraction of a trailer, semitrailer, or pole trailer.

(Source: P.A. 93-23, eff. 6-20-03; 93-1033, eff. 9-3-04.)

Section 20. The Retailers’ Occupation Tax Act is amended by changing Section 2-51 as follows:

(35 ILCS 120/2-51)

Sec. 2-51. Motor vehicles; trailers; use as rolling stock definition.

Section 99. Through June 30, 2003, “use as rolling stock moving in interstate commerce” in paragraphs (12) and (13) of Section 2-5 means for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, and trailers, as defined in Section 1-209 of the Illinois Vehicle Code, when on 15 or more occasions in a 12-month period the motor vehicle and trailer has carried persons or property for hire in interstate commerce, even just between points in Illinois, if the motor vehicle and trailer transports persons whose journeys or property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those motor vehicles or trailers as a part thereof.

(b) On and after July 1, 2003 and through June 30, 2004, “use as rolling stock moving in interstate commerce” in paragraphs (12) and (13) of Section 2-5 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for 51% of its total trips and transports persons whose journeys or property whose shipments originate or terminate outside Illinois. Trips that are only between points in Illinois shall not be counted as interstate trips when calculating whether the tangible personal property

qualifies for the exemption but such trips shall be included in total trips taken.

© Beginning July 1, 2004, “use as rolling stock moving in interstate commerce” in paragraphs (12) and (13) of Section 2-5 occurs for motor vehicles, as defined in Section 1-146 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased motor vehicles prior to July 1, 2004 shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that motor vehicle for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, motor vehicles that carry persons or property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the motor vehicle transports persons whose journeys or property whose shipments originate or terminate outside Illinois. ~~The exemption for motor vehicles used as rolling stock moving in interstate commerce may be claimed only for motor vehicles whose gross vehicle weight rating exceeds 16,000 pounds.~~ This definition applies to all property purchased for the purpose of being attached to those motor vehicles as a part thereof.

(d) Beginning July 1, 2004, “use as rolling stock moving in interstate commerce” in paragraphs (12) and (13) of Section 2-5 occurs for trailers, as defined in Section 1-209 of the Illinois Vehicle Code, semitrailers as defined in Section 1-187 of the Illinois Vehicle Code, and pole trailers as defined in Section 1-161 of the Illinois Vehicle Code, when during a 12-month period the rolling stock has carried persons or property for hire in interstate commerce for greater than 50% of its total trips for that period or for greater than 50% of its total miles for that period. The person claiming the exemption for a trailer or trailers that will not be dedicated to a motor vehicle or group of motor vehicles shall make an election at the time of purchase to use either the trips or mileage method. Persons who purchased trailers prior to July 1, 2004 that are not dedicated to a motor vehicle or group of motor vehicles shall make an election to use either the trips or mileage method and document that election in their books and records. If no election is made under this subsection to use the trips or mileage method, the person shall be deemed to have chosen the mileage method. Any election to use either the trips or mileage method will remain in effect for that trailer for any period for which the Department may issue a notice of tax liability under this Act.

For purposes of determining qualifying trips or miles, trailers, semitrailers, or pole trailers that carry property for hire, even just between points in Illinois, will be considered used for hire in interstate commerce if the trailers, semitrailers, or pole trailers transport property whose shipments originate or terminate outside Illinois. This definition applies to all property purchased for the purpose of being attached to those trailers, semitrailers, or pole trailers as a part thereof. In lieu of a person providing documentation regarding the qualifying use of each individual trailer, semitrailer, or pole trailer, that person may document such qualifying use by providing documentation of the following:

(1) If a trailer, semitrailer, or pole trailer is dedicated to a motor vehicle that qualifies as rolling stock moving in interstate commerce under subsection © of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(2) If a trailer, semitrailer, or pole trailer is dedicated to a group of motor vehicles that all qualify as rolling stock moving in interstate commerce under subsection © of this Section, then that trailer, semitrailer, or pole trailer qualifies as rolling stock moving in interstate commerce under this subsection.

(3) If one or more trailers, semitrailers, or pole trailers are dedicated to a group of motor vehicles and not all of those motor vehicles in that group qualify as rolling stock moving in interstate commerce under subsection © of this Section, then the percentage of those trailers, semitrailers, or pole trailers that qualifies as rolling stock moving in interstate commerce under this subsection is equal to the percentage of those motor vehicles in that group that qualify as rolling stock moving in interstate commerce under subsection © of this Section to which those trailers, semitrailers, or pole trailers are dedicated. However, to determine the qualification for the exemption provided under this item (3), the mathematical application of the qualifying percentage to one or more trailers, semitrailers, or pole trailers under this subpart shall not be allowed as to any fraction of a trailer, semitrailer, or pole trailer.

(Source: P.A. 93-23, eff. 6-20-03; 93-1033, eff. 9-3-04.)

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

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 1231.

HOUSE BILL 1974. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Personnel and Pensions, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1974 by replacing everything after the enacting clause with the following:

“Section 5. The Illinois Pension Code is amended by adding Section 6-127.5 as follows:

(40 ILCS 5/6-127.5 new)

Sec. 6-127.5. One-time lump sum payment election.

Section 99. This Section applies only to active firemen not in receipt of disability benefits who (i) have at least 23 years of creditable service, and (ii) have attained age 50, and (iii) withdraw from service on or after the effective date of this Section.

(b) A qualifying fireman may make an election under this Section at the time application for an age and service annuity under this Article is made, to receive a lump sum payment in exchange for which he or she agrees to forfeit up to 36 months of service credit. The lump sum payment shall be an amount equal to (1) the employee contributions credited to his or her account that correspond to the service credit being forfeited, plus (2) an additional 2.26 times that amount representing the corresponding employer contributions made to the Fund, plus (3) the amount of any annuity payments the fireman would have been entitled to during the time of the forfeited service. Members electing to receive a lump sum distribution under this Section may request that it be rolled over into other qualified plans.

© Service credit forfeited under this Section shall not be included in the calculation of the fireman’s age and service annuity, nor used for any other purpose under this Act. The monthly retirement annuity, as reduced by any such lump sum distribution under this Section, shall constitute the originally granted annuity amount for all purposes of this Act. Any agreement to reduce total service credit for annuity calculation purposes shall not reduce career service for any purpose used by the City of Chicago. A lump sum distribution election under this Section is not considered a refund of contribution as defined for other purposes in this Article.

(d) Election of the lump sum payment distribution under this Section becomes irrevocable upon receipt of the lump sum payment.

Section 90. The State Mandates Act is amended by adding Section 8.31 as follows:

(30 ILCS 805/8.31 new)

Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 95th General Assembly.

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

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

SENATE BILL ON SECOND READING

SENATE BILL 377. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Personnel and Pensions, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 377, on page 1, line 4, after "amended", by inserting "by adding Sections 9-134.5 and 10-104.5 and"; and

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

"(40 ILCS 5/9-134.5 new)

Sec. 9-134.5. Alternative retirement cancellation payment.

(a) To be eligible for the alternative retirement cancellation payment provided in this Section, a person must:

(1) be a member of this Fund who, on December 31, 2006, was (i) in active payroll status as an employee and continuously employed in a position on and after April 15, 2007 and (ii) an active contributor to this Fund with respect to that employment;

(2) have not previously received any retirement annuity under this Article;

(3) file with the Board on or before 45 days after the effective date of this Section, a written application requesting the alternative retirement cancellation payment provided in this Section; (4) terminate employment under this Article no later than 60 days after the effective date of this Section.

(4) if there is a QILDRO in effect against the person, file with the Board the written consent of all alternate payees under the QILDRO to the election of an alternative retirement cancellation payment under this Section; and

(b) In lieu of any retirement annuity or other benefit provided under this Article, a person who qualifies for and elects to receive the alternative retirement cancellation payment under this Section shall be entitled to receive a one-time lump sum retirement cancellation payment equal to the amount of his or her contributions to the Fund (including any employee contributions for optional service credit and including any employee contributions paid by the employer or credited to the employee during disability) on the date of termination, with regular interest, multiplied by 1.5.

(c) Notwithstanding any other provision of this Article, a person who receives an alternative retirement cancellation payment under this Section thereby forfeits the right to any other retirement or disability benefit or refund under this Article, and no widow's, survivor's, or death benefit deriving from that person shall be payable under this Article. Upon accepting an alternative retirement cancellation payment under this Section, the person's creditable service and all other rights in the Fund are terminated for all purposes.

(d) To the extent permitted by federal law, a person who receives an alternative retirement cancellation payment under this Section may direct the Fund to pay all or a portion of that payment as a rollover into another retirement plan or account qualified under the Internal Revenue Code of 1986, as amended.

(e) Notwithstanding any other provision of this Article, a person who has received an alternative retirement cancellation payment under this Section and who reenters service under this Article must first repay to the Fund the amount by which that alternative retirement cancellation payment exceeded the amount of his or her refundable employee contributions with interest at 6% per annum. For the purposes of re-establishing creditable service that was terminated upon election of the alternative retirement cancellation payment, the portion of the alternative retirement cancellation payment representing refundable employee contributions shall be deemed a refund repayable in accordance with Section 9-163.

(f) No individual who receives an alternative retirement cancellation payment under this Section may return to active payroll status within 365 days after separation from service to the employer.

(40 ILCS 5/10-104.5 new)

Sec. 10-104.5. Alternative retirement cancellation payment.

(a) To be eligible for the alternative retirement cancellation payment provided in this Section, a person must:

(1) be a member of this Fund who, on December 31, 2006, was (i) in active payroll status as an employee and continuously employed in a position on and after April 15, 2007 and (ii) an active contributor to this Fund with respect to that employment;

(2) have not previously received any retirement annuity under this Article;

(3) file with the Board on or before 45 days after the effective date of this Section, a written application requesting the alternative retirement cancellation payment provided in this Section; (4) terminate employment under this Article no later than 60 days after the effective date of this Section.

(4) if there is a QILDRO in effect against the person, file with the Board the written consent of all alternate payees under the QILDRO to the election of an alternative retirement cancellation payment under this Section; and

(b) In lieu of any retirement annuity or other benefit provided under this Article, a person who qualifies for and elects to receive the alternative retirement cancellation payment under this Section shall be entitled to receive a one-time lump sum retirement cancellation payment equal to the amount of his or her

contributions to the Fund (including any employee contributions for optional service credit and including any employee contributions paid by the employer or credited to the employee during disability) on the date of termination, with regular interest, multiplied by 1.5.

(c) Notwithstanding any other provision of this Article, a person who receives an alternative retirement cancellation payment under this Section thereby forfeits the right to any other retirement or disability benefit or refund under this Article, and no widow's, survivor's, or death benefit deriving from that person shall be payable under this Article. Upon accepting an alternative retirement cancellation payment under this Section, the person's creditable service and all other rights in the Fund are terminated for all purposes.

(d) To the extent permitted by federal law, a person who receives an alternative retirement cancellation payment under this Section may direct the Fund to pay all or a portion of that payment as a rollover into another retirement plan or account qualified under the Internal Revenue Code of 1986, as amended.

(e) Notwithstanding any other provision of this Article, a person who has received an alternative retirement cancellation payment under this Section and who reenters service under this Article must first repay to the Fund the amount by which that alternative retirement cancellation payment exceeded the amount of his or her refundable employee contributions with interest of 6% per annum. For the purposes of re-establishing creditable service that was terminated upon election of the alternative retirement cancellation payment, the portion of the alternative retirement cancellation payment representing refundable employee contributions shall be deemed a refund repayable together with interest at the effective rate from the application date of such refund to the date of repayment.

(f) No individual who receives an alternative retirement cancellation payment under this Section may return to active payroll status within 365 days after separation from service to the employer."; and on page 7, immediately below line 23, by inserting the following:

"Section 90. The State Mandates Act is amended by adding Section 8.31 as follows:

(30 ILCS 805/8.31 new)

Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 95th General Assembly."

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

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

On motion of Representative Feigenholtz, HOUSE BILL 1732 was taken up and read by title a third time.

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

32, Yeas; 78, Nays; 0, Answering Present.

(ROLL CALL 31)

This bill, having failed to receive the votes of a constitutional majority of the Members elected, was declared lost.

On motion of Representative Franks, HOUSE BILL 374 was taken up and read by title a third time.

And the question being, "Shall this bill pass?"

Pending the vote on said bill, on motion of Representative Franks, further consideration of HOUSE BILL 374 was postponed.

RECALL

At the request of the principal sponsor, Representative Golar, HOUSE BILL 3653 was recalled from the order of Third Reading to the order of Second Reading.

HOUSE BILL ON SECOND READING

HOUSE BILL 3653. Having been recalled on April 17, 2007, the same was again taken up. Representative Golar offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 3653, AS AMENDED, with reference to page and line numbers of House Amendment No. 1 on page 1, line 14, after "areas" by inserting "or in rural counties with a population of less than 20,000 persons"; and

on page 2, line 1, after "area", by inserting "or rural county with a population of less than 20,000 persons".

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILLS ON THIRD READING

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

On motion of Representative Gordon, HOUSE BILL 1462 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 32)

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

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

On motion of Representative Pritchard, HOUSE BILL 1559 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 33)

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

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

On motion of Representative Reis, HOUSE BILL 196 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 34)

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

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

On motion of Representative Rose, HOUSE BILL 622 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 35)

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

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

On motion of Representative Watson, HOUSE BILL 486 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 36)

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

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

On motion of Representative Dugan, HOUSE BILL 3583 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 37)

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

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

On motion of Representative Burke, HOUSE BILL 1059 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 73, Yeas; 38, Nays; 1, Answering Present.

(ROLL CALL 38)

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

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

On motion of Representative Currie, HOUSE BILL 3658 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 61, Yeas; 51, Nays; 0, Answering Present.

(ROLL CALL 39)

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

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

On motion of Representative Dunkin, HOUSE BILL 724 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 40)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 1718. Having been reproduced, was taken up and read by title a second time.

Representative John Bradley offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1718 by replacing everything after the enacting clause with the following:

"Section 5. The Open Meetings Act is amended by changing Section 1.02 as follows:

(5 ILCS 120/1.02) (from Ch. 102, par. 41.02)

Sec. 1.02. For the purposes of this Act:

"Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business or, for a 5-member public body, a quorum of the members of a public body held for the purpose of discussing public business. In addition, for a 5-member public body, 3 members of the body shall constitute a quorum and the affirmative vote of 3 members shall be necessary to adopt any motion, resolution, or ordinance, unless a greater number is otherwise required.

"Public body" includes all legislative, executive, administrative or advisory bodies of the State, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, and any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, except the General Assembly and committees or commissions thereof. "Public body" includes tourism boards and convention or civic center boards located in counties that are contiguous to the Mississippi River with populations of more than 250,000 but less than 300,000. "Public body" includes the Health Facilities Planning Board. "Public body" does not include a child death review team or the Illinois Child Death Review Teams Executive Council established under the Child Death Review Team Act or an ethics commission acting under the State Officials and Employees Ethics Act.

(Source: P.A. 93-617, eff. 12-9-03; 94-1058, eff. 1-1-07.)".

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

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

HOUSE BILL 1775. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Human Services, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1775 by replacing everything after the enacting clause with the following:

"Section 5. The Assisted Living and Shared Housing Act is amended by changing Sections 35 and 125 as follows:

(210 ILCS 9/35)

Sec. 35. Issuance of license.

(a) Upon receipt and review of an application for a license and review of the applicant establishment, the Director may issue a license if he or she finds:

(1) that the individual applicant, or the corporation, partnership, or other entity if the applicant is not an individual, is a person responsible and suitable to operate or to direct or participate in the operation of an establishment by virtue of financial capacity, appropriate business or professional experience, a record of lawful compliance with lawful orders of the Department and lack of revocation of a license issued under this Act or the Nursing Home Care Act during the previous 5 years;

(2) that the establishment is under the supervision of a full-time director who is at least 21 years of age and has (i) at least 2 years of experience in providing health care services to adults with disabilities or the elderly population either in an assisted living program, inpatient hospital, long-term care setting, or adult day care or in a health-related field approved by the Department and (ii) at least 2 years of management experience with ability, training, and education appropriate to meet the needs of the residents and to manage the operations of the establishment and who participates in ongoing training for these purposes;

(3) that the establishment has staff sufficient in number with qualifications, adequate skills, education, and experience to meet the 24 hour scheduled and unscheduled needs of residents and who participate in ongoing training to serve the resident population;

(4) that direct care staff meet the requirements of the Health Care Worker Background Check Act;

(5) that the applicant is in substantial compliance with this Act and such other requirements for a license as the Department by rule may establish under this Act;

(6) that the applicant pays all required fees;

(7) that the applicant has provided to the Department an accurate disclosure document in accordance with the Alzheimer's Special Care Disclosure Act and in substantial compliance with Section 150 of this Act.

In addition to any other requirements set forth in this Act, as a condition of licensure under this Act, the director of an establishment must participate in at least 20 hours of training every 2 years to assist him or her in better meeting the needs of the residents of the establishment and manage the operation of the establishment.

Any license issued by the Director shall state the physical location of the establishment, the date the license was issued, and the expiration date. All licenses shall be valid for one year, except as provided in Section 40. Each license shall be issued only for the premises and persons named in the application, and shall not be transferable or assignable.

(Source: P.A. 93-141, eff. 7-10-03.)

(210 ILCS 9/125)

Sec. 125. Assisted Living and Shared Housing Standards and Quality of Life Advisory Board.

(a) The ~~Director Governor~~ shall appoint the Assisted Living and Shared Housing Standards and Quality of Life Advisory Board which shall be responsible for advising the Director in all aspects of the administration of the Act. The Board shall give advice to the Department concerning activities of the assisted living ombudsman and all other matters deemed relevant by the Director and to the Director concerning the delivery of personal care services, the unique needs and concerns of seniors residing in housing projects, and all other issues affecting the quality of life of residents.

(b) The Board shall be comprised of the following persons:

(1) the Director who shall serve as chair, ex officio and nonvoting;

(2) the Director of Aging who shall serve as vice-chair, ex officio and nonvoting;

(3) one representative each of the Departments of Public Health, Healthcare and Family Services ~~Public Aid~~, and Human Services,

the Office of the State Fire Marshal, and the Illinois Housing Development Authority, and 2 representatives of the Department on Aging, all nonvoting members;

(4) the State Ombudsman or his or her designee;

(5) one representative of the Association of Area Agencies on Aging;

(6) four members selected from the recommendations by provider organizations whose membership consist of nursing care or assisted living establishments;

(7) one member selected from the recommendations of provider organizations whose membership consists of home health agencies;

(8) two residents of assisted living or shared housing establishments;

(9) three members selected from the recommendations of consumer organizations which engage solely in advocacy or legal representation on behalf of the senior population;

(10) one member who shall be a physician;

(11) one member who shall be a registered professional nurse selected from the recommendations of professional nursing associations;

(12) two citizen members with expertise in the area of gerontology research or legal research regarding implementation of assisted living statutes;

(13) two members representing providers of community care services; and

(14) one member representing agencies providing case coordination services.

(c) Members of the Board appointed under paragraphs (5) through (14) of subsection (b) shall be appointed to serve for terms of 3 years except as otherwise provided in this Section. All members shall be appointed by January 1, 2001, except that the 2 members representing the Department on Aging appointed under paragraph (3) of subsection (b) and the members appointed under paragraphs (13) and (14) of subsection (b) shall be appointed by January 1, 2005. One third of the Board members' initial terms shall expire in one year; one third in 2 years, and one third in 3 years. Of the 3 members appointed under

paragraphs (13) and (14) of subsection (b), one shall serve for an initial term of one year, one shall serve for an initial term of 2 years, and one shall serve for an initial term of 3 years. A member's term does not expire until a successor is appointed by the Director ~~Governor~~. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of that term. The Board shall meet at the call of the Director. The affirmative vote of 10 members of the Board shall be necessary for Board action. Members of this Board shall receive no compensation for their services, however, resident members shall be reimbursed for their actual expenses.

(d) The Board shall be provided copies of all administrative rules and changes to administrative rules for review and comment prior to notice being given to the public. If the Board, having been asked for its review, fails to advise the Department within 90 days, the rules shall be considered acted upon.

(Source: P.A. 93-1003, eff. 8-23-04; revised 12-15-05.)

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

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

HOUSE BILL 2787. Having been reproduced, was taken up and read by title a second time.
Representative William Davis offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 2787 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 3-15.17 as follows:

(105 ILCS 5/3-15.17 new)

Sec. 3-15.17. Civic education advancement.

(a) The General Assembly finds that civic education and participation are fundamental elements of a healthy democracy, and schools are in need of support to identify civic learning opportunities and to implement new strategies to prepare and sustain high quality citizenship among their student body.

(b) Subject to appropriation, funding for civic education professional development for high school teachers must be provided by line item appropriation made to the State Board of Education for that purpose. When appropriated, the State Board of Education must provide this funding to each regional superintendent of schools based on high school enrollment as reported on the State Board of Education's most recent fall enrollment and housing report, except that 20% of each annual appropriation must be reserved for a school district organized under Article 34 of this Code.

(c) In order to establish eligibility for one or more of its schools to receive funding under this Section, a school district shall submit to its regional superintendent of schools an application, accompanied by a completed civic audit, for each school. A regional superintendent shall award funds to a district based on the number of teachers identified by the district to receive professional development multiplied by \$250. A district must not be awarded more than \$3,000 in any year, unless additional funds remain available after all eligible applicants have received funding. A district may not use funds authorized under this Section in any school more than once every 2 years. Funds provided under this Section must be used exclusively for professional development provided by entities that are approved providers for purposes of certificate renewal under Section 21-14 of this Code.

(d) The civic audit form and its content must be designed and updated as deemed necessary by the Illinois Civic Mission Coalition. Data from completed civic audits must be processed by the Illinois Civic Mission Coalition. The civic audit must be made available by the Illinois Civic Mission Coalition and must be designed to provide teachers and principals with a blueprint to better understand how current curriculum, service learning, and extracurricular activities are providing civic learning experiences for their students.

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

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

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

HOUSE BILL 652. Having been reproduced, was taken up and read by title a second time.

Floor Amendments numbered 1 and 2 remained in the Committee on Rules.

Representative Feigenholtz offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 652 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Act on the Aging is amended by changing Section 4.02 as follows:
(20 ILCS 105/4.02) (from Ch. 23, par. 6104.02)

Sec. 4.02. Community Care Program. The Department shall establish a program of services to prevent unnecessary institutionalization of persons age 60 and older in need of long term care or who are established as persons who suffer from Alzheimer's disease or a related disorder under the Alzheimer's Disease Assistance Act, thereby enabling them to remain in their own homes or in other living arrangements. Such preventive services, which may be coordinated with other programs for the aged and monitored by area agencies on aging in cooperation with the Department, may include, but are not limited to, any or all of the following:

- (a) ~~(blank); home health services;~~
- (b) ~~(blank); home nursing services;~~
- (c) homemaker services;
- (d) personal assistant services ~~chore and housekeeping services;~~
- (e) adult day services;
- (f) home-delivered meals;
- (g) education in self-care;
- (h) personal care services;
- (i) adult day health services;
- (j) habilitation services;
- (k) respite care;
- (k-5) community reintegration services;
- (K-6) flexible senior services;
- (K-7) medication management;
- (K-8) emergency home response;
- (l) other nonmedical social services that may enable the person to become self-supporting; or
- (m) clearinghouse for information provided by senior citizen home owners who want to rent rooms to or share living space with other senior citizens.

The Department shall establish eligibility standards for such services taking into consideration the unique economic and social needs of the target population for whom they are to be provided. Such eligibility standards shall be based on the recipient's ability to pay for services; provided, however, that in determining the amount and nature of services for which a person may qualify, consideration shall not be given to the value of cash, property or other assets held in the name of the person's spouse pursuant to a written agreement dividing marital property into equal but separate shares or pursuant to a transfer of the person's interest in a home to his spouse, provided that the spouse's share of the marital property is not made available to the person seeking such services.

Beginning July 1, 2002, the Department shall require as a condition of eligibility that all financially eligible applicants ~~and recipients~~ apply for medical assistance under Article V of the Illinois Public Aid Code in accordance with rules promulgated by the Department.

Beginning July 1, 2007, the Department shall require as a condition of eligibility that all new financially eligible applicants apply for and enroll in medical assistance under Article V of the Illinois Public Aid Code in accordance with rules promulgated by the Department.

The Department shall, in conjunction with the Department of Public Aid (now Department of Healthcare and Family Services), seek appropriate amendments under Sections 1915 and 1924 of the Social Security Act. The purpose of the amendments shall be to extend eligibility for home and community based services under Sections 1915 and 1924 of the Social Security Act to persons who transfer to or for the benefit of a spouse those amounts of income and resources allowed under Section 1924 of the Social Security Act. Subject to the approval of such amendments, the Department shall extend the provisions of Section 5-4 of

the Illinois Public Aid Code to persons who, but for the provision of home or community-based services, would require the level of care provided in an institution, as is provided for in federal law. Those persons no longer found to be eligible for receiving noninstitutional services due to changes in the eligibility criteria shall be given 60 days notice prior to actual termination. Those persons receiving notice of termination may contact the Department and request the determination be appealed at any time during the 60 day notice period. With the exception of the lengthened notice and time frame for the appeal request, the appeal process shall follow the normal procedure. In addition, each person affected regardless of the circumstances for discontinued eligibility shall be given notice and the opportunity to purchase the necessary services through the Community Care Program. If the individual does not elect to purchase services, the Department shall advise the individual of alternative services. The target population identified for the purposes of this Section are persons age 60 and older with an identified service need. Priority shall be given to those who are at imminent risk of institutionalization. The services shall be provided to eligible persons age 60 and older to the extent that the cost of the services together with the other personal maintenance expenses of the persons are reasonably related to the standards established for care in a group facility appropriate to the person's condition. These non-institutional services, pilot projects or experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Department of Human Services. The Departments of Human Services, Healthcare and Family Services, Public Health, Veterans' Affairs, and Commerce and Economic Opportunity and other appropriate agencies of State, federal and local governments shall cooperate with the Department on Aging in the establishment and development of the non-institutional services. The Department shall require an annual audit from all chore/housekeeping and homemaker vendors contracting with the Department under this Section. The annual audit shall assure that each audited vendor's procedures are in compliance with Department's financial reporting guidelines requiring an administrative and employee wage and benefits cost split as defined in administrative rules. The audit is a public record under the Freedom of Information Act. The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department of Healthcare and Family Services, to effect the following: (1) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (2) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped. On and after July 1, 1996, all nursing home prescreenings for individuals 60 years of age or older shall be conducted by the Department.

As part of the Department on Aging's routine training of case managers and case manager supervisors, the Department may include information on family futures planning for persons who are age 60 or older and who are caregivers of their adult children with developmental disabilities. The content of the training shall be at the Department's discretion.

The Department is authorized to establish a system of recipient copayment for services provided under this Section, such copayment to be based upon the recipient's ability to pay but in no case to exceed the actual cost of the services provided. Additionally, any portion of a person's income which is equal to or less than the federal poverty standard shall not be considered by the Department in determining the copayment. The level of such copayment shall be adjusted whenever necessary to reflect any change in the officially designated federal poverty standard.

The Department, or the Department's authorized representative, shall recover the amount of moneys expended for services provided to or in behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21, blind, or permanently and totally disabled. This paragraph, however, shall not bar recovery, at the death of the person, of moneys for services provided to the person or in behalf of the person under this Section to which the person was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate. "Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Department of Healthcare and Family Services, regardless of

the value of the property.

The Department shall increase the effectiveness of the existing Community Care Program by:

- (1) ensuring that in-home services included in the care plan are available on evenings and weekends;
- (2) ensuring that care plans contain the services that eligible participants' need based on the number of days in a month, not limited to specific blocks of time, as identified by the comprehensive assessment tool selected by the Department for use statewide, not to exceed the total monthly service cost maximum allowed for each service. The Department shall develop administrative rules to implement this item (2);
- (3) ensuring that the participants have the right to chose the services contained in their care plan and to direct how those services are provided, based on administrative rules established by the Department;
- (4) ensuring that the determination of need tool is accurate in determining the participants' level of need; to achieve this, the Department, in conjunction with the Older Adult Services Advisory Committee, shall institute a study of the relationship between the Determination of Need scores, level of need, Service Cost Maximums and the development and utilization of service plans no later than May 1, 2008; findings and recommendations shall be presented to the Governor and the General Assembly no later than January 1, 2009; recommendations shall include all needed changes to the service cost maximums schedule and additional covered services;
- (5) ensuring that homemakers can provide personal care services that may or may not involve contact with clients, including but not limited to:
 - (A) bathing;
 - (B) grooming;
 - (C) toileting;
 - (D) nail care;
 - (E) transferring;
 - (F) respiratory services;
 - (G) exercise; or
 - (H) positioning;
- (6) ensuring that homemaker program vendors are not restricted from hiring homemakers who are family members of clients or recommended by clients; the Department may not, by rule or policy, require homemakers who are family members of clients or recommended by clients to accept assignments in homes other than the client; and
- (7) ensuring that the State may access maximum federal matching funds by seeking approval for the Centers for Medicare and Medicaid Services for modifications to the State's home and community based services waiver and additional waiver opportunities in order to maximize federal matching funds; this shall include, but not be limited to, modification that reflects all changes in the Community Care Program services and all increases in the Services Cost Maximum.

By January 1, 2009 or as soon after the end of the Cash and Counseling Demonstration Project as is practicable, the Department may, based on its evaluation of the demonstration project, promulgate rules concerning personal assistant services to include, but need not be limited to, qualifications, employment screening, rights under fair labor standards, training, fiduciary agent, and supervision requirements. All applicants shall be subject to the provisions of the Health Care Worker Background Check Act.

The Department shall develop procedures to enhance availability of services on evenings, weekends, and on an emergency basis to meet the respite needs of caregivers. Procedures shall be developed to permit the utilization of services in successive blocks of 24 hours up to the monthly maximum established by the Department. Workers providing these services shall be appropriately trained.

Beginning on the effective date of this Amending Act of 1991, no person may perform chore/housekeeping and homemaker services under a program authorized by this Section unless that person has been issued a certificate of pre-service to do so by his or her employing agency. Information gathered to effect such certification shall include (i) the person's name, (ii) the date the person was hired by his or her current employer, and (iii) the training, including dates and levels. Persons engaged in the program authorized by this Section before the effective date of this amending Act of 1991 shall be issued a certificate of all pre- and in-service training from his or her employer upon submitting the necessary information. The employing agency shall be required to retain records of all staff pre- and in-service training, and shall provide such records to the Department upon request and upon termination of the employer's contract with the Department. In addition, the employing agency is responsible for the issuance of certifications of in-service training completed to their employees.

The Department is required to develop a system to ensure that persons working as homemakers and chore housekeepers receive increases in their wages when the federal minimum wage is increased by

requiring vendors to certify that they are meeting the federal minimum wage statute for homemakers and chore housekeepers. An employer that cannot ensure that the minimum wage increase is being given to homemakers and chore housekeepers shall be denied any increase in reimbursement costs.

The Community Care Program Advisory Committee is created in the Department on Aging. The Director shall appoint individuals to serve in the Committee, who shall serve at their own expense. Members of the Committee must abide by all applicable ethics laws. The Committee shall advise the Department on issues related to the Department's program of services to prevent unnecessary institutionalization. The Committee shall meet on a bi-monthly basis and shall serve to identify and advise the Department on present and potential issues affecting the service delivery network, the program's clients, and the Department and to recommend solution strategies. Persons appointed to the Committee shall be appointed on, but not limited to, their own and their agency's experience with the program, geographic representation, and willingness to serve. The Committee shall include, but not be limited to, representatives from the following agencies and organizations:

- (a) at least 4 adult day service representatives;
- (b) at least 4 case coordination unit representatives;
- (c) at least 4 representatives from in-home direct care service agencies;
- (d) at least 2 representatives of statewide trade or labor unions that represent in-home direct care service staff;
- (e) at least 2 representatives of Area Agencies on Aging;
- (f) at least 2 non-provider representatives from a policy, advocacy, research, or other service organization;
- (g) at least 2 representatives from a statewide membership organization for senior citizens; and
- (h) at least 2 citizen members 60 years of age or older.

Nominations may be presented from any agency or State association with interest in the program. The Director, or his or her designee, shall serve as the permanent co-chair of the advisory committee. One other co-chair shall be nominated and approved by the members of the committee on an annual basis. Committee members' terms of appointment shall be for 4 years with one-quarter of the appointees' terms expiring each year. At no time may a member serve more than one consecutive term in any capacity on the committee. The Department shall fill vacancies that have a remaining term of over one year, and this replacement shall occur through the annual replacement of expiring terms. The Director shall designate Department staff to provide technical assistance and staff support to the committee. Department representation shall not constitute membership of the committee. All Committee papers, issues, recommendations, reports, and meeting memoranda are advisory only. The Director, or his or her designee, shall make a written report, as requested by the Committee, regarding issues before the Committee.

The Department on Aging and the Department of Human Services shall cooperate in the development and submission of an annual report on programs and services provided under this Section. Such joint report shall be filed with the Governor and the General Assembly on or before September 30 each year.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

Those persons previously found eligible for receiving non-institutional services whose services were discontinued under the Emergency Budget Act of Fiscal Year 1992, and who do not meet the eligibility standards in effect on or after July 1, 1992, shall remain ineligible on and after July 1, 1992. Those persons previously not required to cost-share and who were required to cost-share effective March 1, 1992, shall continue to meet cost-share requirements on and after July 1, 1992. Beginning July 1, 1992, all clients will be required to meet eligibility, cost-share, and other requirements and will have services discontinued or altered when they fail to meet these requirements.

For the purposes of this Section, "flexible senior services" refers to services that require one-time or periodic expenditures including, but not limited to, respite care, home modification, assistive technology, housing assistance, and transportation.

(Source: P.A. 93-85, eff. 1-1-04; 93-902, eff. 8-10-04; 94-48, eff. 7-1-05; 94-269, eff. 7-19-05; 94-336, eff. 7-26-05; 94-954, eff. 6-27-06.)".

The foregoing motion prevailed and Amendment No. 3 was adopted.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 193. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on Health Care Availability and Access, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 193 on page 1, line 20, after the period, by inserting the following:

"The Department of Public Health may establish a separate and distinct schedule for the conduct of health examinations involving tests for the human immunodeficiency virus (HIV) required by this Section to adjust for higher risk school age groups, including, but not limited to, older teenage youths."

AMENDMENT NO. 2. Amend House Bill 193 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 27-8.1 as follows:

(105 ILCS 5/27-8.1) (from Ch. 122, par. 27-8.1)

Sec. 27-8.1. Health examinations and immunizations.

(1) In compliance with rules and regulations which the Department of Public Health shall promulgate, and except as hereinafter provided, all children in Illinois shall have a health examination as follows: within one year prior to entering kindergarten or the first grade of any public, private, or parochial elementary school; upon entering the fifth and ninth grades of any public, private, or parochial school; prior to entrance into any public, private, or parochial nursery school; and, irrespective of grade, immediately prior to or upon entrance into any public, private, or parochial school or nursery school, each child shall present proof of having been examined in accordance with this Section and the rules and regulations promulgated hereunder.

A tuberculosis skin test screening shall be included as a required part of each health examination included under this Section if the child resides in an area designated by the Department of Public Health as having a high incidence of tuberculosis. Additional health examinations of pupils, including vision examinations, may be required when deemed necessary by school authorities. Parents are encouraged to have their children undergo vision examinations at the same points in time required for health examinations.

(1.5) In compliance with rules adopted by the Department of Public Health and except as otherwise provided in this Section, all children in kindergarten and the second and sixth grades of any public, private, or parochial school shall have a dental examination. Each of these children shall present proof of having been examined by a dentist in accordance with this Section and rules adopted under this Section before May 15th of the school year. If a child in the second or sixth grade fails to present proof by May 15th, the school may hold the child's report card until one of the following occurs: (i) the child presents proof of a completed dental examination or (ii) the child presents proof that a dental examination will take place within 60 days after May 15th. The Department of Public Health shall establish, by rule, a waiver for children who show an undue burden or a lack of access to a dentist. Each public, private, and parochial school must give notice of this dental examination requirement to the parents and guardians of students at least 60 days before May 15th of each school year.

(2) The Department of Public Health shall promulgate rules and regulations specifying the examinations and procedures that constitute a health examination, which shall include the collection of data relating to obesity; (including at a minimum, date of birth, gender, height, weight, blood pressure, and date of exam), and a dental examination and may recommend by rule that certain additional examinations be performed. The rules and regulations of the Department of Public Health shall specify that a tuberculosis skin test screening shall be included as a required part of each health examination included under this Section if the child resides in an area designated by the Department of Public Health as having a high incidence of tuberculosis. The Department of Public Health shall specify that a diabetes screening as defined by rule shall be included as a required part of each health examination. Diabetes testing is not required.

The Department of Public Health shall adopt rules specifying that testing for the human

immunodeficiency virus (HIV) be included as a required part of the health examination required under this Section, taking into consideration the recommendations of the U.S. Centers for Disease Control and Prevention.

Physicians licensed to practice medicine in all of its branches, advanced practice nurses who have a written collaborative agreement with a collaborating physician which authorizes them to perform health examinations, or physician assistants who have been delegated the performance of health examinations by their supervising physician shall be responsible for the performance of the health examinations, other than dental examinations and vision and hearing screening, and shall sign all report forms required by subsection (4) of this Section that pertain to those portions of the health examination for which the physician, advanced practice nurse, or physician assistant is responsible. If a registered nurse performs any part of a health examination, then a physician licensed to practice medicine in all of its branches must review and sign all required report forms. Licensed dentists shall perform all dental examinations and shall sign all report forms required by subsection (4) of this Section that pertain to the dental examinations. Physicians licensed to practice medicine in all its branches, or licensed optometrists, shall perform all vision exams required by school authorities and shall sign all report forms required by subsection (4) of this Section that pertain to the vision exam. Vision and hearing screening tests, which shall not be considered examinations as that term is used in this Section, shall be conducted in accordance with rules and regulations of the Department of Public Health, and by individuals whom the Department of Public Health has certified. In these rules and regulations, the Department of Public Health shall require that individuals conducting vision screening tests give a child's parent or guardian written notification, before the vision screening is conducted, that states, "Vision screening is not a substitute for a complete eye and vision evaluation by an eye doctor. Your child is not required to undergo this vision screening if an optometrist or ophthalmologist has completed and signed a report form indicating that an examination has been administered within the previous 12 months."

(3) Every child shall, at or about the same time as he or she receives a health examination required by subsection (1) of this Section, present to the local school proof of having received such immunizations against preventable communicable diseases as the Department of Public Health shall require by rules and regulations promulgated pursuant to this Section and the Communicable Disease Prevention Act.

(4) The individuals conducting the health examination or dental examination shall record the fact of having conducted the examination, and such additional information as required, including for a health examination data relating to obesity ; (including at a minimum, date of birth, gender, height, weight, blood pressure, and date of exam), on uniform forms which the Department of Public Health and the State Board of Education shall prescribe for statewide use. The examiner shall summarize on the report form any condition that he or she suspects indicates a need for special services, including for a health examination factors relating to obesity. The individuals confirming the administration of required immunizations shall record as indicated on the form that the immunizations were administered.

(5) If a child does not submit proof of having had either the health examination or the immunization as required, then the child shall be examined or receive the immunization, as the case may be, and present proof by October 15 of the current school year, or by an earlier date of the current school year established by a school district. To establish a date before October 15 of the current school year for the health examination or immunization as required, a school district must give notice of the requirements of this Section 60 days prior to the earlier established date. If for medical reasons one or more of the required immunizations must be given after October 15 of the current school year, or after an earlier established date of the current school year, then the child shall present, by October 15, or by the earlier established date, a schedule for the administration of the immunizations and a statement of the medical reasons causing the delay, both the schedule and the statement being issued by the physician, advanced practice nurse, physician assistant, registered nurse, or local health department that will be responsible for administration of the remaining required immunizations. If a child does not comply by October 15, or by the earlier established date of the current school year, with the requirements of this subsection, then the local school authority shall exclude that child from school until such time as the child presents proof of having had the health examination as required and presents proof of having received those required immunizations which are medically possible to receive immediately. During a child's exclusion from school for noncompliance with this subsection, the child's parents or legal guardian shall be considered in violation of Section 26-1 and subject to any penalty imposed by Section 26-10. This subsection (5) does not apply to dental examinations.

(6) Every school shall report to the State Board of Education by November 15, in the manner which that agency shall require, the number of children who have received the necessary immunizations and the health

examination (other than a dental examination) as required, indicating, of those who have not received the immunizations and examination as required, the number of children who are exempt from health examination and immunization requirements on religious or medical grounds as provided in subsection (8). Every school shall report to the State Board of Education by June 30, in the manner that the State Board requires, the number of children who have received the required dental examination, indicating, of those who have not received the required dental examination, the number of children who are exempt from the dental examination on religious grounds as provided in subsection (8) of this Section and the number of children who have received a waiver under subsection (1.5) of this Section. This reported information shall be provided to the Department of Public Health by the State Board of Education.

(7) Upon determining that the number of pupils who are required to be in compliance with subsection (5) of this Section is below 90% of the number of pupils enrolled in the school district, 10% of each State aid payment made pursuant to Section 18-8.05 to the school district for such year shall be withheld by the regional superintendent until the number of students in compliance with subsection (5) is the applicable specified percentage or higher.

(8) Parents or legal guardians who object to health or dental examinations or any part thereof, or to immunizations, on religious grounds shall not be required to submit their children or wards to the examinations or immunizations to which they so object if such parents or legal guardians present to the appropriate local school authority a signed statement of objection, detailing the grounds for the objection. If the physical condition of the child is such that any one or more of the immunizing agents should not be administered, the examining physician, advanced practice nurse, or physician assistant responsible for the performance of the health examination shall endorse that fact upon the health examination form. Exempting a child from the health or dental examination does not exempt the child from participation in the program of physical education training provided in Sections 27-5 through 27-7 of this Code.

(9) For the purposes of this Section, "nursery schools" means those nursery schools operated by elementary school systems or secondary level school units or institutions of higher learning. (Source: P.A. 92-703, eff. 7-19-02; 93-504, eff. 1-1-04; 93-530, eff. 1-1-04; 93-946, eff. 7-1-05; 93-966, eff. 1-1-05; revised 12-1-05.)

Section 10. The Communicable Disease Prevention Act is amended by changing Section 1 as follows:

(410 ILCS 315/1) (from Ch. 111 1/2, par. 22.11)

Sec. 1. (a) Certain communicable diseases such as measles, poliomyelitis and tetanus, may and do result in serious physical and mental disability including mental retardation, permanent paralysis, encephalitis, convulsions, pneumonia, and not infrequently, death.

Most of these diseases attack young children, and if they have not been immunized, may spread to other susceptible children and possibly, adults, thus, posing serious threats to the health of the community. Effective, safe and widely used vaccines and immunization procedures have been developed and are available to prevent these diseases and to limit their spread. Even though such immunization procedures are available, many children fail to receive this protection either through parental oversight, lack of concern, knowledge or interest, or lack of available facilities or funds. The existence of susceptible children in the community constitutes a health hazard to the individual and to the public at large by serving as a focus for the spread of these communicable diseases.

It is declared to be the public policy of this State that all children shall be protected, as soon after birth as medically indicated, by the appropriate vaccines and immunizing procedures to prevent communicable diseases which are or which may in the future become preventable by immunization.

(b) The human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) are leading causes of illness and death. Effective September 2006, the U.S. Centers for Disease Control and Prevention (CDC) revised its recommendations for HIV testing due to the changing demographics of the persons who have become infected since the 1980's, which include increasing proportions of persons less than 20 years of age, women, members of racial and ethnic minority populations, persons who reside outside metropolitan areas, and heterosexual men and women who frequently are unaware that they are at risk for HIV. The CDC reports that prevention strategies that incorporate universal HIV screening have been highly effective and recommends screening for HIV infection for all persons 13 to 64 years of age.

It is declared to be the public policy of this State that HIV screening be conducted in accordance with the recommendations of the U.S. Centers for Disease Control and Prevention and that the Department of Public Health develop and administer policies and procedures to control and prevent HIV and AIDS, taking into consideration the recommendations of the U.S. Centers for Disease Control and Prevention.

(Source: P.A. 78-255; 78-303; 78-1297.)

Section 90. The State Mandates Act is amended by adding Section 8.31 as follows:

(30 ILCS 805/8.31 new)

Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 95th General Assembly."

Floor Amendment No. 3 was recommended be adopted by the Committee on Rules.

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

HOUSE BILL 1529. Having been recalled on March 29, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Feigenholtz offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1529, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 20-25 as follows:

(35 ILCS 200/20-25)

Sec. 20-25. Forms of payment.

(a) Taxes levied by taxing districts may be satisfied by payment in legal money of the United States, cashier's check, certified check, post office money order, bank money order issued by a national or state bank that is insured by the Federal Deposit Insurance Corporation, or by a personal or corporate check drawn on such a bank, to the respective collection officers who are entitled by law to receive the tax payments or by credit card in accordance with the Local Governmental Acceptance of Credit Cards Act. A county collector may refuse to accept a personal check within 30 days before a tax sale.

(b) Beginning on January 1, 2008, a county with a population of more than 3,000,000 is required to accept payment by credit card for each installment of property taxes. Nothing in this subsection requires a county with a population of more than 3,000,000 to accept payment by credit card for the payment on any installment of taxes that is delinquent under Section 21-10, 21-25, or 21-30 of the Property Tax Code or for the purposes of any tax sale or scavenger sale under Division 3.5, 4, or 5 of Article 21 of the Property Tax Code. This subsection is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 90-518, eff. 8-22-97.)

Section 10. The State Mandates Act is amended by adding Section 8.31 as follows:

(30 ILCS 805/8.31 new)

Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 95th General Assembly."

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 556.

HOUSE BILL 224. Having been reproduced, was taken up and read by title a second time.

The following amendments were offered in the Committee on Local Government, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 224 on page 1, line 21, after "Boone," by inserting "Lake".

AMENDMENT NO. 2. Amend House Bill 224 on page 3, line 6, by replacing "may shall" with "shall".

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 1684.

HOUSE BILL 1959. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend House Bill 1959 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the State Travel Expense Reimbursement Act.

Section 5. Travel expense reimbursement. No State funds shall be used to pay or reimburse, and no State-compensated time shall be used by, a person elected to, appointed to, acting on behalf of the State in, or employed full time, part time, temporarily, or on a contractual basis in a position in the executive branch of State government for travel to or from that person's State work location in the State capital."

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 132. Having been recalled on March 27, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Sullivan offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 132 on page 9, line 14, by replacing "shall" with "may"; and on page 28, line 23, by replacing "shall" with "may".

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 129. Having been reproduced, was taken up and read by title a second time.

Representative Saviano offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 129 by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Section 4.18 and by adding Section 4.28 as follows:

(5 ILCS 80/4.18)

Sec. 4.18. Acts repealed January 1, 2008 and December 31, 2008.

(a) The following Acts are repealed on January 1, 2008:

The Acupuncture Practice Act.

~~The Clinical Social Work and Social Work Practice Act.~~

The Home Medical Equipment and Services Provider License Act.

The Nursing and Advanced Practice Nursing Act.

The Illinois Speech-Language Pathology and Audiology Practice Act.

The Marriage and Family Therapy Licensing Act.

The Nursing Home Administrators Licensing and Disciplinary Act.
 The Pharmacy Practice Act of 1987.
 The Physician Assistant Practice Act of 1987.
 The Podiatric Medical Practice Act of 1987.
 The Structural Pest Control Act.

(b) The following Acts are repealed on December 31, 2008:

The Medical Practice Act of 1987.
 The Environmental Health Practitioner Licensing Act.

(Source: P.A. 94-754, eff. 5-10-06; 94-1075, eff. 12-29-06; 94-1085, eff. 1-19-07; revised 1-22-07.)

(5 ILCS 80/4.28 new)

Sec. 4.28. Act repealed on January 1, 2018. The following Act is repealed on January 1, 2018:

The Clinical Social Work and Social Work Practice Act.

Section 10. The Clinical Social Work and Social Work Practice Act is amended by changing Sections 3, 5, 6, 9, 10.5, 11, 12.5, 14, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, and 32 and by adding Section 7.3 as follows:

(225 ILCS 20/3) (from Ch. 111, par. 6353)

(Section scheduled to be repealed on January 1, 2008)

Sec. 3. Definitions: The following words and phrases shall have the meanings ascribed to them in this Section unless the context clearly indicates otherwise:

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

2. "~~Secretary Director~~" means the Secretary Director of Financial and ~~the Department of~~ Professional Regulation.

3. "Board" means the Social Work Examining and Disciplinary Board.

4. "Licensed Clinical Social Worker" means a person who holds a license authorizing the independent practice of clinical social work in Illinois under the auspices of an employer or in private practice.

5. "Clinical social work practice" means the providing of mental health services for the evaluation, treatment, and prevention of mental and emotional disorders in individuals, families and groups based on knowledge and theory of psychosocial development, behavior, psychopathology, unconscious motivation, interpersonal relationships, and environmental stress.

6. "Treatment procedures" means among other things, individual, marital, family and group psychotherapy.

7. "Independent practice of clinical social work" means the application of clinical social work knowledge and skills by a licensed clinical social worker who regulates and is responsible for her or his own practice or treatment procedures.

8. "License" means that which is required to practice clinical social work or social work under this Act, the qualifications for which include specific education, acceptable experience and examination requirements.

9. "Licensed social worker" means a person who holds a license authorizing the practice of social work, which includes social services to individuals, groups or communities in any one or more of the fields of social casework, social group work, community organization for social welfare, social work research, social welfare administration or social work education. Social casework and social group work may also include clinical social work, as long as it is not conducted in an independent practice, as defined in this Section.

10. "Address of record" means the address recorded by the Department in the applicant's or licensee's application file or license file, as maintained by the Department's licensure maintenance unit.

(Source: P.A. 85-1440.)

(225 ILCS 20/5) (from Ch. 111, par. 6355)

(Section scheduled to be repealed on January 1, 2008)

Sec. 5. Powers and duties of the Department.

1. The Department shall exercise the powers and duties as set forth in this Act.

2. The ~~Secretary Director~~ shall promulgate rules consistent with the provisions of this Act for the administration and enforcement thereof, and shall prescribe forms which shall be issued in connection therewith.

3. In addition, the Department shall:

(a) Establish rules for determining approved undergraduate and graduate social work degree programs and prepare and maintain a list of colleges and universities offering such approved programs whose graduates, if they otherwise meet the requirements of this Act, are eligible to apply for a license.

(b) Promulgate rules, as may be necessary, for the administration of this Act and to carry out the

purposes thereof and to adopt the methods of examination of candidates and to provide for the issuance of licenses authorizing the independent practice of clinical social work or the practice of social work.

(c) Authorize examinations to ascertain the qualifications and fitness of candidates for a license to engage in the independent practice of clinical social work and in the practice of social work, and to determine the qualifications of applicants from other jurisdictions to practice in Illinois.

(d) Maintain rosters of the names and addresses of all licensees, and all persons whose licenses have been suspended, revoked or denied renewal for cause within the previous calendar year. These rosters shall be available upon written request and payment of the required fee.

(Source: P.A. 85-1131.)

(225 ILCS 20/6) (from Ch. 111, par. 6356)

(Section scheduled to be repealed on January 1, 2008)

Sec. 6. Social Work Examining and Disciplinary Board.

(1) The Secretary ~~may~~ ~~Director~~ ~~shall~~ appoint a Social Work Examining and Disciplinary Board consisting of 9 persons who shall serve in an advisory capacity to the Secretary ~~Director~~. The Board shall be composed of 5 licensed clinical social workers, one of whom shall be a certified school social worker, one of whom shall be employed in the private not-for-profit sector and one of whom shall serve as the chairperson, two licensed social workers, and 2 members of the public who are not regulated under this Act or a similar Act and who clearly represent consumer interests.

(2) Members shall serve for a term of 4 years and until their successors are appointed and qualified. No member shall be reappointed if such reappointment would cause that person's service on the Board to be longer than 8 successive years. Appointments to fill vacancies for the unexpired portion of a vacated term shall be made in the same manner as original appointments.

(3) The membership of the Board should reasonably reflect representation from different geographic areas of Illinois.

(4) The Secretary ~~Director~~ may terminate the appointment of any member for cause.

(5) The Secretary ~~Director~~ shall consider the recommendation of the Board on all matters and questions relating to this Act.

(6) The Board is charged with the duties and responsibilities of recommending to the Secretary ~~Director~~ the adoption of all policies, procedures and rules which may be required or deemed advisable in order to perform the duties and functions conferred on the Board, the Secretary ~~Director~~ and the Department to carry out the provisions of this Act.

(7) The Board may ~~shall~~ make recommendations on all matters relating to continuing education including the number of hours necessary for license renewal, waivers for those unable to meet such requirements and acceptable course content. Such recommendations shall not impose an undue burden on the Department or an unreasonable restriction on those seeking license renewal.

(8) The Board shall annually elect one of its members as chairperson and one as vice chairperson.

(9) Members of the Board shall be reimbursed for all authorized legitimate and necessary expenses incurred in attending the meetings of the Board.

(10) A majority of the Board members currently appointed shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to perform all of the duties of the Board.

(11) Members of the Board shall have no liability in an action based upon a disciplinary proceeding or other activity performed in good faith as a member of the Board.

(Source: P.A. 90-150, eff. 12-30-97.)

(225 ILCS 20/7.3 new)

Sec. 7.3. Change of address. An applicant or licensee must inform the Department of any change of address, and such changes must be made either through the Department's website or by contacting the Department's licensure maintenance unit.

(225 ILCS 20/9) (from Ch. 111, par. 6359)

(Section scheduled to be repealed on January 1, 2008)

Sec. 9. Qualification for clinical social worker license ~~License~~. A person shall be qualified to be licensed as a clinical social worker and the Department shall issue a license authorizing the independent practice of clinical social work to an applicant who:

(1) has applied in writing on the prescribed form;

(2) is of good moral character. In determining good moral character, the Department may take into consideration whether the applicant was engaged in conduct or actions that would constitute grounds for discipline under this Act;

(3) (A) demonstrates to the satisfaction of the Department that subsequent to securing a

master's degree in social work from an approved program the applicant has successfully completed at least 3,000 hours of satisfactory, supervised clinical professional experience; or

(B) demonstrates to the satisfaction of the Department that such applicant has received a doctor's degree in social work from an approved program and has completed at least 2,000 hours of satisfactory, supervised clinical professional experience subsequent to the degree;

(4) has passed the examination for the practice of clinical social work as authorized by the Department; and

(5) has paid the required fees.

(Source: P.A. 90-150, eff. 12-30-97.)

(225 ILCS 20/10.5)

(Section scheduled to be repealed on January 1, 2008)

Sec. 10.5. Unlicensed practice; violation; civil penalty.

(a) Any person who practices, offers to practice, attempts to practice, or holds himself or herself out to practice as a clinical social worker or social worker without being licensed or exempt under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$10,000 ~~\$5,000~~ for each offense, as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(b) The Department may investigate any actual, alleged, or suspected unlicensed activity.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 90-150, eff. 12-30-97.)

(225 ILCS 20/11) (from Ch. 111, par. 6361)

(Section scheduled to be repealed on January 1, 2008)

Sec. 11. Licenses.

(a) ~~The expiration date and renewal period for each license. A license shall be issued for a 2-year period; however the expiration date for licenses issued under this Act shall be set by rule. The licensee may renew a license during the 60-day 30-day period preceding its the expiration date by paying the required fee and by demonstrating compliance with any continuing education requirements. The Department shall adopt rules establishing minimum requirements of continuing education and means for verification of the completion of the continuing education requirements. The Department may, by rule, specify circumstances under which the continuing education requirements may be waived. Proof of having met the minimum requirements of continuing education, as determined by rule, shall be required for all license renewals. Pursuant to rule, the continuing education requirements may, upon petition to the Board, be waived in whole or in part for licensed social workers or licensed clinical social workers who can demonstrate their service in the Coast Guard or Armed Forces during the period in question, an extreme hardship, or that the license was obtained by examination or endorsement within the preceding renewal period. The Department shall establish, by rule, a means for the verification of completion of the continuing education required by this Section. This verification may be accomplished by audits of records maintained by licensees, by requiring the filing of continuing education records with the Department or an organization selected by the Department to maintain these records, or by other means established by the Department.~~

(b) Any person who has permitted a license to expire or who has a license on inactive status may have it restored by ~~submitting~~ ~~making~~ an application to the Department and filing proof of fitness, ~~as defined by rule,~~ to have the license restored, including, if appropriate, evidence, ~~;~~ which is satisfactory to the Department; certifying the active practice of clinical social work or social work in another jurisdiction and by paying the required fee.

~~(b-5) If the person has not maintained an active practice in another jurisdiction which is satisfactory to the Department, the Department shall determine, by an evaluation program recommended by the Board and established by rule, the person's fitness to resume active status and the Department may require the person to pass an examination. The Department, with the recommendation of the Board, may also require the person to complete a specific period of evaluated clinical social work or social work experience and may require successful completion of an examination.~~

~~(b-7) Notwithstanding any other provision of this Act. However, any person whose license expired while on active duty with the armed forces of the United States, while called into service or training with the State Militia or in training or education under the supervision of the United States government prior to induction into the military service may have his or her license restored without paying any renewal fees if,~~

within 2 years after the honorable termination of that service, training or education, except under conditions other than honorable, the Department is furnished with satisfactory evidence that the person has been so engaged and that the service, training or education has been so terminated.

(c) A license to practice shall not be denied any applicant because of the applicant's race, religion, creed, national origin, political beliefs or activities, age, sex, sexual orientation, or physical impairment. Any person who notifies the Department, in writing on forms prescribed by the Department, may place his license on inactive status and shall be excused from the payment of renewal fees until the person notifies the Department in writing of his intention to resume active practice.

~~Any person requesting that his license be changed from inactive to active status shall be required to pay the current renewal fee and shall also demonstrate compliance with the continuing education requirements.~~

~~(d)(Blank). Any licensed clinical social worker or licensed social worker whose license is on inactive status shall not engage in the independent practice of clinical social work or in the practice of social work in the State of Illinois. If an individual engages in the independent practice of clinical social work or in the practice of social work while on inactive status, that individual is considered to be practicing without a license and is subject to the disciplinary provisions of this Act.~~

~~(e) (Blank).~~

~~(f) (Blank).~~

~~(g) The Department shall indicate on each license the academic degree of the licensee.~~

~~(Source: P.A. 90-150, eff. 12-30-97.)~~

~~(225 ILCS 20/12.5)~~

~~(Section scheduled to be repealed on January 1, 2008)~~

~~Sec. 12.5. Endorsement. The Department may issue a license as a clinical social worker or as a social worker, without the required examination, to an applicant licensed under the laws of another jurisdiction if the requirements for licensure in that jurisdiction are, on the date of licensure, substantially equivalent to the requirements of this Act or to any person who, at the time of his or her licensure, possessed individual qualifications that were substantially equivalent to the requirements then in force in this State. An applicant under this Section shall pay the required fees.~~

~~Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.~~

~~(Source: P.A. 90-150, eff. 12-30-97.)~~

~~(225 ILCS 20/14) (from Ch. 111, par. 6364)~~

~~(Section scheduled to be repealed on January 1, 2008)~~

~~Sec. 14. Checks or order to Department dishonored because of insufficient funds. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of \$50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certificate or deny the application, without hearing. If, after termination or denial, the person seeks a license or certificate, he or she shall apply to the Department for restoration or issuance of the license or certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license or certificate to pay all expenses of processing this application. The Secretary Director may waive the fines due under this Section in individual cases where the Secretary Director finds that the fines would be unreasonable or unnecessarily burdensome.~~

~~(Source: P.A. 92-146, eff. 1-1-02.)~~

~~(225 ILCS 20/19) (from Ch. 111, par. 6369)~~

~~(Section scheduled to be repealed on January 1, 2008)~~

~~Sec. 19. Grounds for disciplinary action.~~

~~(1) The Department may refuse to issue, refuse to renew, suspend, or revoke any license, or may place on probation, censure, reprimand, or take other disciplinary or non-disciplinary action deemed appropriate by the Department, including the imposition of fines not to exceed \$10,000 ~~\$1,000~~ for each violation, with regard to any license issued under the provisions of this Act for any one or a combination of the following reasons:~~

- (a) material misstatements of fact in furnishing information to the Department or to any other State agency or in furnishing information to any insurance company with respect to a claim on behalf of a licensee or a patient;
 - (b) violations or negligent or intentional disregard of this Act, or any of the rules promulgated hereunder;
 - (c) conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof ~~or~~ that is a ~~felony or~~ misdemeanor, of which an essential element is dishonesty, or ~~of~~ any crime ~~that which~~ is directly related to the practice of the clinical social work or social work professions;
 - (d) making any misrepresentation for the purpose of obtaining licenses, or violating any provision of this Act or any of the rules promulgated hereunder;
 - (e) professional incompetence;
 - (f) malpractice;
 - (g) aiding or assisting another person in violating any provision or this Act or any rules;
 - (h) failing to provide information within 30 ~~60~~ days in response to a written request made by the Department;
 - (i) engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public as defined by the rules of the Department, or violating the rules of professional conduct adopted by the Board and published by the Department;
 - (j) habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a clinical social worker's or social worker's inability to practice with reasonable judgment, skill, or safety;
 - (k) discipline by another jurisdiction, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section;
 - (l) directly or indirectly giving to or receiving from any person, firm, corporation, partnership or association any fee, commission, rebate or other form of compensation for any professional service not actually rendered;
 - (m) a finding by the Board that the licensee, after having the license placed on probationary status, has violated the terms of probation;
 - (n) abandonment, without cause, of a client;
 - (o) wilfully filing false reports relating to a licensee's practice, including but not limited to false records filed with Federal or State agencies or departments;
 - (p) wilfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act;
 - (q) being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act;
 - (r) physical ~~illness, or~~ mental illness, or any other impairment or disability, including, but not limited to, deterioration through the aging process, or loss of ~~motor abilities and skills that which~~ results in the inability to practice the profession with reasonable judgment, skill or safety;
 - (s) solicitation of professional services by using false or misleading advertising; or
 - (t) violation of the Health Care Worker Self-Referral Act.
- (2) (Blank).
- (3) The determination by a court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, will result in an automatic suspension of his license. Such suspension will end upon a finding by a court that the licensee is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient, and upon the recommendation of the Board to the Secretary ~~Director~~ that the licensee be allowed to resume professional practice.
- (4) The Department may refuse to issue or renew or may suspend the license of a person who fails to file a return, pay the tax, penalty, or interest shown in a filed return, or pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Department of Revenue, until the requirements of the tax Act are satisfied.

(5) In enforcing this Section, the Board upon a showing of a possible violation may compel a person licensed to practice under this Act, or who has applied for licensure or certification pursuant to this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The examining physicians shall be those specifically designated by the Board. The Board or the Department may order the examining physician to present testimony concerning this mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The person to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any person to submit to a mental or physical examination, when directed, shall be grounds for suspension of a license until the person submits to the examination if the Board finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Board finds a person unable to practice because of the reasons set forth in this Section, the Board may require that person to submit to care, counseling, or treatment by physicians approved or designated by the Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling or treatment, the Board may recommend to the Department to file a complaint to immediately suspend, revoke or otherwise discipline the license of the person. Any person whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the ~~Secretary~~ Director for a determination as to whether the person shall have his or her license suspended immediately, pending a hearing by the Board.

In instances in which the ~~Secretary~~ Director immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Board within 30 ~~45~~ days after the suspension and completed without appreciable delay. The Board shall have the authority to review the subject person's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

A person licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 90-150, eff. 12-30-97.)

(225 ILCS 20/20) (from Ch. 111, par. 6370)

(Section scheduled to be repealed on January 1, 2008)

Sec. 20. Violations - Injunction - Cease and desist order. 1. If any person violates the provisions of this Act, the ~~Secretary~~ Director may, in the name of the People of the State of Illinois, through the Attorney General, petition for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition, the court with appropriate jurisdiction may issue a temporary restraining order without notice or bond, and may preliminarily and permanently enjoin such violation. If it is established that such person has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to all other remedies and penalties provided by this Act.

2. If any person shall hold herself or himself out as a licensed clinical social worker or licensed social worker and is not licensed under this Act, then any licensed clinical social worker, licensed social worker, interested party or any person injured thereby may petition for relief as provided in subsection (1) of this Section.

3. Whenever, in the opinion of the Department, a person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against such person. The rule shall clearly set forth the grounds relied upon by the Department and shall allow at least 7 days from the date of the rule to file an answer satisfactory to the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued.

(Source: P.A. 85-1131.)

(225 ILCS 20/21) (from Ch. 111, par. 6371)

(Section scheduled to be repealed on January 1, 2008)

Sec. 21. Investigations; notice and hearing. The Department may investigate the actions of any applicant or of any person holding or claiming to hold a license. The Department shall, before refusing to issue or renew a license, at least 30 days prior to the date set for the hearing, notify, in writing, the applicant for, or holder of, a license of the nature of the charges and that a hearing will be held on the date designated. The Department shall direct the applicant or licensee to file a written answer to the Board under oath within 20

days after the service of the notice and inform the applicant or licensee that failure to file an answer will result in default being taken against the applicant or licensee and that the license or certificate may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature or extent of practice, as the Secretary ~~Director~~ may deem proper. Written notice may be served by personal delivery or certified or registered mail to the applicant or licensee at the applicant's last address of record ~~the last notification to the Department~~. In case the person fails to file an answer after receiving notice, his or her license or certificate may, in the discretion of the Department, be suspended, revoked, or placed on probationary status, or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act. At the time and place fixed in the notice, the Board shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present any statements, testimony, evidence and argument as may be pertinent to the charges or to their defense. The Board may continue a hearing from time to time.

(Source: P.A. 87-1031.)

(225 ILCS 20/23) (from Ch. 111, par. 6373)

(Section scheduled to be repealed on January 1, 2008)

Sec. 23. Subpoenas - Depositions - Oaths. The Department shall have the power to subpoena and to bring before it any person and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed in civil cases in the courts of this State.

The Secretary ~~Director~~, the designated hearing officer and every member of the Board shall have power to administer oaths to witnesses at any hearing which the Department is authorized to conduct, and any other oaths authorized in any Act administered by the Department.

(Source: P.A. 85-967.)

(225 ILCS 20/24) (from Ch. 111, par. 6374)

(Section scheduled to be repealed on January 1, 2008)

Sec. 24. Compelling Testimony. Any court, upon application of the Department, designated hearing officer or the applicant or licensee against whom proceedings under Section 19 ~~47~~ of this Act are pending, may enter an order requiring the attendance of witnesses and their testimony, and the production of documents, papers, files, books and records in connection with any hearing or investigation. The court may compel obedience to its order by proceedings for contempt.

(Source: P.A. 85-967.)

(225 ILCS 20/25) (from Ch. 111, par. 6375)

(Section scheduled to be repealed on January 1, 2008)

Sec. 25. Findings and recommendations. At the conclusion of the hearing the Board shall present to the Secretary ~~Director~~ a written report of its findings of fact, conclusions of law and recommendations. The report shall contain a finding whether or not the licensee violated this act or failed to comply with the conditions required in this Act. The Board shall specify the nature of the violation or failure to comply, and shall make its recommendations to the Secretary ~~Director~~.

The report of findings of fact, conclusions of law and recommendation of the Board shall be the basis for the Department's order or refusal or for the granting of the license. If the Secretary ~~Director~~ disagrees with the recommendations of the Board, the Secretary ~~Director~~ may issue an order in contravention thereof. The Secretary ~~Director~~ shall provide a written report to the Board on any disagreement and shall specify the reasons for said action in the final order. The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and findings are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 85-967.)

(225 ILCS 20/26) (from Ch. 111, par. 6376)

(Section scheduled to be repealed on January 1, 2008)

Sec. 26. Board - Rehearing. In any case involving the refusal to issue or to renew a license or to discipline a licensee, a copy of the Board's report shall be served upon the applicant or licensee by the Department, either personally or by registered or certified mail or as provided in this Act for the service of the notice of hearing. Within 20 days after such service, the applicant or licensee may present to the Department a motion in writing for a rehearing which shall specify the particular grounds therefor. If no motion for a rehearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion for rehearing is denied, then upon such denial, the Secretary ~~Director~~ may enter an order in accordance with recommendations of the Board, except as provided in Section 25 of this Act. ~~If the~~

~~applicant or licensee requests and pays for a transcript of the record within the time for filing a motion for rehearing, the 20 day period within which such a motion may be filed shall commence upon the delivery of the transcript to the applicant or licensee.~~

(Source: P.A. 86-615.)

(225 ILCS 20/27) (from Ch. 111, par. 6377)

(Section scheduled to be repealed on January 1, 2008)

Sec. 27. ~~Rehearing Director; rehearing.~~ Whenever the Secretary Director believes justice has not been done in the revocation, suspension, or discipline of a license or refusal to issue or renew a license, he or she may order a rehearing.

(Source: P.A. 90-150, eff. 12-30-97.)

(225 ILCS 20/28) (from Ch. 111, par. 6378)

(Section scheduled to be repealed on January 1, 2008)

Sec. 28. Appointment of a hearing officer. The Secretary Director shall have the authority to appoint any attorney licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue or renew a license or permit or to discipline a licensee. The Secretary Director shall promptly notify the Board of any such appointment. The hearing officer shall have full authority to conduct the hearing. ~~At least one member of the Board shall attend each hearing.~~ The hearing officer shall report his findings of fact, conclusions of law and recommendations to the Board and to the Secretary Director. Upon receipt of the report, the ~~The~~ Board shall ~~have at least 60 days after receipt of the report to~~ review it and to present its findings of fact, conclusions of law and recommendation to the Secretary Director. If the Board does not present its report ~~within the 60 days period,~~ the Secretary Director may issue an order based on the report of the hearing officer. If the Secretary Director disagrees with the recommendation of the Board or of the hearing officer, the Secretary Director may issue an order in contravention of the Board's report. The Secretary Director shall promptly provide a written explanation to the Board on any such disagreement, and shall specify the reasons for such action in the final order.

(Source: P.A. 90-150, eff. 12-30-97.)

(225 ILCS 20/29) (from Ch. 111, par. 6379)

(Section scheduled to be repealed on January 1, 2008)

Sec. 29. Order or certified copy thereof - prima facie proof. An order or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary Director, shall be prima facie proof that:

- (1) Such signature is the genuine signature of the Secretary Director;
- (2) Such Secretary Director is duly appointed and qualified; and
- (3) The Board and the members thereof are qualified to act.

(Source: P.A. 85-967.)

(225 ILCS 20/32) (from Ch. 111, par. 6382)

(Section scheduled to be repealed on January 1, 2008)

Sec. 32. Temporary suspension of a license. The Secretary Director may temporarily suspend the license of a licensed clinical social worker or licensed social worker without a hearing simultaneously with the institution of proceedings for a hearing provided for in Section 21 of this Act if the Secretary Director finds conclusive evidence indicating that a licensee's continuation in practice would constitute an imminent danger to the public. In the event the Secretary Director temporarily suspends such license without a hearing, a hearing by the Board shall be held within 30 days after such suspension has occurred.

(Source: P.A. 85-1131.)

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

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

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

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 502.

HOUSE BILL 3628. Having been recalled on March 27, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Tracy offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3628 on page 8, line 8, by replacing "\$0 \$30,500,000" with "\$30,500,000"; and on page 9, line 6, by deleting "until fiscal year 2008"; and on page 9, by deleting lines 15 through 21.

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

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

HOUSE BILL 273. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Ethanol Production Oversight, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 273 by replacing everything after the enacting clause with the following:

"Section 5. The Motor Fuel and Petroleum Standards Act is amended by changing Section 4.1 as follows:

(815 ILCS 370/4.1) (from Ch. 5, par. 1704.1)

Sec. 4.1. (a) Upon any retail motor fuel dispensing device which is used to dispense a motor fuel containing at least 1% by volume of ethanol, of methanol, or of a combination thereof, there shall be displayed a label which identifies the maximum percentage by volume, to the nearest whole percent, of ethanol, of methanol, and of co-solvent contained in the motor fuel. Such labelling shall be done in contrasting colors with block letters at least 1/2 inch in height and 1/4 inch in width, and not more than one inch in height and 1/2 inch in width, and shall be visible to customers. The label shall be located on the front or sides of the dispenser and within the top 30 percent of the height of the dispenser. On a dual-faced dispenser, the label shall be affixed on each front or each side in accordance with these requirements. Devices used to dispense only motor fuels which contain a total of less than 1% by volume of methanol and ethanol need not be so labelled.

~~(a-5) Blank. Upon any retail motor fuel dispensing device that is used to dispense a motor fuel containing at least 2% by volume of the methanol derivative methyl tertiary butyl ether (MTBE), there shall be displayed a label stating: "CONTAINS METHYL TERTIARY BUTYL ETHER (MTBE)". The label shall be done in contrasting colors with block letters at least 1/2 inch in height and 1/4 inch in width, and not more than one inch in height and 1/2 inch in width, and shall be visible to customers. The label shall be located on the front or sides of the dispenser and within the top 30 percent of the height of the dispenser. On a dual faced dispenser, the label shall be affixed on each front or each side in accordance with these requirements. Devices used to dispense only motor fuels that contain a total of less than 2% by volume of the methanol derivative MTBE need not be so labeled.~~

(a-10) Upon any retail motor fuel dispensing device that is used to dispense a motor fuel containing biodiesel or biodiesel blends, the biodiesel and biodiesel blends shall be identified by the capital letter "B" followed by the numerical value representing the volume percentage of biodiesel fuel, such as B10, B20, or B100, as follows:

(1) Upon any retail motor fuel dispensing device that is used to dispense a motor fuel containing between 5% and up to and including 20% of biodiesel, there shall be displayed on each retail dispenser:

(a) the capital letter "B" followed by the numerical value representing the maximum volume percentage of biodiesel fuel and ending with "biodiesel blend", such as B10 biodiesel fuel blend or B20 biodiesel fuel blend; or

(b) the phrase "biodiesel blend between 5% and 20%" or similar words.

(2) Upon any retail motor fuel dispensing device that is used to dispense a motor fuel containing more than 20% of biodiesel, there shall be displayed on each retail dispenser the capital letter "B" followed by the numerical value representing the volume percentage of biodiesel fuel and ending with either "biodiesel" or "biodiesel blend", such as B100 biodiesel or B60 biodiesel blend.

(3) The label shall be done in contrasting colors with block letters at least 1/2 inch in height and 1/4 inch in width, and not more than one inch in height and 1/2 inch in width, and shall be visible to customers. The label shall be located on the front or sides of the dispenser and within the top 30% of the height of the

dispenser. On a dual-faced dispenser, the label shall be affixed on each front or each side in accordance with these requirements. Devices used to dispense only motor fuels that contain a total of 5% or less by volume of biodiesel need not be labeled.

(b) Each seller of a motor fuel which contains methanol, ethanol, or biodiesel ~~the methanol derivative MTBE~~ shall notify the purchaser thereof of the percentage by volume of ethanol, of methanol, of biodiesel ~~the methanol derivative MTBE~~, and of co-solvent which have been added to such motor fuel, and this information shall appear on the bill of lading, manifest or delivery ticket for such motor fuel. However, this subsection (b) shall not apply to sales at retail.

(c) No motor fuel, whether or not it contains any lead or lead compounds, may contain more ethanol, or methanol, ~~or the methanol derivative MTBE~~ than is permitted, or contain less co-solvent than is required, by the United States Environmental Protection Agency for unleaded motor fuels under Section 211(f) of the federal Clean Air Act.

(d) All motor fuel sold or offered for sale by the distributor shall contain the percentage and type of alcohol as stated on the bill of lading, manifest or delivery ticket.

(e) (Blank). ~~With respect to the methanol derivative MTBE, the labeling and notification requirements in this Section shall be enforced beginning 60 days after the effective date of this amendatory Act of the 91st General Assembly.~~

(f) Nothing in this Section shall be construed to require or impose an obligation upon the owner or operator of a retail motor fuel dispensing station, facility, or device to perform a test on or measurement of a shipment of motor fuel received to determine the specific content of ethanol, methanol, or biodiesel ~~the methanol derivative MTBE~~.

(Source: P.A. 91-718, eff. 6-2-00.)

Section 99. Effective date. This Act takes effect on July 1, 2008."

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

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 742.

HOUSE BILLS ON THIRD READING

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

On motion of Representative Ramey, HOUSE BILL 1608 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 41)

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

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

On motion of Representative Winters, HOUSE BILL 1855 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
112, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 42)

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

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

HOUSE BILLS ON SECOND READING

HOUSE BILL 1294. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary II - Criminal Law, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1294 on page 5, line 2, by inserting after the period the following:

"Notwithstanding any other provision of law, a certificate of good conduct does not relieve an offender of any employment-related disability imposed by law by reason of his or her conviction of a crime that would prevent his or her employment by the Department of Corrections."

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

HOUSE BILL 1281. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Registration and Regulation, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1281 by replacing everything after the enacting clause with the following:

"Section 5. The Professional Engineering Practice Act of 1989 is amended by changing Section 8 as follows:

(225 ILCS 325/8) (from Ch. 111, par. 5208)

(Section scheduled to be repealed on January 1, 2010)

Sec. 8. Applications for licensure.

(a) Applications for licensure shall (1) be on forms prescribed and furnished by the Department, (2) contain statements made under oath showing the applicant's education and a detailed summary of the applicant's technical work, and (3) contain references as required by the Department.

(b) Applicants shall have obtained the education and experience as required in Section 10 or Section 11 prior to submittal of application for examination, except as provided in subsection (b) of Section 11. Allowable experience shall commence at the date of the baccalaureate degree, except:

(1) Credit for one year of experience shall be given for a graduate of a baccalaureate curriculum providing a cooperative program, which is supervised industrial or field experience of at least one academic year which alternates with periods of full-time academic training, when such program is certified by the university, or

(2) Partial credit may be given for professional engineering experience as defined by rule for employment prior to receipt of a baccalaureate degree if the employment is full-time while the applicant is a part-time student taking fewer than 12 hours per semester or 8 hours per quarter to earn the degree concurrent with the full-time engineering experience.

(3) If an applicant files an application and supporting documents containing a material misstatement of information or a misrepresentation for the purpose of obtaining licensure or enrollment or if an applicant performs any fraud or deceit in taking any examination to qualify for licensure or enrollment under this Act, the Department may issue a rule of intent to deny licensure or enrollment and may conduct a hearing in accordance with Sections 26 through 33 and Sections 37 and 38 of this Act.

The Board may conduct oral interviews of any applicant under Sections 10, 11, or 19 to assist in the evaluation of the qualifications of the applicant.

It is the responsibility of the applicant to supplement the application, when requested by the Board, by provision of additional documentation of education, including transcripts, course content and credentials of the engineering college or college granting related science degrees, or of work experience to permit the Board to determine the qualifications of the applicant. The Department may require an applicant, at the applicant's expense, to have an evaluation of the applicant's education in a foreign country by a nationally recognized educational body approved by the Board in accordance with rules prescribed by the Department.

An applicant who graduated from an engineering program outside the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign

Language (TOEFL) ~~and the Test of Spoken English (TSE)~~ as defined by rule. (Source: P.A. 91-92, eff. 1-1-00; 92-145, eff. 1-1-02)."

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 1289. Having been reproduced, was taken up and read by title a second time. Representative Pihos offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1289 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 5-5-3.2 as follows:

(730 ILCS 5/5-5-3.2) (from Ch. 38, par. 1005-5-3.2)

Sec. 5-5-3.2. Factors in Aggravation.

(a) The following factors shall be accorded weight in favor of imposing a term of imprisonment or may be considered by the court as reasons to impose a more severe sentence under Section 5-8-1:

- (1) the defendant's conduct caused or threatened serious harm;
- (2) the defendant received compensation for committing the offense;
- (3) the defendant has a history of prior delinquency or criminal activity;
- (4) the defendant, by the duties of his office or by his position, was obliged to prevent the particular offense committed or to bring the offenders committing it to justice;
- (5) the defendant held public office at the time of the offense, and the offense related to the conduct of that office;
- (6) the defendant utilized his professional reputation or position in the community to commit the offense, or to afford him an easier means of committing it;
- (7) the sentence is necessary to deter others from committing the same crime;
- (8) the defendant committed the offense against a person 60 years of age or older or such person's property;
- (9) the defendant committed the offense against a person who is physically handicapped or such person's property;
- (10) by reason of another individual's actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin, the defendant committed the offense against (i) the person or property of that individual; (ii) the person or property of a person who has an association with, is married to, or has a friendship with the other individual; or (iii) the person or property of a relative (by blood or marriage) of a person described in clause (i) or (ii). For the purposes of this Section, "sexual orientation" means heterosexuality, homosexuality, or bisexuality;
- (11) the offense took place in a place of worship or on the grounds of a place of worship, immediately prior to, during or immediately following worship services. For purposes of this subparagraph, "place of worship" shall mean any church, synagogue or other building, structure or place used primarily for religious worship;
- (12) the defendant was convicted of a felony committed while he was released on bail or his own recognizance pending trial for a prior felony and was convicted of such prior felony, or the defendant was convicted of a felony committed while he was serving a period of probation, conditional discharge, or mandatory supervised release under subsection (d) of Section 5-8-1 for a prior felony;
- (13) the defendant committed or attempted to commit a felony while he was wearing a bulletproof vest. For the purposes of this paragraph (13), a bulletproof vest is any device which is designed for the purpose of protecting the wearer from bullets, shot or other lethal projectiles;
- (14) the defendant held a position of trust or supervision such as, but not limited to, family member as defined in Section 12-12 of the Criminal Code of 1961, teacher, scout leader, baby sitter, or day care worker, in relation to a victim under 18 years of age, and the defendant committed an offense in violation of Section 11-6, 11-11, 11-15.1, 11-19.1, 11-19.2, 11-20.1, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 against that victim;
- (15) the defendant committed an offense related to the activities of an organized gang. For the purposes of this factor, "organized gang" has the meaning ascribed to it in Section 10 of the Streetgang Terrorism Omnibus Prevention Act;
- (16) the defendant committed an offense in violation of one of the following Sections

while in a school, regardless of the time of day or time of year; on any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity; on the real property of a school; or on a public way within 1,000 feet of the real property comprising any school: Section 10-1, 10-2, 10-5, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2 of the Criminal Code of 1961;

(16.5) the defendant committed an offense in violation of one of the following Sections while in a day care center, regardless of the time of day or time of year; on the real property of a day care center, regardless of the time of day or time of year; or on a public way within 1,000 feet of the real property comprising any day care center, regardless of the time of day or time of year: Section 10-1, 10-2, 10-5, 11-15.1, 11-17.1, 11-18.1, 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-6, 12-6.1, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or 33A-2 of the Criminal Code of 1961;

(17) the defendant committed the offense by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 1961;

(18) the defendant committed the offense in a nursing home or on the real property comprising a nursing home. For the purposes of this paragraph (18), "nursing home" means a skilled nursing or intermediate long term care facility that is subject to license by the Illinois Department of Public Health under the Nursing Home Care Act;

(19) the defendant was a federally licensed firearm dealer and was previously convicted of a violation of subsection (a) of Section 3 of the Firearm Owners Identification Card Act and has now committed either a felony violation of the Firearm Owners Identification Card Act or an act of armed violence while armed with a firearm;

(20) the defendant (i) committed the offense of reckless homicide under Section 9-3 of the Criminal Code of 1961 or the offense of driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof under Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code; ~~or~~

(21) the defendant (i) committed the offense of reckless driving or aggravated reckless driving under Section 11-503 of the Illinois Vehicle Code and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit as provided in Article VI of Chapter 11 of the Illinois Vehicle Code; ~~or~~ -

(22) the defendant committed the offense of financial exploitation of an elderly person or a person with a disability under Section 16-1.3 of the Criminal Code of 1961.

For the purposes of this Section:

"School" is defined as a public or private elementary or secondary school, community college, college, or university.

"Day care center" means a public or private State certified and licensed day care center as defined in Section 2.09 of the Child Care Act of 1969 that displays a sign in plain view stating that the property is a day care center.

(b) The following factors may be considered by the court as reasons to impose an extended term sentence under Section 5-8-2 upon any offender:

(1) When a defendant is convicted of any felony, after having been previously convicted in Illinois or any other jurisdiction of the same or similar class felony or greater class felony, when such conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and such charges are separately brought and tried and arise out of different series of acts; or

(2) When a defendant is convicted of any felony and the court finds that the offense was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty; or

(3) When a defendant is convicted of voluntary manslaughter, second degree murder, involuntary manslaughter or reckless homicide in which the defendant has been convicted of causing the death of more than one individual; or

(4) When a defendant is convicted of any felony committed against:

(i) a person under 12 years of age at the time of the offense or such person's property;

(ii) a person 60 years of age or older at the time of the offense or such person's property; or

(iii) a person physically handicapped at the time of the offense or such person's property; or

(5) In the case of a defendant convicted of aggravated criminal sexual assault or criminal sexual assault, when the court finds that aggravated criminal sexual assault or criminal sexual assault was also committed on the same victim by one or more other individuals, and the defendant voluntarily participated in the crime with the knowledge of the participation of the others in the crime, and the commission of the crime was part of a single course of conduct during which there was no substantial change in the nature of the criminal objective; or

(6) When a defendant is convicted of any felony and the offense involved any of the following types of specific misconduct committed as part of a ceremony, rite, initiation, observance, performance, practice or activity of any actual or ostensible religious, fraternal, or social group:

(i) the brutalizing or torturing of humans or animals;

(ii) the theft of human corpses;

(iii) the kidnapping of humans;

(iv) the desecration of any cemetery, religious, fraternal, business, governmental, educational, or other building or property; or

(v) ritualized abuse of a child; or

(7) When a defendant is convicted of first degree murder, after having been previously convicted in Illinois of any offense listed under paragraph (c)(2) of Section 5-5-3, when such conviction has occurred within 10 years after the previous conviction, excluding time spent in custody, and such charges are separately brought and tried and arise out of different series of acts; or

(8) When a defendant is convicted of a felony other than conspiracy and the court finds that the felony was committed under an agreement with 2 or more other persons to commit that offense and the defendant, with respect to the other individuals, occupied a position of organizer, supervisor, financier, or any other position of management or leadership, and the court further finds that the felony committed was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's leadership in an organized gang; or

(9) When a defendant is convicted of a felony violation of Section 24-1 of the Criminal Code of 1961 and the court finds that the defendant is a member of an organized gang; or

(10) When a defendant committed the offense using a firearm with a laser sight attached to it. For purposes of this paragraph (10), "laser sight" has the meaning ascribed to it in Section 24.6-5 of the Criminal Code of 1961; or

(11) When a defendant who was at least 17 years of age at the time of the commission of the offense is convicted of a felony and has been previously adjudicated a delinquent minor under the Juvenile Court Act of 1987 for an act that if committed by an adult would be a Class X or Class 1 felony when the conviction has occurred within 10 years after the previous adjudication, excluding time spent in custody; or

(12) When a defendant commits an offense involving the illegal manufacture of a controlled substance under Section 401 of the Illinois Controlled Substances Act, the illegal manufacture of methamphetamine under Section 25 of the Methamphetamine Control and Community Protection Act, or the illegal possession of explosives and an emergency response officer in the performance of his or her duties is killed or injured at the scene of the offense while responding to the emergency caused by the commission of the offense. In this paragraph (12), "emergency" means a situation in which a person's life, health, or safety is in jeopardy; and "emergency response officer" means a peace officer, community policing volunteer, fireman, emergency medical technician-ambulance, emergency medical technician-intermediate, emergency medical technician-paramedic, ambulance driver, other medical assistance or first aid personnel, or hospital emergency room personnel; or

(13) When a defendant commits any felony and the defendant used, possessed, exercised control over, or otherwise directed an animal to assault a law enforcement officer engaged in the execution of his or her official duties or in furtherance of the criminal activities of an organized gang in which the defendant is engaged.

(b-1) For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(c) The court may impose an extended term sentence under Section 5-8-2 upon any offender who was convicted of aggravated criminal sexual assault or predatory criminal sexual assault of a child under subsection (a)(1) of Section 12-14.1 of the Criminal Code of 1961 where the victim was under 18 years of age at the time of the commission of the offense.

(d) The court may impose an extended term sentence under Section 5-8-2 upon any offender who was convicted of unlawful use of weapons under Section 24-1 of the Criminal Code of 1961 for possessing a weapon that is not readily distinguishable as one of the weapons enumerated in Section 24-1 of the Criminal Code of 1961.

(Source: P.A. 94-131, eff. 7-7-05; 94-375, eff. 1-1-06; 94-556, eff. 9-11-05; 94-819, eff. 5-31-06.)"

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

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

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 3218.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 274.

HOUSE BILL 1675. Having been reproduced, was taken up and read by title a second time. Representative William Davis offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1675 on page 1, line 17, by replacing "application" with "interview".

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

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

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILLS 988, 1497 and 1835.

HOUSE BILL 1963. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Transportation and Motor Vehicles, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1963 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Highway Code is amended by changing Section 6-901 as follows:
(605 ILCS 5/6-901) (from Ch. 121, par. 6-901)

Sec. 6-901. Annually, the General Assembly shall appropriate to the Department of Transportation from the road fund, the general revenue fund, any other State funds or a combination of those funds, ~~\$15,000,000~~ \$30,000,000 for apportionment to counties for the use of road districts for the construction of bridges 20 feet or more in length, as provided in Sections 6-902 through 6-905.

The Department of Transportation shall apportion among the several counties of this State for the use of road districts the amounts appropriated under this Section. The amount apportioned to a county shall be in the proportion which the total mileage of township or district roads in the county bears to the total mileage of all township and district roads in the State. Each county shall allocate to the several road districts in the county the funds so apportioned to the county. The allocation to road districts shall be made in the same manner and be subject to the same conditions and qualifications as are provided by Section 8 of the "Motor Fuel Tax Law", approved March 25, 1929, as amended, with respect to the allocation to road districts of the amount allotted from the Motor Fuel Tax Fund for apportionment to counties for the use of road districts, but no allocation shall be made to any road district that has not levied taxes for road and bridge purposes

and for bridge construction purposes at the maximum rates permitted by Sections 6-501, 6-508 and 6-512 of this Act, without referendum. "Road district" and "township or district road" have the meanings ascribed to those terms in this Act.

Road districts in counties in which a property tax extension limitation is imposed under the Property Tax Extension Limitation Law that are made ineligible for receipt of this appropriation due to the imposition of a property tax extension limitation may become eligible if, at the time the property tax extension limitation was imposed, the road district was levying at the required rate and continues to levy the maximum allowable amount after the imposition of the property tax extension limitation. The road district also becomes eligible if it levies at or above the rate required for eligibility by Section 8 of the Motor Fuel Tax Law.

The amounts apportioned under this Section for allocation to road districts may be used only for bridge construction as provided in this Division. So much of those amounts as are not obligated under Sections 6-902 through 6-904 and for which local funds have not been committed under Section 6-905 within 24 months of the date when such apportionment is made lapses and shall not be paid to the county treasurer for distribution to road districts.

(Source: P.A. 90-110, eff. 7-14-97.)"

Representative Flider offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 1963, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Highway Code is amended by changing Sections 6-901 and 6-905 as follows:
(605 ILCS 5/6-901) (from Ch. 121, par. 6-901)

Sec. 6-901. Annually, the General Assembly shall appropriate to the Department of Transportation from the road fund, the general revenue fund, any other State funds or a combination of those funds, \$30,000,000 ~~\$15,000,000~~ for apportionment to counties for the use of road districts for the construction of bridges 20 feet or more in length, as provided in Sections 6-902 through 6-905.

The Department of Transportation shall apportion among the several counties of this State for the use of road districts the amounts appropriated under this Section. The amount apportioned to a county shall be in the proportion which the total mileage of township or district roads in the county bears to the total mileage of all township and district roads in the State. Each county shall allocate to the several road districts in the county the funds so apportioned to the county. The allocation to road districts shall be made in the same manner and be subject to the same conditions and qualifications as are provided by Section 8 of the "Motor Fuel Tax Law", approved March 25, 1929, as amended, with respect to the allocation to road districts of the amount allotted from the Motor Fuel Tax Fund for apportionment to counties for the use of road districts, but no allocation shall be made to any road district that has not levied taxes for road and bridge purposes and for bridge construction purposes at the maximum rates permitted by Sections 6-501, 6-508 and 6-512 of this Act, without referendum. "Road district" and "township or district road" have the meanings ascribed to those terms in this Act.

Road districts in counties in which a property tax extension limitation is imposed under the Property Tax Extension Limitation Law that are made ineligible for receipt of this appropriation due to the imposition of a property tax extension limitation may become eligible if, at the time the property tax extension limitation was imposed, the road district was levying at the required rate and continues to levy the maximum allowable amount after the imposition of the property tax extension limitation. The road district also becomes eligible if it levies at or above the rate required for eligibility by Section 8 of the Motor Fuel Tax Law.

The amounts apportioned under this Section for allocation to road districts may be used only for bridge construction as provided in this Division. So much of those amounts as are not obligated under Sections 6-902 through 6-904 and for which local funds have not been committed under Section 6-905 within 24 months of the date when such apportionment is made lapses and shall not be paid to the county treasurer for distribution to road districts.

(Source: P.A. 90-110, eff. 7-14-97.)

(605 ILCS 5/6-905) (from Ch. 121, par. 6-905)

Sec. 6-905. The amount of grant for an approved road district project shall require at least \$1 of local funds committed to the project for each \$9 ~~\$4~~ that may be allocated under Section 6-901.

(Source: P.A. 81-1509.)"

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

RECALL

At the request of the principal sponsor, Representative Granberg, HOUSE BILL 161 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON SECOND READING

HOUSE BILL 909. Having been reproduced, was taken up and read by title a second time. Representative Tryon offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 909 on page 1, by deleting lines 9 through 14; and on page 1, by replacing lines 22 and 23 with the following:

"Person (b) "person with a developmental disability" means any person or persons so diagnosed and as defined in the Mental"; and

on page 2, by replacing line 1 with the following:

"Health and Developmental Disabilities Code. Community mental health boards operating under this Act may in their jurisdiction, by a majority vote, add to the definition of "person with a developmental disability". ;" and

on page 2, by replacing lines 2 through 6 with the following:

"Mental illness" has the meaning ascribed to that term in the Mental Health and Developmental Disabilities Code. Community mental health boards operating under this Act may in their jurisdiction, by a majority vote, add to the definition of "mental illness"."; and

on page 14, by replacing lines 10 and 11 with the following: "shall, upon authorization by the appropriate governmental unit, be".

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

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

HOUSE BILL 2918. Having been reproduced, was taken up and read by title a second time.

Floor Amendment No. 1 remained in the Committee on Revenue.

Representative Moffitt offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 2918 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Sections 11-74.4-3 and 11-74.4-7 as follows:

(65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste,

hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

(B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

(C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and

the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, incorporated town, or a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section

11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first \$100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of \$100,000 but not exceeding \$500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of \$500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection

with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first \$100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of \$100,000 but not exceeding \$500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of \$500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and

other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

- (A) an itemized list of estimated redevelopment project costs;
- (B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;
- (C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;
- (D) the sources of funds to pay costs;
- (E) the nature and term of the obligations to be issued;
- (F) the most recent equalized assessed valuation of the redevelopment project area;
- (G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;
- (H) a commitment to fair employment practices and an affirmative action plan;
- (I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and
- (J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates: shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981; shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling; and shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

- (A) if the ordinance was adopted before January 15, 1981, or
- (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or
- (C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or
- (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason

County, or

- (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
 - (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or
 - (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or
 - (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or
 - (I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or
 - (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or
 - (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or
 - (L) if the ordinance was adopted in September 1988 by Sauk Village, or
 - (M) if the ordinance was adopted in October 1993 by Sauk Village, or
 - (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or
 - (O) if the ordinance was adopted in March 1991 by the City of Centreville, or
 - (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis,
- or
- (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or
 - (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or
 - (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or
 - (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or
 - (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or
 - (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or
 - (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or
 - (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville,
- or
- (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or
 - (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or
 - (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or
 - (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or
 - (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or
 - (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or
 - (EE) if the ordinance was adopted on December 15, 1986 by the City of Urbana, or
 - (FF) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or
 - (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or
 - (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or
 - (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or
 - (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or
 - (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or
 - (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or
 - (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or
 - (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or
 - (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or
 - (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or
 - (QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or
 - (RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or
 - (SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or
 - (TT) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or
 - (UU) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or
 - (VV) if the ordinance was adopted on April 20, 1993 by the Village of Princeville, or
 - (WW) ~~(VV)~~ if the ordinance was adopted on July 1, 1986 by the City of Granite City, or

~~(XX) (RR)~~ if the ordinance was adopted on February 2, 1989 by the Village of Lombard, or
~~(YY) (VV)~~ if the ordinance was adopted on December 29, 1986 by the Village of Gardner, or
~~(ZZ) (VV)~~ if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw, or -
~~(AAA) (VV)~~ if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park, or -
~~(BBB) (VV)~~ if the ordinance was adopted on November 20, 1989 by the Village of South Holland, or -
~~(CCC)~~ if the ordinance was adopted on December 29, 1986 by the City of Galesburg, or
~~(DDD)~~ if the ordinance was adopted on April 1, 1985 by the City of Galesburg.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least \$8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least \$1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than

45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms

of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with

a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita

Tuition Charge of less than \$5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita

Tuition Charge of less than \$5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita

Tuition Charge of less than \$5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts

with a district average 1995-96 Per Capita Tuition Charge equal to or more than \$5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution

waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961), a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed \$120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college

districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-268, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; 94-778, eff. 5-19-06; 94-782, eff. 5-19-06; 94-783, eff. 5-19-06; 94-810, eff. 5-26-06; 94-903, eff. 6-22-06; 94-1091, eff. 1-26-07; 94-1092, eff. 1-26-07; revised 1-30-07.)

(65 ILCS 5/11-74.4-7) (from Ch. 24, par. 11-74.4-7)

Sec. 11-74.4-7. Obligations secured by the special tax allocation fund set forth in Section 11-74.4-8 for the redevelopment project area may be issued to provide for redevelopment project costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of such obligations by the receipts of taxes levied as specified in Section 11-74.4-9 against the taxable property included in the area, by revenues as specified by Section 11-74.4-8a and other revenue designated by the municipality. A municipality may in the ordinance pledge all or any part of the funds in and to be deposited in the special tax allocation fund created pursuant to Section 11-74.4-8 to the payment of the redevelopment project costs and obligations. Any pledge of funds in the special tax allocation fund shall provide for distribution to the taxing districts and to the Illinois Department of Revenue of moneys not required, pledged, earmarked, or otherwise designated for payment and securing of the obligations and anticipated redevelopment project costs and such excess funds shall be calculated annually and deemed to be "surplus" funds. In the event a municipality only applies or pledges a portion of the funds in the special tax allocation fund for the payment or securing of anticipated redevelopment project costs or of obligations, any such funds remaining in the special tax allocation fund after complying with the requirements of the application or pledge, shall also be calculated annually and deemed "surplus" funds. All surplus funds in the special tax allocation fund shall be distributed annually within 180 days after the close of the municipality's fiscal year by being paid by the municipal treasurer to the County Collector, to the Department of Revenue and to the municipality in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the redevelopment project area, tax incremental revenue received from the State and tax incremental revenue received from the municipality, but not to exceed as to each such source the total incremental revenue received from that source. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area.

Without limiting the foregoing in this Section, the municipality may in addition to obligations secured by the special tax allocation fund pledge for a period not greater than the term of the obligations towards payment of such obligations any part or any combination of the following: (a) net revenues of all or part of any redevelopment project; (b) taxes levied and collected on any or all property in the municipality; (c) the full faith and credit of the municipality; (d) a mortgage on part or all of the redevelopment project; or (e) any other taxes or anticipated receipts that the municipality may lawfully pledge.

Such obligations may be issued in one or more series bearing interest at such rate or rates as the corporate authorities of the municipality shall determine by ordinance. Such obligations shall bear such date or dates, mature at such time or times not exceeding 20 years from their respective dates, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance shall provide. Obligations issued pursuant to this Act may be sold at public or private sale at such price as shall be determined by the corporate authorities of the municipalities. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to this Division except as provided in this Section.

In the event the municipality authorizes issuance of obligations pursuant to the authority of this Division secured by the full faith and credit of the municipality, which obligations are other than obligations which may be issued under home rule powers provided by Article VII, Section 6 of the Illinois Constitution, or pledges taxes pursuant to (b) or (c) of the second paragraph of this section, the ordinance authorizing the issuance of such obligations or pledging such taxes shall be published within 10 days after such ordinance has been passed in one or more newspapers, with general circulation within such municipality. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of the issuance of such obligations or pledging taxes to be submitted to the electors; (2) the time in which such petition must be filed; and (3) the date of the prospective referendum. The municipal clerk shall provide a petition form to any individual requesting one.

If no petition is filed with the municipal clerk, as hereinafter provided in this Section, within 30 days after the publication of the ordinance, the ordinance shall be in effect. But, if within that 30 day period a petition is filed with the municipal clerk, signed by electors in the municipality numbering 10% or more of the number of registered voters in the municipality, asking that the question of issuing obligations using full faith and credit of the municipality as security for the cost of paying for redevelopment project costs, or of pledging taxes for the payment of such obligations, or both, be submitted to the electors of the municipality, the corporate authorities of the municipality shall call a special election in the manner provided by law to vote upon that question, or, if a general, State or municipal election is to be held within a period of not less than 30 or more than 90 days from the date such petition is filed, shall submit the question at the next general, State or municipal election. If it appears upon the canvass of the election by the corporate authorities that a majority of electors voting upon the question voted in favor thereof, the ordinance shall be in effect, but if a majority of the electors voting upon the question are not in favor thereof, the ordinance shall not take effect.

The ordinance authorizing the obligations may provide that the obligations shall contain a recital that they are issued pursuant to this Division, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

In the event the municipality authorizes issuance of obligations pursuant to this Section secured by the full faith and credit of the municipality, the ordinance authorizing the obligations may provide for the levy and collection of a direct annual tax upon all taxable property within the municipality sufficient to pay the principal thereof and interest thereon as it matures, which levy may be in addition to and exclusive of the maximum of all other taxes authorized to be levied by the municipality, which levy, however, shall be abated to the extent that monies from other sources are available for payment of the obligations and the municipality certifies the amount of said monies available to the county clerk.

A certified copy of such ordinance shall be filed with the county clerk of each county in which any portion of the municipality is situated, and shall constitute the authority for the extension and collection of the taxes to be deposited in the special tax allocation fund.

A municipality may also issue its obligations to refund in whole or in part, obligations theretofore issued by such municipality under the authority of this Act, whether at or prior to maturity, provided however, that the last maturity of the refunding obligations shall not be expressed to mature later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was

adopted on or after January 15, 1981, not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-third calendar year after the year in which the ordinance approving the redevelopment project area if the ordinance was adopted on May 20, 1985 by the Village of Wheeling, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted (A) if the ordinance was adopted before January 15, 1981, or (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or (C) if the ordinance was adopted in December, 1987 and the redevelopment project is located within one mile of Midway Airport, or (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or (H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or (I) if the ordinance was adopted on December 29, 1986 by East St. Louis, or if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or (J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or (K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or (L) if the ordinance was adopted in September 1988 by Sauk Village, or (M) if the ordinance was adopted in October 1993 by Sauk Village, or (N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or (O) if the ordinance was adopted in March 1991 by the City of Centreville, or (P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis, or (Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or (R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or (S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or (T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or (U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or (V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or (W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or (X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville, or (Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or (Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or (AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or (BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or (CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or (DD) if the ordinance was adopted on December 15, 1981 by the City of Champaign, or (EE) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or (GG) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or (HH) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or (II) if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or (JJ) if the ordinance was adopted on December 30, 1986 by the City of Effingham, or (KK) if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or (LL) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or (MM) if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or (NN) if the ordinance was adopted on September 21, 1998 by the City of Waukegan, or (OO) if the ordinance was adopted on December 31, 1986 by the City of Sullivan, or (PP) if the ordinance was adopted on December 23, 1991 by the City of Sullivan, or (QQ) if the ordinance was adopted on December 31, 1986 by the City of Oglesby, or (RR) if the ordinance was adopted on July 28, 1987 by the City of Marion, or (SS) if the ordinance was adopted on April 23, 1990 by the City of Marion, or (TT) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect, or (UU) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull, or (VV) if the ordinance was adopted on April 20, 1993 by the Village of Princeville, or (WW) (~~VV~~) if the ordinance was adopted on July 1, 1986 by the City of Granite City, or (XX) (~~RR~~) if the ordinance was adopted on February 2, 1989 by the Village of Lombard, or (YY) (~~VV~~) if the ordinance was adopted on December 29, 1986 by the Village of Gardner, or (ZZ) (~~VV~~) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw, or (AAA) (~~VV~~) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park,⁷ or (BBB) (~~VV~~) if the ordinance was adopted on November 20, 1989 by the Village of South Holland, or (CCC) if the ordinance was adopted on December

29, 1986 by the City of Galesburg, or (DDD) if the ordinance was adopted on April 1, 1985 by the City of Galesburg and, for redevelopment project areas for which bonds were issued before July 29, 1991, in connection with a redevelopment project in the area within the State Sales Tax Boundary and which were extended by municipal ordinance under subsection (n) of Section 11-74.4-3, the last maturity of the refunding obligations shall not be expressed to mature later than the date on which the redevelopment project area is terminated or December 31, 2013, whichever date occurs first.

In the event a municipality issues obligations under home rule powers or other legislative authority the proceeds of which are pledged to pay for redevelopment project costs, the municipality may, if it has followed the procedures in conformance with this division, retire said obligations from funds in the special tax allocation fund in amounts and in such manner as if such obligations had been issued pursuant to the provisions of this division.

All obligations heretofore or hereafter issued pursuant to this Act shall not be regarded as indebtedness of the municipality issuing such obligations or any other taxing district for the purpose of any limitation imposed by law.

(Source: P.A. 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; 94-260, eff. 7-19-05; 94-297, eff. 7-21-05; 94-302, eff. 7-21-05; 94-702, eff. 6-1-06; 94-704, eff. 12-5-05; 94-711, eff. 6-1-06; 94-778, eff. 5-19-06; 94-782, eff. 5-19-06; 94-783, eff. 5-19-06; 94-810, eff. 5-26-06; 94-903, eff. 6-22-06; 94-1091, eff. 1-26-07; 94-1092, eff. 1-26-07; revised 1-30-07.)".

The foregoing motion prevailed and Amendment No. 2 was adopted.

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

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 268, 269, 270, 271, 273, 275, 276, 277, 278, 280, 281 and 282 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the Agreed Resolutions were adopted.

ACTION ON MOTIONS

Representative Sacia asked and obtained unanimous consent to table HOUSE BILLS 503 and 694.

HOUSE BILL ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 983.

AGREED RESOLUTION

HOUSE RESOLUTION 274 was taken up for consideration.

Representative Currie moved the adoption of the agreed resolution.

The motion prevailed and the Agreed Resolution was adopted.

At the hour of 5:17 o'clock p.m., Representative Currie moved that the House do now adjourn.

The motion prevailed.

And in accordance therewith and pursuant to HOUSE JOINT RESOLUTION 45, the House stood adjourned until Wednesday, April 18, 2007, at 12:30 o'clock p.m.

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

April 17, 2007

0 YEAS

0 NAYS

112 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1671
 FOREST PRESERVE-PROPERTY
 THIRD READING
 PASSED

April 17, 2007

108 YEAS

2 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 592
VEH CD-DUI-SALIVA TESTING
THIRD READING
PASSED

April 17, 2007

110 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1921
DISPOSABLE LIGHTER SURCHARGE
THIRD READING
PASSED

April 17, 2007

109 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 412
SCH CD-TAX EQUIVALENT GRANTS
THIRD READING
PASSED

April 17, 2007

109 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1864
 VEH CD-SNOWMOBILE-BOAT SAFETY
 THIRD READING
 PASSED

April 17, 2007

110 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3621
 JUV CT-APPEALABLE ORDER
 THIRD READING
 PASSED

April 17, 2007

110 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1509
 HUMAN RTS-REVIEW, CIVIL ACTION
 THIRD READING
 PASSED

April 17, 2007

73 YEAS

37 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3393
COURT FEES-DOMESTIC VIOLENCE
THIRD READING
PASSED

April 17, 2007

86 YEAS

24 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3406
 SCH CONSTRUCTION-RANK-NOTIFY
 THIRD READING
 PASSED

April 17, 2007

110 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 615
JUV CT-CONFIDENTIALITY
THIRD READING
PASSED

April 17, 2007

110 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3586
 SEX OFFENDER INVESTIGAT FND
 THIRD READING
 PASSED

April 17, 2007

109 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1303
 SEWAGE DISP-HANDWASHING UNIT
 THIRD READING
 PASSED

April 17, 2007

67 YEAS

43 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3766
 CRIM CD-UNAUTHORIZED TAPING
 THIRD READING
 PASSED

April 17, 2007

111 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 678
MWRD-MILITARY SERVICE
THIRD READING
PASSED

April 17, 2007

111 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3425
 DEER POPULATION-LOCAL CONTROL
 THIRD READING
 PASSED

April 17, 2007

70 YEAS	40 NAYS	1 PRESENT	
Y Acevedo	Y Dugan	Y Krause	N Reboletti
Y Arroyo	N Dunkin	Y Lang	Y Reis
Y Bassi	E Dunn	N Leitch	Y Reitz
N Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	N Eddy	P Lyons	N Rita
Y Bellock	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	Y Flider	N Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
N Black	N Ford	N McAuliffe	N Saviano
E Boland	Y Fortner	Y McCarthy	N Schmitz
N Bost	N Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	A Scully
Y Bradley, Richard	E Froehlich	N Meyer	N Smith
N Brady	Y Golar	Y Miller	N Sommer
N Brauer	Y Gordon	N Mitchell, Bill	Y Soto
N Brosnahan	Y Graham	E Mitchell, Jerry	N Stephens
Y Burke	Y Granberg	N Moffitt	N Sullivan
N Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
N Coladipietro	N Hannig	E Mulligan	Y Tryon
N Cole	Y Harris	Y Munson	Y Turner
Y Collins	N Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	N Wait
Y Coulson	Y Hoffman	N Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	N Watson
N Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
N D'Amico	N Jefferson	N Poe	Y Mr. Speaker
Y Davis, Monique	N Joyce	Y Pritchard	
Y Davis, William	N Kosel	N Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 150
EPA-NPDES-MINE DISCHARGE FEE
THIRD READING
PASSED

April 17, 2007

111 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 857
PEN CD-SURS-SERVICE CRED
THIRD READING
PASSED

April 17, 2007

109 YEAS

0 NAYS

2 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 987
WABASH OHIO RIVERS COUNCIL
THIRD READING
PASSED

April 17, 2007

111 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3399
 CRIM CD-CHILD SEX OFFENDER
 THIRD READING
 PASSED

April 17, 2007

111 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1881
MUNI CD-NUISANCE LIENS
THIRD READING
PASSED

April 17, 2007

92 YEAS

18 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1290
 CRIM PRO-INTEGRATED BALLIS ID
 THIRD READING
 PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1988
FIRE INVESTIGATION-REPORTING
THIRD READING
PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1743
 HUMAN RIGHTS-DOCUMENTS
 THIRD READING
 PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2781
 LOCAL GOV RELOCATION COSTS
 THIRD READING
 PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 449
CRIM-AGGR IDENTITY THEFT-GANG
THIRD READING
PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3672
STATE GOV-EXPEDITED PERMITS
THIRD READING
PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 117
 LOCGOV-AQUARIUMS & MUSEUMS
 THIRD READING
 PASSED

April 17, 2007

62 YEAS

50 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 254
DPT AGING-ELDER ABUSE FATALITY
THIRD READING
PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1605
PEN CD-DOWNSTATE POLICE-OPT IN
THIRD READING
PASSED

April 17, 2007

91 YEAS

14 NAYS

7 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1732
 VITAL REC ACT-GENDER CHANGE
 THIRD READING
 FAILED

April 17, 2007

32 YEAS

78 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1462
CIV PRO-SEXUAL INJ LIMITATIONS
THIRD READING
PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1559
SCH CD-STUDENT BIOMETRIC INFO
THIRD READING
PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 196
 EXEC ORDER FISCAL IMPACT
 THIRD READING
 PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 622
DASA-TEST FEE-DRUG COURT
THIRD READING
PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 486
 U OF I-9/11 VET CHILD SCHLRSHP
 THIRD READING
 PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3583
VEH CD-SCHL BUS-ALCOHOL TEST
THIRD READING
PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1059
 EMERG TEL SYS-HEARTSAVER
 THIRD READING
 PASSED

April 17, 2007

73 YEAS

38 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3658
GASOLINE RECEPTACLE-MINOR
THIRD READING
PASSED

April 17, 2007

61 YEAS

51 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 724
PRIV BUS/VOC SCHOOL-EXEMPTION
THIRD READING
PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1608
MUNI CODE-ADULT ENTERTAINMENT
THIRD READING
PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1855
 PREVAIL WAGE-SUBSTANCE ABUSE
 THIRD READING
 PASSED

April 17, 2007

112 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	E Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
E Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	E Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	E Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	E Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
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Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
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Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
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