

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

39TH LEGISLATIVE DAY

FRIDAY, APRIL 20, 2007

10:00 O'CLOCK A.M.

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The House met pursuant to adjournment.

Representative Hannig in the chair.

Prayer by Reverend David Upchurch, who is the Pastor of Rochester Christian Church in Rochester, IL.

Representative Ford 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:

112 present. (ROLL CALL 1)

By unanimous consent, Representatives Black, John Bradley, Leitch, Patterson, Schmitz and Stephens were excused from attendance.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Lyons replaced Representative Hannig in the Committee on Rules on April 20, 2007.

Representative Winters replaced Representative Hassert in the Committee on Rules on April 20, 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 20, 2007, reported the same back with the following recommendations:

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Environmental Health: SENATE BILL 500.

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

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

Y Currie(D), Chairperson

A Black(R), Republican Spokesperson

Y Lyons(D) (replacing Hannig)

Y Winters (R) (replacing Winters)

Y Turner(D)

MOTIONS SUBMITTED

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

MOTION

Pursuant to Rule 65, and having voted on the prevailing side, I move to reconsider the vote by which House Bill No. 318 failed in the House on April 19, 2007.

STATE MANDATES FISCAL NOTES SUPPLIED

State Mandates Fiscal Notes have been supplied for HOUSE BILLS 372, 1124 and 1503, as amended.

HOME RULE NOTES SUPPLIED

Home Rule Notes have been supplied for HOUSE BILLS 246, 704 and 1124.

REQUEST FOR FISCAL NOTE

Representative Winters requested that a Fiscal Note be supplied for HOUSE BILL 1421, as amended.

REQUEST FOR STATE MANDATES FISCAL NOTE

Representative Winters requested that a State Mandates Fiscal Note be supplied for HOUSE BILL 1421, as amended.

REQUEST FOR HOME RULE NOTE

Representative Winters requested that a Home Rule Note be supplied for HOUSE BILL 1421, as amended.

MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 1327

A bill for AN ACT concerning finance.

SENATE BILL NO. 1348

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 1349

A bill for AN ACT concerning public aid.

SENATE BILL NO. 1354

A bill for AN ACT concerning revenue.

SENATE BILL NO. 1362

A bill for AN ACT concerning revenue.

SENATE BILL NO. 1409

A bill for AN ACT concerning transportation.

SENATE BILL NO. 1415

A bill for AN ACT concerning public aid.

Passed by the Senate, April 19, 2007.

Deborah Shipley, Secretary of the Senate

The foregoing SENATE BILLS 1327, 1348, 1349, 1354, 1362, 1409 and 1415 were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 1347

A bill for AN ACT concerning business.

SENATE BILL NO. 1360

A bill for AN ACT concerning revenue.

SENATE BILL NO. 1366

A bill for AN ACT concerning regulation.
SENATE BILL NO. 1380
A bill for AN ACT concerning public employee benefits.
SENATE BILL NO. 1383
A bill for AN ACT concerning public employee benefits.
SENATE BILL NO. 1391
A bill for AN ACT concerning criminal law.
SENATE BILL NO. 1395
A bill for AN ACT concerning revenue.
SENATE BILL NO. 1398
A bill for AN ACT concerning regulation.
SENATE BILL NO. 1419
A bill for AN ACT concerning safety.
Passed by the Senate, April 19, 2007.

Deborah Shipley, Secretary of the Senate

The foregoing SENATE BILLS 1347, 1360, 1366, 1380, 1383, 1391, 1395, 1398 and 1419 were ordered reproduced and placed on the order of Senate Bills - First Reading.

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 1452
A bill for AN ACT concerning revenue.
SENATE BILL NO. 1453
A bill for AN ACT concerning local government.
SENATE BILL NO. 1464
A bill for AN ACT concerning business.
SENATE BILL NO. 1468
A bill for AN ACT concerning business.
SENATE BILL NO. 1508
A bill for AN ACT concerning local government.
SENATE BILL NO. 1509
A bill for AN ACT concerning sex offenders.
SENATE BILL NO. 1553
A bill for AN ACT concerning public employee benefits.
SENATE BILL NO. 1557
A bill for AN ACT concerning education.
SENATE BILL NO. 1576
A bill for AN ACT concerning business.
Passed by the Senate, April 20, 2007.

Deborah Shipley, Secretary of the Senate

The foregoing SENATE BILLS 1452, 1453, 1464, 1468, 1508, 1509, 1553, 1557 and 1576 were ordered reproduced and placed on the order of Senate Bills - First Reading.

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

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 1481

A bill for AN ACT concerning public employee benefits.
Passed by the Senate, April 20, 2007.

Deborah Shipley, Secretary of the Senate

The foregoing SENATE BILL 1481 was ordered reproduced and placed on the order of Senate Bills - First Reading.

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Eddy was removed as principal sponsor, and Representative Colvin became the new principal sponsor of SENATE JOINT RESOLUTION 2.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Crespo became the new principal sponsor of HOUSE BILL 2671.

With the consent of the affected members, Representative Smith was removed as principal sponsor, and Representative Rita became the new principal sponsor of SENATE BILL 48.

With the consent of the affected members, Representative Froehlich was removed as principal sponsor, and Representative Dunn became the new principal sponsor of SENATE BILL 533.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Crespo became the new principal sponsor of HOUSE BILL 2671.

HOUSE RESOLUTIONS

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

HOUSE RESOLUTION 309

Offered by Representative Franks:

WHEREAS, The Holocaust of World War II that resulted in the mass murder of approximately 6 million Jews in Europe has been documented and verified by legitimate historians and the Allied Forces that liberated the survivors; and

WHEREAS, Inflammatory remarks made about the Holocaust and Jewish people do a great disservice to our shared goals of tolerance, respect, and worldwide peace; and

WHEREAS, In October 2005, Iranian President Mahmoud Ahmadinejad gave a speech at a conference in Tehran entitled "World Without Zionism" where he declared that "Israel must be wiped off the map"; and

WHEREAS, In December 2005, Iranian President Mahmoud Ahmadinejad called the Holocaust a "myth" and suggested that Israel be moved to Europe, Canada, or the United States; and

WHEREAS, On December 12, 2006, the Iranian government organized a two-day gathering called the International Conference to Review the Global Vision of the Holocaust, to which Holocaust deniers were invited and asked to speak, leading to a United Nations resolution condemning Iran; and

WHEREAS, On February 28, 2007, Ahmadinejad said to a meeting of Sudanese Islamic scholars in Khartoum that "the Zionists are the true manifestation of Satan"; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL

ASSEMBLY OF THE STATE OF ILLINOIS, that the people of the State of Illinois condemn the hateful and incendiary comments made by Iranian President Mahmoud Ahmadinejad.

HOUSE RESOLUTION 315

Offered by Representative Franks:

WHEREAS, The members of the Illinois House of Representatives wish to extend their condolences to the family and friends of May Chesak of Woodstock, who passed away at the age of 102 on March 22, 2007; and

WHEREAS, May Chesak was born on May 30, 1904, in West Pullman, to Christian and Marie (Jensen) Spangard; she attended Crystal Lake High School with the class of 1922 and then went on to Mason County College in Ludington, Michigan; and

WHEREAS, She began her teaching career in 1923 in a one-room schoolhouse in Fox River Grove; she continued teaching there until 1943, when she became principal and teacher at Huntley Elementary School; in 1952, Mrs. Chesak became principal at Greenwood School; she retired in 1964, but she substituted at eight different schools in the county for 10 years, teaching for a total of 51 years; and

WHEREAS, Mrs. Chesak married her husband Arnold (Arnie) on July 27, 1927; she moved to Huntley and lived there for more than 70 years; after Arnie passed away in 1985, May would play her piano late into the night; in 1997 she moved to Hearthstone Manor in Woodstock; and

WHEREAS, In 1941, Mrs. Chesak joined First Congregational Church in Huntley, where she served as Ladies Aid president for 15 years; among her other activities at the church were teaching Sunday school, singing in the choir, serving as a deaconess, and establishing the memorial fund that she chaired for more than 40 years; and

WHEREAS, For more than 75 years, Mrs. Chesak served in many roles as a member of the American Legion Auxiliary; one of her treasured memories was establishing the Girls State program in Huntley in 1948; she also served as vice president of the McHenry County Council, president of the 11th District, State Chaplain, assistant sergeant-at-arms, and staff adviser for Girls State; she also was a charter member of the McHenry County Salon No. 483 of the 8 et 40, serving in various capacities; and

WHEREAS, Since 1952, she was involved in Delta Kappa Gamma as a member, also serving on committees within the association; other organizations of which she was a member include the Retired Teachers Association of McHenry County; and membership in IEAS, NEA, and the National Retired Teachers Association; and

WHEREAS, Mrs. Chesak was involved in other community activities including being an election judge for Grafton Township, a member of the Senior Citizens, and establishing the Blood Bank in Huntley during the 1940s, which is still serving the Huntley area today; while she enjoyed music, flower gardening and reading, above all else her husband and home came first; and

WHEREAS, For her many contributions to education and the community, the May S. Chesak Elementary School on Reed Road in Lake in the Hills was named in her honor in September 2000; and

WHEREAS, May Chesak was the beloved wife of Arnold "Arnie" Chesak and is fondly remembered by many nieces, nephews, cousins, and friends; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize May 30, 2007, as May Chesak Day in Illinois; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of May Chesak and to Hearthstone Manor in Woodstock, as an expression of our sincere sympathy.

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 313 (Myers), 546 (Brosnahan), 1179 (Molaro), 1327 (Hannig), 1347 (Watson), 1348 (Acevedo), 1349 (Beiser), 1354 (Holbrook), 1360 (Watson), 1362 (Holbrook), 1366 (Holbrook), 1391 (Howard), 1398 (Colvin), 1415 (Hannig), 1419 (Hamos), 1464 (Osmond), 1468 (Washington), 1481 (Joyce), 1553 (Flider) and 1557 (Froehlich).

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 310

Offered by Representative Fortner:
Congratulates Jim and Virginia Kintz on their 50th wedding anniversary.

HOUSE RESOLUTION 311

Offered by Representative Reitz:
Congratulates Leo Clyde Franklin for his service to the country, to his comrades, and to his community.

HOUSE RESOLUTION 312

Offered by Representative Bellock:
Congratulates Mark Buehrle of the Chicago White Sox on his no-hitter against the Texas Rangers on April 18, 2007.

HOUSE RESOLUTION 313

Offered by Representative Bellock:
Congratulates Loyola University Chicago on the creation of the Center for Public Service and the acquisition of the congressional papers and archives of retired Congressman Henry J. Hyde.

HOUSE RESOLUTION 314

Offered by Representative Hoffman:
Congratulates the Collinsville High School Drill Team on winning the Illinois Drill Team Association State Competition in AAA Kick.

HOUSE RESOLUTION 316

Offered by Representative Mulligan:
Honors the Des Plaines Public Library's 100th anniversary.

**ADJOURNMENT RESOLUTION
HOUSE JOINT RESOLUTION 50**

Representative Currie offered the following resolution:

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Friday, April 20, 2007, they stand adjourned until Tuesday, April 24, 2007 at 12:00 o'clock noon.

HOUSE JOINT RESOLUTION 50 was taken up for immediate consideration.
Representative Currie moved the adoption of the resolution.
The motion prevailed and the resolution was adopted.
Ordered that the Clerk inform the Senate and ask their concurrence.

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 Wait, HOUSE BILL 274 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; 1, 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 Brady, HOUSE BILL 572 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 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.

On motion of Representative Brauer, HOUSE BILL 1832 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 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 Cole, HOUSE BILL 1242 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 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 Cross, HOUSE BILL 2858 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 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 Flowers, HOUSE BILL 1759 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; 1, 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.

On motion of Representative Fritchey, HOUSE BILL 419 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: 102, Yeas; 4, Nays; 6, 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 Golar, HOUSE BILL 3383 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: 97, Yeas; 15, 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 Harris, HOUSE BILL 1286 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; 2, 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 Granberg, HOUSE BILL 3638 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: 100, Yeas; 11, Nays; 1, 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 Hassert, HOUSE BILL 39 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: 71, Yeas; 34, Nays; 7, 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.

On motion of Representative Holbrook, HOUSE BILL 614 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; 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 Howard, HOUSE BILL 1639 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: 89, Yeas; 19, 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 Joyce, HOUSE BILL 1835 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: 78, Yeas; 25, Nays; 5, 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 Jefferies, HOUSE BILL 948 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: 107, Yeas; 2, Nays; 0, 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 Lang, HOUSE BILL 1753 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: 68, Yeas; 40, 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.

On motion of Representative Lang, HOUSE BILL 1752 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; 0, 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 Mathias, HOUSE BILL 1327 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; 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 Jerry Mitchell, HOUSE BILL 822 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: 102, Yeas; 5, Nays; 2, 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 Munson, HOUSE BILL 1235 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; 0, 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 Myers, HOUSE BILL 290 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 108, Yeas; 0, Nays; 1, 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 Myers, HOUSE BILL 291 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; 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 Ryg, HOUSE BILL 1717 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; 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 Younge, HOUSE BILL 1580 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; 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 Currie, HOUSE BILL 556 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; 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.

RECALL

At the request of the principal sponsor, Representative Reitz, HOUSE BILL 282 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 1900. 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 1900 by replacing the title with the following:

"AN ACT concerning roadside markers."; and

by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Roadside Memorial Act.

Section 5. Purpose of the Roadside Memorial program. The Roadside Memorial program is intended to raise public awareness of impaired driving by emphasizing the dangers while affording families an opportunity to remember the victims of crashes involving impaired drivers.

Section 10. Definitions. As used in this Act:

"Department" means the Department of Transportation.

"DUI memorial marker" means a marker on a highway in this State commemorating one or more persons who died as a proximate result of a crash caused by a driver under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof.

"Qualified relative" means: an immediate relative of the deceased, by marriage, blood, or adoption, such as his or her spouse, son, daughter, mother, father, sister, or brother; a stepmother, stepfather, stepbrother, or stepsister of the deceased; or a person with whom the deceased was in a domestic partnership or civil union as recognized by a State or local law or ordinance.

"Supporting jurisdiction" means the Department or any municipality, township, or county that establishes a Roadside Memorial program within its jurisdictional area.

Section 15. Participation in the Roadside Memorial program.

(a) A qualified relative of a victim may request a DUI memorial marker of a supporting jurisdiction in a format developed by the supporting jurisdiction. The supporting jurisdiction shall have sole responsibility for determining whether a request for a DUI memorial marker is rejected or accepted.

(b) An application for a DUI memorial marker may be submitted by a qualified relative with regard to any crash that occurred on or after January 1, 2003.

(c) If there is any opposition to the placement of the a DUI memorial marker by any qualified relative of any decedent involved in the crash, the supporting jurisdiction shall deny the request.

(d) The supporting jurisdiction shall deny the request or, if a DUI memorial marker has already been installed, may remove the marker, if the qualified relative has provided false or misleading information in the application.

(e) The qualified relative shall agree not to place or encourage the placement of flowers, pictures, or other items at the crash site.

(f) A DUI memorial marker shall not be erected for a deceased driver involved in a fatal crash who is shown by toxicology reports to have been in violation of State DUI law, unless the next of kin of any other victim or victims killed in the crash consent in writing to the erection of the memorial marker.

Section 20. DUI memorial markers.

(a) A DUI memorial marker shall consist of a white on blue panel bearing the message "Please Don't Drink and Drive". At the request of the qualified relative, a separate panel bearing the words "In Memory of (victim's name)", followed by the date of the crash that was the proximate cause of the loss of the victim's life, shall be mounted below the primary panel.

(b) A DUI memorial marker may memorialize more than one victim who died as a result of the same DUI-related crash. If of one or more additional, unrelated DUI deaths subsequently occur in close proximity to an existing DUI memorial marker, the supporting jurisdiction may use the same marker to memorialize the subsequent death or deaths, by adding the names of the additional persons.

(c) A DUI memorial marker shall be maintained for at least 2 years from the date the last person was memorialized on the marker.

(d) The supporting jurisdiction has the right to install a marker at a location other than the location of the crash or to relocate a marker due to restricted room, property owner complaints, interference with essential traffic control devices, safety concerns, or other restrictions. In such cases, the sponsoring jurisdiction may select an alternate location.

(e) The Department shall secure the consent of any municipality before placing a DUI memorial marker within the corporate limits of the municipality.

(f) A fee in an amount to be determined by the supporting jurisdiction may be charged to the qualified relative. The fee shall not exceed the costs associated with the fabrication, installation, and maintenance of the DUI memorial marker.

Section 25. Rules. The Department shall adopt rules regarding implementation of this Act. These rules shall be consistent with this Act and with federal regulations.

Section 99. Effective date. This Act takes effect January 1, 2008."

Representative Mendoza offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 1900, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 1, line 4, by replacing "markers." with "markers, which may be referred to as Tina's Law."; and on page 2, by replacing lines 19 through 21 with the following:

"(a) A qualified relative of a victim may make a request for the installation of a memorial marker in a supporting jurisdiction using an application developed by the supporting jurisdiction. The supporting"; and on page 4, by replacing line 4 with the following:
"one or more additional DUI crash deaths subsequently".

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 306. 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 306 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by changing Section 26-4 as follows:

(720 ILCS 5/26-4) (from Ch. 38, par. 26-4)

Sec. 26-4. Unauthorized video recording and live video transmission.

(a) It is unlawful for any person to knowingly make a video record or transmit live video of another person without that person's consent in a restroom, ~~tanning bed, tanning salon~~, locker room, changing room, or hotel bedroom.

(a-4) It is unlawful for any person to knowingly make a video record or transmit live video of another person without that person's consent in a tanning bed or tanning salon.

(a-5) It is unlawful for any person to knowingly make a video record or transmit live video of another person in that other person's residence without that person's consent.

(a-10) It is unlawful for any person to knowingly make a video record or transmit live video of another

person under or through the clothing worn by that other person for the purpose of viewing the body of or the undergarments worn by that other person without that person's consent.

(a-15) It is unlawful for any person to place or cause to be placed a device that makes a video record or transmits a live video in a restroom, tanning bed, tanning salon, locker room, changing room, or hotel bedroom with the intent to make a video record or transmit live video of another person without that person's consent.

(a-20) It is unlawful for any person to place or cause to be placed a device that makes a video record or transmits a live video with the intent to make a video record or transmit live video of another person in that other person's residence without that person's consent.

(a-25) It is unlawful for any person to, by any means, knowingly disseminate, or permit to be disseminated, a video record or live video that he or she knows to have been made or transmitted in violation of (a), (a-5), (a-10), (a-15), or (a-20).

(b) Exemptions. The following activities shall be exempt from the provisions of this Section:

(1) The making of a video record or transmission of live video by law enforcement officers pursuant to a criminal investigation, which is otherwise lawful;

(2) The making of a video record or transmission of live video by correctional officials for security reasons or for investigation of alleged misconduct involving a person committed to the Department of Corrections.

(3) The making of a video record or transmission of live video in a locker room by a reporter or news medium, as those terms are defined in Section 8-902 of the Code of Civil Procedure, where the reporter or news medium has been granted access to the locker room by an appropriate authority for the purpose of conducting interviews.

(c) The provisions of this Section do not apply to any sound recording or transmission of an oral conversation made as the result of the making of a video record or transmission of live video, and to which Article 14 of this Code applies.

(d) Sentence.

(1) A violation of subsection (a), (a-10), (a-15), or (a-20) is a Class A misdemeanor.

(2) A violation of subsection (a-4) or (a-5) is a Class 4 felony.

(3) A violation of subsection (a-25) is a Class 3 felony.

(4) A violation of subsection (a), (a-5), (a-10), (a-15) or (a-20) is a Class 3 felony if the victim is a person under 18 years of age or if the violation is committed by an individual who is required to register as a sex offender under the Sex Offender Registration Act.

(5) A violation of subsection (a-25) is a Class 2 felony if the victim is a person under 18 years of age or if the violation is committed by an individual who is required to register as a sex offender under the Sex Offender Registration Act.

(e) For purposes of this Section, "video record" means and includes any videotape, photograph, film, or other electronic or digital recording of a still or moving visual image; and "live video" means and includes any real-time or contemporaneous electronic or digital transmission of a still or moving visual image.

(Source: P.A. 92-86, eff. 7-12-01; 93-851, eff. 1-1-05.)

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.

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 699, 1050, 1514, 1519 and 1551.

HOUSE BILL 951. 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 951 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-15 as follows:

(20 ILCS 2310/2310-15) (was 20 ILCS 2310/55.02)

Sec. 2310-15. General supervision of health; delegation to certified local health departments ~~boards of health~~. To have the general supervision of the interests of the health and lives of the people of the State and to exercise the rights, powers, and duties of those Acts that it is by law authorized to enforce. The Department shall have the general authority to delegate to certified local health departments ~~county and multiple county boards of health~~ the duties and powers under those Acts it is authorized to enforce for the purpose of local administration and enforcement. Upon accepting the delegation of duties and powers, ~~certified local health departments county and multiple county boards of health~~ shall administer and enforce the minimum program standards promulgated by the Department under the provisions of those Acts. Certified local health departments ~~County and multiple county boards of health~~ may establish reasonable fees for the permits, licenses, or other activities performed under the delegation agreement. Upon delegation of duties and powers, the ~~The~~ Department may waive any portion of its fees established by statute or rule ~~if the county or multiple county board of health accepts the delegation~~. (Source: P.A. 91-239, eff. 1-1-00.)".

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 855, 1026, 1270, 1878 and 1998.

HOUSE BILL 1637. 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 1637 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 10-30 as follows:

(35 ILCS 200/10-30)

Sec. 10-30. Subdivisions; counties of less than 3,000,000.

(a) In counties with less than 3,000,000 inhabitants, the platting and subdivision of property into separate lots and the development of the subdivided property with streets, sidewalks, curbs, gutters, sewer, water and utility lines shall not increase the assessed valuation of all or any part of the property, if:

- (1) The property is platted and subdivided in accordance with the Plat Act;
- (2) The platting occurs after January 1, 1978;
- (3) At the time of platting the property is in excess of 5 ~~10~~ acres; and
- (4) At the time of platting the property is vacant or used as a farm as defined in Section 1-60.

(b) Except as provided in subsection (c) of this Section, the assessed valuation of property so platted and subdivided shall be determined each year based on the estimated price the property would bring at a fair voluntary sale for use by the buyer for the same purposes for which the property was used when last assessed prior to its platting.

(c) Upon completion of a habitable structure on any lot of subdivided property, or upon the use of any lot, either alone or in conjunction with any contiguous property, for any business, commercial or residential purpose, or upon the initial sale of any platted lot, including a platted lot which is vacant: (i) the provisions of subsection (b) of this Section shall no longer apply in determining the assessed valuation of the lot, (ii) each lot shall be assessed without regard to any provision of this Section, and (iii) the assessed valuation of the remaining property, when next determined, shall be reduced proportionately to reflect the exclusion of the property that no longer qualifies for valuation under this Section. Holding or offering a platted lot for initial sale shall not constitute a use of the lot for business, commercial or residential purposes unless a habitable structure is situated on the lot or unless the lot is otherwise used for a business, commercial or residential purpose.

(Source: P.A. 83-837; 88-455.)".

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 1638. Having been reproduced, was taken up and read by title a second time. Representative Moffitt offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1638 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois Prescribed Burning Act.

Section 5. Legislative findings; purpose.

(a) Prescribed burning is a land management tool that benefits the safety of the public, the environment, and the economy of the State. Therefore, the General Assembly finds that:

(1) Most of the State's natural communities require periodic fire for maintenance of their ecological health. Prescribed burning is essential to the perpetuation, restoration, and management of many plant and animal communities. Significant loss of the State's biological diversity will occur if fire is excluded from these fire-dependent communities.

(2) Public agencies and non-governmental organizations in the State have spent millions of dollars to purchase hundreds of thousands of acres of land for parks, wildlife areas, State forests, nature preserves and other outdoor recreational purposes. The use of prescribed burning for management of these public and private lands is essential to maintain the specific resource values for which these areas were acquired.

(3) Forests, grasslands, and wetlands in the State constitute significant economic, biological, and aesthetic resources of statewide importance. Prescribed burning prepares sites for planting, removes undesirable competing vegetation, accelerates nutrient cycling, controls certain pathogens and noxious weeds, and promotes oak regeneration. In these communities, prescribed burning improves and maintains the quality and quantity of wildlife habitats.

(4) Prescribed burning reduces naturally occurring vegetative fuels. Reducing the fuel load reduces the risk and severity of wildfires, thereby reducing the threat of loss of life and property.

(5) Federal and State agencies promote and subsidize fire dependent vegetative communities and recommend prescribed burning as an essential management practice for many funded programs.

(6) Proper training in the purposes, use, and application of prescribed burning is necessary to ensure maximum benefits and protection for the public.

(7) Prescribed burning in the hands of trained, skilled, and experienced people is safe and often the most cost effective management technique to accomplish many ecosystem restoration objectives and ecological goals.

(8) A public education program is necessary to make citizens and visitors aware of the public safety, natural resource, and economic benefits of prescribed burning and its use as a land management tool.

(9) As development and urbanization increase in the State, pressures from liability issues, and nuisance complaints will inhibit the use of prescribed burning.

(b) It is the purpose of this Act to authorize and to promote the continued use of prescribed burning for ecological, forest, wetland, wildlife management, and grassland management purposes.

Section 10. Definitions. As used in this Act:

(a) "Prescribed burning" means the planned application of fire to naturally occurring vegetative fuels under specified environmental conditions and following appropriate precautionary measures, which causes the fire to be confined to a predetermined area and accomplish the planned land management objectives.

(b) "Certified prescribed burn manager" means an individual who successfully completes an approved training program and receives proper certification.

(c) "Prescription" means a written plan for conducting a prescribed burn.

(d) "Department" means the Illinois Department of Natural Resources.

Section 15. Requirements; liability.

(a) Before conducting a prescribed burn under this Act, a person shall:

(1) obtain the written consent of the landowner;

(2) have a written prescription approved by a certified prescribed burn manager;

(3) have at least one certified prescribed burn manager present on site with a copy of

- the prescription while the burn is being conducted;
 - (4) notify the local fire department, county dispatcher, 911 dispatcher, or other designated emergency dispatcher on the day of the prescribed burn; and
 - (5) make a reasonable attempt to notify all adjoining property owners and occupants of the date and time of the prescribed burn.
- (b) The property owner and any person conducting a prescribed burn under this Act shall be liable for any actual damage or injury caused by the fire or resulting smoke upon proof of negligence.
- (c) Any prescribed burning conducted under this Act:
- (1) is declared to be in the public interest;
 - (2) does not constitute a public or private nuisance when conducted in compliance with Section 9 of the Environmental Protection Act and all other State statutes and rules applicable to prescribed burning; and
 - (3) is a property right of the property owner if naturally occurring vegetative fuels are used.

Section 20. Rules. The Department, in consultation with the Office of the State Fire Marshall, shall promulgate rules to implement this Act, including but not limited to, rules governing prescribed burn manager certification and revocation and rules governing prescribed burn prescriptions.

Section 25. Exemption. Nothing in this Act shall be construed as:

- (1) requiring certification as a prescribed burn manager to conduct prescribed burning on one's own property or on the lands of another with the landowner's permission; Section 15(b) shall not apply to prescribed burns conducted under the exemption in this item (1);
- (2) affecting any obligations or liability under the Environmental Protection Act or any rules adopted thereunder, or under any federal laws or rules that apply to prescribed burning; or
- (3) superseding any local burning law.

Section 30. Fees. The Department may charge and collect fees from persons applying for safety training and certification as a certified prescribed burn manager.

Section 35. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

AMENDMENT NO. 1. Amend House Bill 954 as follows:
on page 1, line 7, by replacing "disease. The" with "disease. Subject to appropriation, the".

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 1116. 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 1116 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 3-808.1 as follows:
(625 ILCS 5/3-808.1) (from Ch. 95 1/2, par. 3-808.1)

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

1. Vehicles, other than medical transport vehicles, owned and operated by the State of Illinois or by any State agency financed by funds appropriated by the General Assembly;
 2. Special disability plates issued to vehicles owned and operated by the State of Illinois or by any State agency financed by funds appropriated by the General Assembly.
- (b) Permanent vehicle registration plates shall be issued, for a one time fee of \$8.00, to the following:
1. Vehicles, other than medical transport vehicles, operated by or for any county, township or municipal corporation;
 2. Vehicles owned by counties, townships or municipal corporations for persons with disabilities.
 3. Beginning with the 1991 registration year, county-owned vehicles operated by or for any county sheriff and designated deputy sheriffs. These registration plates shall contain the specific county code and unit number.
 4. All-terrain vehicles owned by counties, townships, or municipal corporations and used for law enforcement purposes when the Manufacturer's Statement of Origin is accompanied with a letter from the original manufacturer or a manufacturer's franchised dealer stating that this all-terrain vehicle has been converted to a street worthy vehicle that meets the equipment requirements set forth in Chapter 12 of this Code.
 5. Beginning with the 2001 registration year, municipally-owned vehicles operated by or for any police department. These registration plates shall contain the designation "municipal police" and shall be numbered and distributed as prescribed by the Secretary of State.
 6. Beginning with the 2008 registration year, vehicles owned by the fire department of a municipality or a fire protection district, or owned by a chief officer of the fire department if the chief officer is authorized by the corporate authorities of the municipality or fire protection district to use the vehicle as an emergency response vehicle. There shall appear on these plates, in addition to the designation of the State and the year for which the license plate was issued, the letters FD displayed vertically on the left side of the plate, followed by the Mutual Aid Box Alarm System Division number of the fire department and the radio signature number of the vehicle, followed in the next line by the words "Fire Department".
(Source: P.A. 94-619, eff. 1-1-06.)"

Representative Cultra offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 1116, AS AMENDED, with reference to page and line numbers of House Amendment No.1, on page 3, by replacing lines 1 through 5 with the following: "protection district, or owned by the chief of the fire department or the chief's first deputy officer, if (i) the chief or the chief's first deputy officer is authorized by the corporate authorities of the municipality or fire protection district to use the vehicle as an emergency response vehicle and (ii) the fire department does not provide a vehicle for the chief or the chief's first deputy officer. There shall appear on these plates, in".

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

Representative Brady offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 957, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 1, lines 11 and 12, by deleting "in another jurisdiction."

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 1475. 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 1475, on page 1, line 5, by replacing "Sections 6-206 and 11-1414" with "Section 11-1414"; and
on page 1, by deleting lines 6 through 23; and
by deleting pages 2 through 14; and
on page 18, line 15, by replacing "driving privileges of the owner" with "vehicle registration".

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

The following amendment was offered in the Committee on Disability Services, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 982 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Sections 5-2.05 and 12-4.36 as follows:

(305 ILCS 5/5-2.05)

Sec. 5-2.05. Children with disabilities ~~Disabled children.~~

(a) The Department of Healthcare and Family Services, in conjunction with the Department of Human Services, Public Aid may offer, to children with developmental disabilities or children with severe mental illness or severe emotional disorders ~~and severely mentally ill or emotionally disturbed children~~ who otherwise would not qualify for medical assistance under this Article due to family income, home-based and community-based services instead of institutional placement, as allowed under paragraph 7 of Section 5-2.

(b) The Department of Healthcare and Family Services, Public Aid, in conjunction with the Department of Human Services and the Division of Specialized Care for Children, University of Illinois-Chicago, shall submit a bi-annual ~~also~~ report to the Governor and the General Assembly no later than January 1 of every even-numbered year beginning in 2008 ~~, 2004~~ regarding the status of existing services offered under paragraph 7 of Section 5-2. This report shall include, but not be limited to, the following information:

~~(1) The number of persons eligible for these services.~~

~~(2) The number of persons who applied for these services.~~

~~(1) (3) The number of persons who currently receive these services.~~

~~(2) (4) The nature, scope, and cost of services provided under paragraph 7 of Section 5-2.~~

~~(3) (5) The comparative cost of providing those services in a hospital, skilled nursing facility, or intermediate care facility.~~

~~(4) (6) The funding sources for the provision of services, including federal financial participation.~~

~~(5) (7) The qualifications, skills, and availability of caregivers for children receiving services.~~

(6) The number of children who have aged out of the services offered under paragraph 7 of Section 5-2 during the 2 years immediately preceding the report.

The report shall also include information regarding the extent to which the existing programs could provide coverage for children with developmental disabilities or children with severe mental illness or severe emotional disorders ~~mentally disabled children~~ who are currently being provided services in an institution who could otherwise be served in a less-restrictive, community-based setting for the same or a lower cost. The report may be submitted as part of the report required by subsection (e) of Section 12-4.36 of this Code during the existence of the pilot program authorized by that Section.

(Source: P.A. 93-599, eff. 8-26-03; revised 12-15-05.)

(305 ILCS 5/12-4.36)

Sec. 12-4.36. Pilot program for persons who are medically fragile and technology-dependent.

(a) Subject to appropriations for the first fiscal year of the pilot program beginning July 1, 2006, the

Department of Human Services, in cooperation with the Department of Healthcare and Family Services, shall adopt rules to initiate a 3-year pilot program to (i) test a standardized assessment tool for persons who are medically fragile and technology-dependent who may be provided home and community-based services to meet their medical needs rather than be provided care in an institution not solely because of a severe mental or developmental impairment and (ii) provide appropriate home and community-based medical services for such persons as provided in subsection (c) of this Section. The Department of Human Services may administer the pilot program until June 30, 2010 ~~2009~~ if the General Assembly annually appropriates funds for this purpose.

(b) Notwithstanding any other provisions of this Code, the rules implementing the pilot program shall provide for criteria, standards, procedures, and reimbursement for services that are not otherwise being provided in scope, duration, or amount through any other program administered by any Department of Human Services or any other agency of the State for these medically fragile, technology-dependent persons. At a minimum, the rules shall include the following:

(1) A requirement that a pilot program participant be eligible for medical assistance under this Code, a citizen of the United States, or an individual who is lawfully residing permanently in the United States, and a resident of Illinois.

(2) A requirement that a standardized assessment for medically fragile, technology-dependent persons will establish the level of care and the service-cost maximums.

(3) A requirement for a determination by a physician licensed to practice medicine in all its branches (i) that, except for the provision of home and community-based care, these individuals would require the level of care provided in an institutional setting and (ii) that the necessary level of care can be provided safely in the home and community through the provision of medical support services.

(4) A requirement that the services provided be medically necessary and appropriate for the level of functioning of the persons who are participating in the pilot program.

(5) Provisions for care coordination and family support services that will enable the person to receive services in the most integrated setting possible appropriate to his or her medical condition and level of functioning.

(6) The frequency of assessment and plan-of-care reviews.

(7) The family or guardian's active participation as care givers in meeting the individual's medical needs.

(8) The estimated cost to the State for in-home care, as compared to the institutional level of care appropriate to the individual's medical needs, may not exceed 100% of the institutional care as indicated by the standardized assessment tool.

(9) When determining the hours of medically necessary support services needed to maintain the individual at home, consideration shall be given to the availability of other services, including direct care provided by the individual's family or guardian that can reasonably be expected to meet the medical needs of the individual.

(c) During the pilot program, an individual who has received services pursuant to paragraph 7 of Section 5-2 of this Code, but who no longer ~~receives~~ ~~receive~~ such services because he or she has reached the age of 21, may be provided additional services pursuant to rule if the Department of Human Services, Division of Rehabilitation Services, determines from completion of the assessment tool for that individual that the exceptional care rate established by the Department of Healthcare and Family Services under Section 5-5.8a of this Code is not sufficient to cover the medical needs of the individual under the home and community-based services (HCBS) waivers for persons with disabilities.

(d) The Department of Human Services is authorized to lower the payment levels established under this Section or take such other actions, including, without limitation, cessation of enrollment, reduction of available medical services, and changing standards for eligibility, that are deemed necessary by the Department during a State fiscal year to ensure that payments under this Section do not exceed available funds. These changes may be accomplished by emergency rulemaking under Section 5-45 of the Illinois Administrative Procedure Act, except that the limitation on the number of emergency rules that may be adopted in a 24-month period shall not apply.

(e) The Department of Human Services must make an annual report to the Governor and the General Assembly with respect to the persons eligible for medical assistance under this pilot program. The report must cover the State fiscal year ending on June 30 of the preceding year. The first report is due by January 1, 2008. The report must include the following information for the fiscal year covered by the report:

(1) The number of persons who were evaluated through the assessment tool under this pilot program.

- (2) The number of persons who received services not available under the home and community-based services (HCBS) waivers for persons with disabilities under this pilot program.
- (3) The number of persons whose services were reduced under this pilot program.
- (4) The nature, scope, and cost of services provided under this pilot program.
- (5) The comparative costs of providing those services in other institutions.
- (6) The Department's progress in establishing an objective, standardized assessment tool for the HCBS waiver that assesses the medical needs of medically fragile, technology-dependent adults.
- (7) Recommendations for the funding needed to expand this pilot program to all medically fragile, technology-dependent individuals in HCBS waivers.
- (8) Participant experience survey information for persons with disabilities who are participating in this pilot program and for persons with disabilities who are not participating in this pilot program but who are currently receiving services under the home and community-based services (HCBS) waiver and who have received services under paragraph 7 of Section 5-2 of this Code.

(Source: P.A. 94-838, eff. 6-6-06.)

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 1784. 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 1784 as follows:
on page 1, line 4, by replacing "Sections" with "Section"; and
on page 1, line 5, by deleting "and 18-11"; and
by deleting line 19 on page 5 through line 9 on page 10.

Representative Eddy offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 1784 on page 3, line 14, by deleting "14-3.01b"; and on page 3, line 15, by replacing "14-7.02a," with "14-7.02b."

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 224. 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 Lindner offered the following amendment and moved its adoption.

AMENDMENT NO. 3. Amend House Bill 224 on page 1, line 21, after "counties of", by inserting "Will".

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.

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 134 and 3416.

HOUSE BILL 403. 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 403 by replacing everything after the enacting clause with the following:

"Section 5. The Use Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 105/3-5) (from Ch. 120, par. 439.3-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Personal property purchased by a governmental body, by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or by a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active exemption identification number issued by the Department.

(5) Until July 1, 2003, a passenger car that is a replacement vehicle to the extent that the purchase price of the car is subject to the Replacement Vehicle Tax.

(6) Until July 1, 2003 and beginning again on September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order, certified by the purchaser to be used primarily for graphic arts production, and including machinery and equipment purchased for lease. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(7) Farm chemicals.

(8) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(9) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(10) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(11) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons

required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (11). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (11) is exempt from the provisions of Section 3-90.

(12) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(13) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages purchased at retail from a retailer, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(14) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(15) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(16) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(17) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(18) Manufacturing and assembling machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether that sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether that sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(19) Personal property delivered to a purchaser or purchaser's donee inside Illinois when the purchase order for that personal property was received by a florist located outside Illinois who has a florist located inside Illinois deliver the personal property.

(20) Semen used for artificial insemination of livestock for direct agricultural production.

(21) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(22) Computers and communications equipment utilized for any hospital purpose and equipment used in

the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(23) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(24) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(25) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(26) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" or an "exotic game hunting area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 3-90.

(27) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(28) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising

entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-90.

(29) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-90.

(30) Beginning January 1, 2001 and through June 30, 2011, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(31) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(32) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(33) On and after July 1, 2003 and through June 30, 2004, the use in this State of motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds and that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, the term "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise, whether for-hire or not.

(34) Beginning January 1, 2008, tangible personal property used in the construction, maintenance, or operation of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under

Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-90.

(Source: P.A. 93-23, eff. 6-20-03; 93-24, eff. 6-20-03; 93-840, eff. 7-30-04; 93-1033, eff. 9-3-04; 94-1002, eff. 7-3-06.)

Section 10. The Service Use Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 110/3-5) (from Ch. 120, par. 439.33-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a non-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-75.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages acquired as an incident to the purchase of a service from a serviceman, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Proceeds from the sale of photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Semen used for artificial insemination of livestock for direct agricultural production.

(14) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(15) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(16) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(17) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges,

sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(19) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" or an "exotic game hunting area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 3-75.

(20) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(21) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-75.

(22) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-75.

(23) Beginning August 23, 2001 and through June 30, 2011, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section

1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(26) Beginning January 1, 2008, tangible personal property used in the construction, maintenance, or operation of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-75.

(Source: P.A. 93-24, eff. 6-20-03; 93-840, eff. 7-30-04; 94-1002, eff. 7-3-06.)

Section 15. The Service Occupation Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 115/3-5) (from Ch. 120, par. 439.103-5)

Sec. 3-5. Exemptions. The following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by any not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil

testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-55.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Beginning January 1, 1992 and through June 30, 2011, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(14) Semen used for artificial insemination of livestock for direct agricultural production.

(15) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(16) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(17) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(19) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a

State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(20) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" or an "exotic game hunting area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 3-55.

(21) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(22) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-55.

(23) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-55.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(26) Beginning on January 1, 2002 and through June 30, 2011, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (26). The permit issued under this paragraph (26) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(27) Beginning January 1, 2008, tangible personal property used in the construction, maintenance, or operation of a community water supply, as defined under Section 3.145 of the Environmental Protection

Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 3-55.

(Source: P.A. 93-24, eff. 6-20-03; 93-840, eff. 7-30-04; 94-1002, eff. 7-3-06.)

Section 20. The Retailers' Occupation Tax Act is amended by changing Section 2-5 as follows:

(35 ILCS 120/2-5) (from Ch. 120, par. 441-5)

Sec. 2-5. Exemptions. Gross receipts from proceeds from the sale of the following tangible personal property are exempt from the tax imposed by this Act:

(1) Farm chemicals.

(2) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (2). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed, if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 2-70.

(3) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(4) Until July 1, 2003 and beginning again September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(5) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Until July 1, 2003, proceeds of that portion of the selling price of a passenger car the sale of which is subject to the Replacement Vehicle Tax.

(8) Personal property sold to an Illinois county fair association for use in conducting, operating, or promoting the county fair.

(9) Personal property sold to a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the

effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(10) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(11) Personal property sold to a governmental body, to a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or to a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active identification number issued by the Department.

(12) Tangible personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce or to lessors under leases of one year or longer executed or in effect at the time of purchase by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(12-5) On and after July 1, 2003 and through June 30, 2004, motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. Beginning on July 1, 2004 and through June 30, 2005, the use in this State of motor vehicles of the second division: (i) with a gross vehicle weight rating in excess of 8,000 pounds; (ii) that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code; and (iii) that are primarily used for commercial purposes. Through June 30, 2005, this exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act. For purposes of this paragraph, "used for commercial purposes" means the transportation of persons or property in furtherance of any commercial or industrial enterprise whether for-hire or not.

(13) Proceeds from sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(14) Machinery and equipment that will be used by the purchaser, or a lessee of the purchaser, primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether the sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether the sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(15) Proceeds of mandatory service charges separately stated on customers' bills for purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(16) Petroleum products sold to a purchaser if the seller is prohibited by federal law from charging tax to the purchaser.

(17) Tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(18) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(19) Until July 1 2003, oil field exploration, drilling, and production equipment, including (i) rigs and

parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(20) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(21) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(22) Fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(23) A transaction in which the purchase order is received by a florist who is located outside Illinois, but who has a florist located in Illinois deliver the property to the purchaser or the purchaser's donee in Illinois.

(24) Fuel consumed or used in the operation of ships, barges, or vessels that are used primarily in or for the transportation of property or the conveyance of persons for hire on rivers bordering on this State if the fuel is delivered by the seller to the purchaser's barge, ship, or vessel while it is afloat upon that bordering river.

(25) Except as provided in item (25-5) of this Section, a motor vehicle sold in this State to a nonresident even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred is prima facie evidence that the motor vehicle will not be titled in this State.

(25-5) The exemption under item (25) does not apply if the state in which the motor vehicle will be titled does not allow a reciprocal exemption for a motor vehicle sold and delivered in that state to an Illinois resident but titled in Illinois. The tax collected under this Act on the sale of a motor vehicle in this State to a resident of another state that does not allow a reciprocal exemption shall be imposed at a rate equal to the state's rate of tax on taxable property in the state in which the purchaser is a resident, except that the tax shall not exceed the tax that would otherwise be imposed under this Act. At the time of the sale, the purchaser shall execute a statement, signed under penalty of perjury, of his or her intent to title the vehicle in the state in which the purchaser is a resident within 30 days after the sale and of the fact of the payment to the State of Illinois of tax in an amount equivalent to the state's rate of tax on taxable property in his or her state of residence and shall submit the statement to the appropriate tax collection agency in his or her state of residence. In addition, the retailer must retain a signed copy of the statement in his or her records. Nothing in this item shall be construed to require the removal of the vehicle from this state following the filing of an intent to title the vehicle in the purchaser's state of residence if the purchaser titles the vehicle in his or her state of residence within 30 days after the date of sale. The tax collected under this Act in accordance with this item (25-5) shall be proportionately distributed as if the tax were collected at the 6.25% general rate imposed under this Act.

(26) Semen used for artificial insemination of livestock for direct agricultural production.

(27) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(28) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(29) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(30) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years

ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(31) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(32) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" or an "exotic game hunting area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 2-70.

(33) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(34) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 2-70.

(35) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 2-70.

(35-5) Beginning August 23, 2001 and through June 30, 2011, food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(36) Beginning August 2, 2001, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(37) Beginning August 2, 2001, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(38) Beginning on January 1, 2002 and through June 30, 2011, tangible personal property purchased

from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (38). The permit issued under this paragraph (38) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(39) Beginning January 1, 2008, tangible personal property used in the construction, maintenance, or operation of a community water supply, as defined under Section 3.145 of the Environmental Protection Act, that is operated by a not-for-profit corporation that holds a valid water supply permit issued under Title IV of the Environmental Protection Act. This paragraph is exempt from the provisions of Section 2-70.

(Source: P.A. 93-23, eff. 6-20-03; 93-24, eff. 6-20-03; 93-840, eff. 7-30-04; 93-1033, eff. 9-3-04; 93-1068, eff. 1-15-05; 94-1002, eff. 7-3-06.)"

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

The following amendment was offered in the Committee on Environment & Energy, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 31, on page 1, line 5, after "15-111," by inserting "15-112,"; and
 on page 19, by replacing lines 15 through 17 with the following:
 "weight"; and
 on page 19, by replacing lines 23 through 25 with the following:
 "weight"; and
 on page 20, below line 9, by inserting the following:

"(7) Any vehicle utilizing an auxiliary power or idle reduction technology unit in order to promote reduction of fuel use and emissions because of engine idling shall be allowed an additional 400 pounds total to the gross, axle, tandem, or bridge formula weight limits defined in Section 15-111 of this Code, and to registered weights found in Chapter 3 of this Code. To be eligible for this exception, the operator of the vehicle must be able to prove, by written certification, the weight of the auxiliary power unit (APU) and to demonstrate or certify the idle reduction technology is fully functional at all times.

Certification of the weight of the APU must be available to law enforcement officers if the vehicle is found in violation of applicable weight laws. The weight allowed cannot exceed 400 pounds or the weight certified, whichever is less. APU weights shall not be considered in the calculation of any tolerances allowed by Section 15-112 of this Code."; and

on page 36, by deleting lines 9 through 20; and
 on page 37, by replacing lines 21 through 24 with the following:
 "weight but not exceeding 80,000 pounds is allowed"; and
 on page 38, below line 15, by inserting the following:

"(g-1) Any vehicle utilizing an auxiliary power or idle reduction technology unit in order to promote reduction of fuel use and emissions because of engine idling shall be allowed an additional 400 pounds total to the gross, axle, tandem, or bridge formula weight limits defined in this Section, and to registered weights found in Chapter 3 of this Code. To be eligible for this exception, the operator of the vehicle must be able to prove, by written certification, the weight of the auxiliary power unit (APU) and to demonstrate or certify the idle reduction technology is fully functional at all times.

Certification of the weight of the APU must be available to law enforcement officers if the vehicle is found in violation of applicable weight laws. The weight allowed cannot exceed 400 pounds or the weight

certified, whichever is less. APU weights shall not be considered in the calculation of any tolerances allowed by Section 15-112 of this Code."; and

on page 39, below line 10, by inserting the following:

"(625 ILCS 5/15-112) (from Ch. 95 1/2, par. 15-112)

Sec. 15-112. Officers to weigh vehicles and require removal of excess loads.

(a) Any police officer having reason to believe that the weight of a vehicle and load is unlawful shall require the driver to stop and submit to a weighing of the same either by means of a portable or stationary scales that have been tested and approved at a frequency prescribed by the Illinois Department of Agriculture, or for those scales operated by the State, when such tests are requested by the Department of State Police, whichever is more frequent. If such scales are not available at the place where such vehicle is stopped, the police officer shall require that such vehicle be driven to the nearest available scale that has been tested and approved pursuant to this Section by the Illinois Department of Agriculture. Notwithstanding any provisions of the Weights and Measures Act or the United States Department of Commerce NIST handbook 44, multi or single draft weighing is an acceptable method of weighing by law enforcement for determining a violation of Chapter 3 or 15 of this Code. Law enforcement is exempt from the requirements of commercial weighing established in NIST handbook 44.

Within 18 months after the effective date of this amendatory Act of the 91st General Assembly, all municipal and county officers, technicians, and employees who set up and operate portable scales for wheel load or axle load or both and issue citations based on the use of portable scales for wheel load or axle load or both and who have not successfully completed initial classroom and field training regarding the set up and operation of portable scales, shall attend and successfully complete initial classroom and field training administered by the Illinois Law Enforcement Training Standards Board.

(b) Whenever an officer, upon weighing a vehicle and the load, determines that the weight is unlawful, such officer shall require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the weight of the vehicle to the limit permitted under this Chapter, or to the limit permitted under the terms of a permit issued pursuant to Sections 15-301 through 15-318 and shall forthwith arrest the driver or owner. All material so unloaded shall be cared for by the owner or operator of the vehicle at the risk of such owner or operator; however, whenever a 3 or 4 axle vehicle with a tandem axle dimension greater than 72 inches, but less than 96 inches and registered as a Special Hauling Vehicle is transporting asphalt or concrete in the plastic state that exceeds axle weight or gross weight limits by less than 4,000 pounds, the owner or operator of the vehicle shall accept the arrest ticket or tickets for the alleged violations under this Section and proceed without shifting or reducing the load being transported or may shift or reduce the load under the provisions of subsection (d) or (e) of this Section, when applicable. Any fine imposed following an overweight violation by a vehicle registered as a Special Hauling Vehicle transporting asphalt or concrete in the plastic state shall be paid as provided in subsection 4 of paragraph (a) of Section 16-105 of this Code.

(c) The Department of Transportation may, at the request of the Department of State Police, erect appropriate regulatory signs on any State highway directing second division vehicles to a scale. The Department of Transportation may also, at the direction of any State Police officer, erect portable regulating signs on any highway directing second division vehicles to a portable scale. Every such vehicle, pursuant to such sign, shall stop and be weighed.

(d) Whenever any axle load of a vehicle exceeds the axle or tandem axle weight limits permitted by paragraph (a) or (f) of Section 15-111 by 2000 pounds or less, the owner or operator of the vehicle must shift or remove the excess so as to comply with paragraph (a) or (f) of Section 15-111. No overweight arrest ticket shall be issued to the owner or operator of the vehicle by any officer if the excess weight is shifted or removed as required by this paragraph.

(e) Whenever the gross weight of a vehicle with a registered gross weight of 73,280 pounds or less exceeds the weight limits of paragraph (b) or (f) of Section 15-111 of this Chapter by 2000 pounds or less, the owner or operator of the vehicle must remove the excess. Whenever the gross weight of a vehicle with a registered gross weight of 73,281 pounds or more exceeds the weight limits of paragraph (b) or (f) of Section 15-111 by 1,000 pounds or less or 2,000 pounds or less if weighed on wheel load weighers, the owner or operator of the vehicle must remove the excess. In either case no arrest ticket for any overweight violation of this Code shall be issued to the owner or operator of the vehicle by any officer if the excess weight is removed as required by this paragraph. A person who has been granted a special permit under Section 15-301 of this Code shall not be granted a tolerance on wheel load weighers.

(f) Whenever an axle load of a vehicle exceeds axle weight limits allowed by the provisions of a permit an arrest ticket shall be issued, but the owner or operator of the vehicle may shift the load so as to comply

with the provisions of the permit. Where such shifting of a load to comply with the permit is accomplished, the owner or operator of the vehicle may then proceed.

(f-1) Any vehicle utilizing an auxiliary power or idle reduction technology unit in order to promote reduction of fuel use and emissions because of engine idling shall be allowed an additional 400 pounds total to the gross, axle, tandem, or bridge formula weight limits defined in this Section, and to registered weights found in Chapter 3 of this Code. To be eligible for this exception, the operator of the vehicle must be able to prove, by written certification, the weight of the auxiliary power unit (APU); and demonstrate or certify the idle reduction technology is fully functional at all times.

Certification of the weight of the APU must be available to law enforcement officers if the vehicle is found in violation of applicable weight laws. The weight allowed cannot exceed 400 pounds or the weight certified, whichever is less. APU weights shall not be considered in the calculation of any tolerances allowed by this Section.

(g) Any driver of a vehicle who refuses to stop and submit his vehicle and load to weighing after being directed to do so by an officer or removes or causes the removal of the load or part of it prior to weighing is guilty of a business offense and shall be fined not less than \$500 nor more than \$2,000.

(Source: P.A. 91-129, eff. 7-16-99; 92-417, eff. 1-1-02.)"; and
on page 51, by replacing lines 16 through 19 with the following:

"(2) no gross weight exceeds 80,000 pounds;" and

on page 51, below line 23, by inserting the following:

"(p) Any vehicle utilizing an auxiliary power or idle reduction technology unit in order to promote reduction of fuel use and emissions because of engine idling shall be allowed an additional 400 pounds total to the gross, axle, tandem, or bridge formula weight limits defined in Section 15-111 of this Code, and to registered weights found in Chapter 3 of this Code. To be eligible for this exception, the operator of the vehicle must be able to prove, by written certification, the weight of the auxiliary power unit (APU) and to demonstrate or certify the idle reduction technology is fully functional at all times.

Certification of the weight of the APU must be available to law enforcement officers if the vehicle is found in violation of applicable weight laws. The weight allowed cannot exceed 400 pounds or the weight certified, whichever is less. APU weights shall not be considered in the calculation of any tolerances allowed by 15-112 of this Code."

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.

RECALLS

At the request of the principal sponsor, Representative Joyce, HOUSE BILL 1728 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Flider, HOUSE BILL 1119 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 1839.

HOUSE BILL 1842. Having been read by title a second time on March 27, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Hamos offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1842 as follows:
on page 3, line 20, after "any", by inserting "new"; and
on page 3, line 24, by replacing "~~commercial~~" with "commercial"; and

on page 4, line 23, by replacing "(Blank)" with "Additions, alterations, renovations, or repairs to existing residential structures".

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 1797.

RECALL

At the request of the principal sponsor, Representative Osterman, HOUSE BILL 1797 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 613. Having been read by title a second time on March 27, 2007, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 1 lost in the Committee on Environment & Energy.

Representative Eddy offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 613 by replacing everything after the enacting clause with the following:

"Section 5. The Private Sewage Disposal Licensing Act is amended by changing Section 4 as follows: (225 ILCS 225/4) (from Ch. 111 1/2, par. 116.304)

Sec. 4. (a) After January 1, 1974, no person or private sewage disposal system contractor may construct, install, modify, repair, maintain, or service a private sewage disposal system or transport and dispose of waste removed therefrom, in such a manner that does not comply with the requirements of this Act and the private sewage disposal code promulgated hereunder by the Department. A person who owns and occupies a single family dwelling and who constructs, installs, maintains, services or cleans the private sewage disposal system which serves his single family residence shall not be required to be licensed under this Act, however, such person shall comply with all other provisions of this Act and the private sewage disposal code promulgated hereunder by the Department.

Any person who constructs, installs, repairs, modifies, or maintains a private sewage disposal system, other than a system which serves his own single family residence, shall be licensed by the Department as a Private Sewage System Installation Contractor and any person who cleans or pumps waste from a private sewage disposal system, other than a system which serves his own single family residence, or hauls or disposes of wastes removed therefrom shall be licensed by the Department as a Private Sewage Disposal System Pumping Contractor in accordance with this Act.

(b) No new private sewage disposal system shall be installed by any person until drawings, specifications and other information requested by the Department are submitted to and reviewed by the Department and found to comply with the private sewage disposal code, and until approval for the installation of such system is issued by the Department.

(c) The licensing requirements of this Act shall not apply to any person who cleans or pumps, hauls or disposes of waste from chemical toilets located in an underground coal mine. This waste shall be (i) transported to and disposed of at a sewage treatment facility permitted by the Illinois Environmental Protection Agency and located on the mine property, or (ii) stored on-site in a sanitary manner pending removal and subsequent disposal by a licensed private sewage disposal pumping contractor.

(d) Every owner of a discharging private sewage disposal system must file a permit application with the Environmental Protection Agency as required under Section 39 of the Environmental Protection Act, unless

the surface discharge from the private sewage disposal system does not enter waters of commerce, the navigable waters of the State, or surface waters that are tributary to the navigable waters of the State.

(Source: P.A. 86-1195.)

Section 10. The Environmental Protection Act is amended by changing Section 39 as follows:

(415 ILCS 5/39) (from Ch. 111 1/2, par. 1039)

Sec. 39. Issuance of permits; procedures.

(a) When the Board has by regulation required a permit for the construction, installation, or operation of any type of facility, equipment, vehicle, vessel, or aircraft, the applicant shall apply to the Agency for such permit and it shall be the duty of the Agency to issue such a permit upon proof by the applicant that the facility, equipment, vehicle, vessel, or aircraft will not cause a violation of this Act or of regulations hereunder. The Agency shall adopt such procedures as are necessary to carry out its duties under this Section. In making its determinations on permit applications under this Section the Agency may consider prior adjudications of noncompliance with this Act by the applicant that involved a release of a contaminant into the environment. In granting permits, the Agency may impose reasonable conditions specifically related to the applicant's past compliance history with this Act as necessary to correct, detect, or prevent noncompliance. The Agency may impose such other conditions as may be necessary to accomplish the purposes of this Act, and as are not inconsistent with the regulations promulgated by the Board hereunder. Except as otherwise provided in this Act, a bond or other security shall not be required as a condition for the issuance of a permit. If the Agency denies any permit under this Section, the Agency shall transmit to the applicant within the time limitations of this Section specific, detailed statements as to the reasons the permit application was denied. Such statements shall include, but not be limited to the following:

- (i) the Sections of this Act which may be violated if the permit were granted;
- (ii) the provision of the regulations, promulgated under this Act, which may be violated if the permit were granted;
- (iii) the specific type of information, if any, which the Agency deems the applicant did not provide the Agency; and
- (iv) a statement of specific reasons why the Act and the regulations might not be met if the permit were granted.

If there is no final action by the Agency within 90 days after the filing of the application for permit, the applicant may deem the permit issued; except that this time period shall be extended to 180 days when (1) notice and opportunity for public hearing are required by State or federal law or regulation, (2) the application which was filed is for any permit to develop a landfill subject to issuance pursuant to this subsection, or (3) the application that was filed is for a MSWLF unit required to issue public notice under subsection (p) of Section 39. The 90-day and 180-day time periods for the Agency to take final action do not apply to NPDES permit applications under subsection (b) of this Section, to RCRA permit applications under subsection (d) of this Section, or to UIC permit applications under subsection (e) of this Section.

The Agency shall publish notice of all final permit determinations for development permits for MSWLF units and for significant permit modifications for lateral expansions for existing MSWLF units one time in a newspaper of general circulation in the county in which the unit is or is proposed to be located.

After January 1, 1994 and until July 1, 1998, operating permits issued under this Section by the Agency for sources of air pollution permitted to emit less than 25 tons per year of any combination of regulated air pollutants, as defined in Section 39.5 of this Act, shall be required to be renewed only upon written request by the Agency consistent with applicable provisions of this Act and regulations promulgated hereunder. Such operating permits shall expire 180 days after the date of such a request. The Board shall revise its regulations for the existing State air pollution operating permit program consistent with this provision by January 1, 1994.

After June 30, 1998, operating permits issued under this Section by the Agency for sources of air pollution that are not subject to Section 39.5 of this Act and are not required to have a federally enforceable State operating permit shall be required to be renewed only upon written request by the Agency consistent with applicable provisions of this Act and its rules. Such operating permits shall expire 180 days after the date of such a request. Before July 1, 1998, the Board shall revise its rules for the existing State air pollution operating permit program consistent with this paragraph and shall adopt rules that require a source to demonstrate that it qualifies for a permit under this paragraph.

(b) The Agency may issue NPDES permits exclusively under this subsection for the discharge of contaminants from point sources into navigable waters, all as defined in the Federal Water Pollution Control Act, as now or hereafter amended, within the jurisdiction of the State, or into any well.

All NPDES permits shall contain those terms and conditions, including but not limited to schedules of compliance, which may be required to accomplish the purposes and provisions of this Act.

The Agency may issue general NPDES permits for discharges from categories of point sources which are subject to the same permit limitations and conditions. Such general permits may be issued without individual applications and shall conform to regulations promulgated under Section 402 of the Federal Water Pollution Control Act, as now or hereafter amended.

The Agency may include, among such conditions, effluent limitations and other requirements established under this Act, Board regulations, the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto, and schedules for achieving compliance therewith at the earliest reasonable date.

The Agency shall adopt filing requirements and procedures which are necessary and appropriate for the issuance of NPDES permits, and which are consistent with the Act or regulations adopted by the Board, and with the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto.

The Agency, subject to any conditions which may be prescribed by Board regulations, may issue NPDES permits to allow discharges beyond deadlines established by this Act or by regulations of the Board without the requirement of a variance, subject to the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto.

(b-5) Notwithstanding any provision of this Act or any rule adopted by the Agency in accordance with this Act, every owner of a discharging private sewage disposal system with surface discharge that enters waters of commerce, the navigable waters of the State, or surface waters that are tributary to the navigable waters of the State must file a permit application with the Agency to allow coverage of the system under the blanket NPDES permit of the State.

(c) Except for those facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act, no permit for the development or construction of a new pollution control facility may be granted by the Agency unless the applicant submits proof to the Agency that the location of the facility has been approved by the County Board of the county if in an unincorporated area, or the governing body of the municipality when in an incorporated area, in which the facility is to be located in accordance with Section 39.2 of this Act.

In the event that siting approval granted pursuant to Section 39.2 has been transferred to a subsequent owner or operator, that subsequent owner or operator may apply to the Agency for, and the Agency may grant, a development or construction permit for the facility for which local siting approval was granted. Upon application to the Agency for a development or construction permit by that subsequent owner or operator, the permit applicant shall cause written notice of the permit application to be served upon the appropriate county board or governing body of the municipality that granted siting approval for that facility and upon any party to the siting proceeding pursuant to which siting approval was granted. In that event, the Agency shall conduct an evaluation of the subsequent owner or operator's prior experience in waste management operations in the manner conducted under subsection (i) of Section 39 of this Act.

Beginning August 20, 1993, if the pollution control facility consists of a hazardous or solid waste disposal facility for which the proposed site is located in an unincorporated area of a county with a population of less than 100,000 and includes all or a portion of a parcel of land that was, on April 1, 1993, adjacent to a municipality having a population of less than 5,000, then the local siting review required under this subsection (c) in conjunction with any permit applied for after that date shall be performed by the governing body of that adjacent municipality rather than the county board of the county in which the proposed site is located; and for the purposes of that local siting review, any references in this Act to the county board shall be deemed to mean the governing body of that adjacent municipality; provided, however, that the provisions of this paragraph shall not apply to any proposed site which was, on April 1, 1993, owned in whole or in part by another municipality.

In the case of a pollution control facility for which a development permit was issued before November 12, 1981, if an operating permit has not been issued by the Agency prior to August 31, 1989 for any portion of the facility, then the Agency may not issue or renew any development permit nor issue an original operating permit for any portion of such facility unless the applicant has submitted proof to the Agency that the location of the facility has been approved by the appropriate county board or municipal governing body pursuant to Section 39.2 of this Act.

After January 1, 1994, if a solid waste disposal facility, any portion for which an operating permit has been issued by the Agency, has not accepted waste disposal for 5 or more consecutive calendar years, before that facility may accept any new or additional waste for disposal, the owner and operator must

obtain a new operating permit under this Act for that facility unless the owner and operator have applied to the Agency for a permit authorizing the temporary suspension of waste acceptance. The Agency may not issue a new operation permit under this Act for the facility unless the applicant has submitted proof to the Agency that the location of the facility has been approved or re-approved by the appropriate county board or municipal governing body under Section 39.2 of this Act after the facility ceased accepting waste.

Except for those facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act, and except for new pollution control facilities governed by Section 39.2, and except for fossil fuel mining facilities, the granting of a permit under this Act shall not relieve the applicant from meeting and securing all necessary zoning approvals from the unit of government having zoning jurisdiction over the proposed facility.

Before beginning construction on any new sewage treatment plant or sludge drying site to be owned or operated by a sanitary district organized under the Metropolitan Water Reclamation District Act for which a new permit (rather than the renewal or amendment of an existing permit) is required, such sanitary district shall hold a public hearing within the municipality within which the proposed facility is to be located, or within the nearest community if the proposed facility is to be located within an unincorporated area, at which information concerning the proposed facility shall be made available to the public, and members of the public shall be given the opportunity to express their views concerning the proposed facility.

The Agency may issue a permit for a municipal waste transfer station without requiring approval pursuant to Section 39.2 provided that the following demonstration is made:

- (1) the municipal waste transfer station was in existence on or before January 1, 1979 and was in continuous operation from January 1, 1979 to January 1, 1993;
- (2) the operator submitted a permit application to the Agency to develop and operate the municipal waste transfer station during April of 1994;
- (3) the operator can demonstrate that the county board of the county, if the municipal waste transfer station is in an unincorporated area, or the governing body of the municipality, if the station is in an incorporated area, does not object to resumption of the operation of the station; and
- (4) the site has local zoning approval.

(d) The Agency may issue RCRA permits exclusively under this subsection to persons owning or operating a facility for the treatment, storage, or disposal of hazardous waste as defined under this Act.

All RCRA permits shall contain those terms and conditions, including but not limited to schedules of compliance, which may be required to accomplish the purposes and provisions of this Act. The Agency may include among such conditions standards and other requirements established under this Act, Board regulations, the Resource Conservation and Recovery Act of 1976 (P.L. 94-580), as amended, and regulations pursuant thereto, and may include schedules for achieving compliance therewith as soon as possible. The Agency shall require that a performance bond or other security be provided as a condition for the issuance of a RCRA permit.

In the case of a permit to operate a hazardous waste or PCB incinerator as defined in subsection (k) of Section 44, the Agency shall require, as a condition of the permit, that the operator of the facility perform such analyses of the waste to be incinerated as may be necessary and appropriate to ensure the safe operation of the incinerator.

The Agency shall adopt filing requirements and procedures which are necessary and appropriate for the issuance of RCRA permits, and which are consistent with the Act or regulations adopted by the Board, and with the Resource Conservation and Recovery Act of 1976 (P.L. 94-580), as amended, and regulations pursuant thereto.

The applicant shall make available to the public for inspection all documents submitted by the applicant to the Agency in furtherance of an application, with the exception of trade secrets, at the office of the county board or governing body of the municipality. Such documents may be copied upon payment of the actual cost of reproduction during regular business hours of the local office. The Agency shall issue a written statement concurrent with its grant or denial of the permit explaining the basis for its decision.

(e) The Agency may issue UIC permits exclusively under this subsection to persons owning or operating a facility for the underground injection of contaminants as defined under this Act.

All UIC permits shall contain those terms and conditions, including but not limited to schedules of compliance, which may be required to accomplish the purposes and provisions of this Act. The Agency may include among such conditions standards and other requirements established under this Act, Board regulations, the Safe Drinking Water Act (P.L. 93-523), as amended, and regulations pursuant thereto, and may include schedules for achieving compliance therewith. The Agency shall require that a performance bond or other security be provided as a condition for the issuance of a UIC permit.

The Agency shall adopt filing requirements and procedures which are necessary and appropriate for the issuance of UIC permits, and which are consistent with the Act or regulations adopted by the Board, and with the Safe Drinking Water Act (P.L. 93-523), as amended, and regulations pursuant thereto.

The applicant shall make available to the public for inspection, all documents submitted by the applicant to the Agency in furtherance of an application, with the exception of trade secrets, at the office of the county board or governing body of the municipality. Such documents may be copied upon payment of the actual cost of reproduction during regular business hours of the local office. The Agency shall issue a written statement concurrent with its grant or denial of the permit explaining the basis for its decision.

(f) In making any determination pursuant to Section 9.1 of this Act:

(1) The Agency shall have authority to make the determination of any question required to be determined by the Clean Air Act, as now or hereafter amended, this Act, or the regulations of the Board, including the determination of the Lowest Achievable Emission Rate, Maximum Achievable Control Technology, or Best Available Control Technology, consistent with the Board's regulations, if any.

(2) The Agency shall, after conferring with the applicant, give written notice to the applicant of its proposed decision on the application including the terms and conditions of the permit to be issued and the facts, conduct or other basis upon which the Agency will rely to support its proposed action.

(3) Following such notice, the Agency shall give the applicant an opportunity for a hearing in accordance with the provisions of Sections 10-25 through 10-60 of the Illinois Administrative Procedure Act.

(g) The Agency shall include as conditions upon all permits issued for hazardous waste disposal sites such restrictions upon the future use of such sites as are reasonably necessary to protect public health and the environment, including permanent prohibition of the use of such sites for purposes which may create an unreasonable risk of injury to human health or to the environment. After administrative and judicial challenges to such restrictions have been exhausted, the Agency shall file such restrictions of record in the Office of the Recorder of the county in which the hazardous waste disposal site is located.

(h) A hazardous waste stream may not be deposited in a permitted hazardous waste site unless specific authorization is obtained from the Agency by the generator and disposal site owner and operator for the deposit of that specific hazardous waste stream. The Agency may grant specific authorization for disposal of hazardous waste streams only after the generator has reasonably demonstrated that, considering technological feasibility and economic reasonableness, the hazardous waste cannot be reasonably recycled for reuse, nor incinerated or chemically, physically or biologically treated so as to neutralize the hazardous waste and render it nonhazardous. In granting authorization under this Section, the Agency may impose such conditions as may be necessary to accomplish the purposes of the Act and are consistent with this Act and regulations promulgated by the Board hereunder. If the Agency refuses to grant authorization under this Section, the applicant may appeal as if the Agency refused to grant a permit, pursuant to the provisions of subsection (a) of Section 40 of this Act. For purposes of this subsection (h), the term "generator" has the meaning given in Section 3.205 of this Act, unless: (1) the hazardous waste is treated, incinerated, or partially recycled for reuse prior to disposal, in which case the last person who treats, incinerates, or partially recycles the hazardous waste prior to disposal is the generator; or (2) the hazardous waste is from a response action, in which case the person performing the response action is the generator. This subsection (h) does not apply to any hazardous waste that is restricted from land disposal under 35 Ill. Adm. Code 728.

(i) Before issuing any RCRA permit, any permit for a waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, waste incinerator, or any waste-transportation operation, or any permit or interim authorization for a clean construction or demolition debris fill operation, the Agency shall conduct an evaluation of the prospective owner's or operator's prior experience in waste management operations and clean construction or demolition debris fill operations. The Agency may deny such a permit, or deny or revoke interim authorization, if the prospective owner or operator or any employee or officer of the prospective owner or operator has a history of:

(1) repeated violations of federal, State, or local laws, regulations, standards, or ordinances in the operation of waste management facilities or sites or clean construction or demolition debris fill operation facilities or sites; or

(2) conviction in this or another State of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or conviction in this or another state or federal court of any of the following crimes: forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any environmental law, regulation, or permit term or condition; or

(3) proof of gross carelessness or incompetence in handling, storing, processing, transporting or disposing of waste or clean construction or demolition debris, or proof of gross carelessness or incompetence in using clean construction or demolition debris as fill.

(i-5) Before issuing any permit or approving any interim authorization for a clean construction or demolition debris fill operation in which any ownership interest is transferred between January 1, 2005, and the effective date of the prohibition set forth in Section 22.52 of this Act, the Agency shall conduct an evaluation of the operation if any previous activities at the site or facility may have caused or allowed contamination of the site. It shall be the responsibility of the owner or operator seeking the permit or interim authorization to provide to the Agency all of the information necessary for the Agency to conduct its evaluation. The Agency may deny a permit or interim authorization if previous activities at the site may have caused or allowed contamination at the site, unless such contamination is authorized under any permit issued by the Agency.

(j) The issuance under this Act of a permit to engage in the surface mining of any resources other than fossil fuels shall not relieve the permittee from its duty to comply with any applicable local law regulating the commencement, location or operation of surface mining facilities.

(k) A development permit issued under subsection (a) of Section 39 for any facility or site which is required to have a permit under subsection (d) of Section 21 shall expire at the end of 2 calendar years from the date upon which it was issued, unless within that period the applicant has taken action to develop the facility or the site. In the event that review of the conditions of the development permit is sought pursuant to Section 40 or 41, or permittee is prevented from commencing development of the facility or site by any other litigation beyond the permittee's control, such two-year period shall be deemed to begin on the date upon which such review process or litigation is concluded.

(l) No permit shall be issued by the Agency under this Act for construction or operation of any facility or site located within the boundaries of any setback zone established pursuant to this Act, where such construction or operation is prohibited.

(m) The Agency may issue permits to persons owning or operating a facility for composting landscape waste. In granting such permits, the Agency may impose such conditions as may be necessary to accomplish the purposes of this Act, and as are not inconsistent with applicable regulations promulgated by the Board. Except as otherwise provided in this Act, a bond or other security shall not be required as a condition for the issuance of a permit. If the Agency denies any permit pursuant to this subsection, the Agency shall transmit to the applicant within the time limitations of this subsection specific, detailed statements as to the reasons the permit application was denied. Such statements shall include but not be limited to the following:

- (1) the Sections of this Act that may be violated if the permit were granted;
- (2) the specific regulations promulgated pursuant to this Act that may be violated if the permit were granted;
- (3) the specific information, if any, the Agency deems the applicant did not provide in its application to the Agency; and
- (4) a statement of specific reasons why the Act and the regulations might be violated if the permit were granted.

If no final action is taken by the Agency within 90 days after the filing of the application for permit, the applicant may deem the permit issued. Any applicant for a permit may waive the 90 day limitation by filing a written statement with the Agency.

The Agency shall issue permits for such facilities upon receipt of an application that includes a legal description of the site, a topographic map of the site drawn to the scale of 200 feet to the inch or larger, a description of the operation, including the area served, an estimate of the volume of materials to be processed, and documentation that:

- (1) the facility includes a setback of at least 200 feet from the nearest potable water supply well;
- (2) the facility is located outside the boundary of the 10-year floodplain or the site will be floodproofed;
- (3) the facility is located so as to minimize incompatibility with the character of the surrounding area, including at least a 200 foot setback from any residence, and in the case of a facility that is developed or the permitted composting area of which is expanded after November 17, 1991, the composting area is located at least 1/8 mile from the nearest residence (other than a residence located on the same property as the facility);
- (4) the design of the facility will prevent any compost material from being placed

within 5 feet of the water table, will adequately control runoff from the site, and will collect and manage any leachate that is generated on the site;

(5) the operation of the facility will include appropriate dust and odor control measures, limitations on operating hours, appropriate noise control measures for shredding, chipping and similar equipment, management procedures for composting, containment and disposal of non-compostable wastes, procedures to be used for terminating operations at the site, and recordkeeping sufficient to document the amount of materials received, composted and otherwise disposed of; and

(6) the operation will be conducted in accordance with any applicable rules adopted by the Board.

The Agency shall issue renewable permits of not longer than 10 years in duration for the composting of landscape wastes, as defined in Section 3.155 of this Act, based on the above requirements.

The operator of any facility permitted under this subsection (m) must submit a written annual statement to the Agency on or before April 1 of each year that includes an estimate of the amount of material, in tons, received for composting.

(n) The Agency shall issue permits jointly with the Department of Transportation for the dredging or deposit of material in Lake Michigan in accordance with Section 18 of the Rivers, Lakes, and Streams Act.

(o) (Blank.)

(p) (1) Any person submitting an application for a permit for a new MSWLF unit or for a lateral expansion under subsection (t) of Section 21 of this Act for an existing MSWLF unit that has not received and is not subject to local siting approval under Section 39.2 of this Act shall publish notice of the application in a newspaper of general circulation in the county in which the MSWLF unit is or is proposed to be located. The notice must be published at least 15 days before submission of the permit application to the Agency. The notice shall state the name and address of the applicant, the location of the MSWLF unit or proposed MSWLF unit, the nature and size of the MSWLF unit or proposed MSWLF unit, the nature of the activity proposed, the probable life of the proposed activity, the date the permit application will be submitted, and a statement that persons may file written comments with the Agency concerning the permit application within 30 days after the filing of the permit application unless the time period to submit comments is extended by the Agency.

When a permit applicant submits information to the Agency to supplement a permit application being reviewed by the Agency, the applicant shall not be required to reissue the notice under this subsection.

(2) The Agency shall accept written comments concerning the permit application that are postmarked no later than 30 days after the filing of the permit application, unless the time period to accept comments is extended by the Agency.

(3) Each applicant for a permit described in part (1) of this subsection shall file a copy of the permit application with the county board or governing body of the municipality in which the MSWLF unit is or is proposed to be located at the same time the application is submitted to the Agency. The permit application filed with the county board or governing body of the municipality shall include all documents submitted to or to be submitted to the Agency, except trade secrets as determined under Section 7.1 of this Act. The permit application and other documents on file with the county board or governing body of the municipality shall be made available for public inspection during regular business hours at the office of the county board or the governing body of the municipality and may be copied upon payment of the actual cost of reproduction.

(Source: P.A. 93-575, eff. 1-1-04; 94-272, eff. 7-19-05; 94-725, eff. 6-1-06.)

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.

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 1380.

HOUSE BILL 3289. Having been reproduced, was taken up and read by title a second time.

Floor Amendment No. 1 remained in the Committee on Rules.

Representative Reis offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 3289 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Governmental Ethics Act is amended by changing Section 4A-101 as follows:
(5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

Sec. 4A-101. Persons required to file. The following persons shall file verified written statements of economic interests, as provided in this Article:

(a) Members of the General Assembly and candidates for nomination or election to the General Assembly.

(b) Persons holding an elected office in the Executive Branch of this State or on the Board of Trustees of the University of Illinois, and

candidates for nomination or election to these offices.

(c) Members of a Commission or Board created by the Illinois Constitution, and candidates for nomination or election to such Commission or Board.

(d) Persons whose appointment to office is subject to confirmation by the Senate.

(e) Holders of, and candidates for nomination or election to, the office of judge or associate judge of the Circuit Court and the office of judge of the Appellate or Supreme Court.

(f) Persons who are employed by any branch, agency, authority or board of the government of this State, including but not limited to, the Illinois State Toll Highway Authority, the Illinois Housing Development Authority, the Illinois Community College Board, and institutions under the jurisdiction of the Board of Trustees of the University of Illinois, Board of Trustees of Southern Illinois University, Board of Trustees of Chicago State University, Board of Trustees of Eastern Illinois University, Board of Trustees of Governor's State University, Board of Trustees of Illinois State University, Board of Trustees of Northeastern Illinois University, Board of Trustees of Northern Illinois University, Board of Trustees of Western Illinois University, or Board of Trustees of the Illinois Mathematics and Science Academy, and are compensated for services as employees and not as independent contractors and who:

(1) are, or function as, the head of a department, commission, board, division, bureau, authority or other administrative unit within the government of this State, or who exercise similar authority within the government of this State;

(2) have direct supervisory authority over, or direct responsibility for the formulation, negotiation, issuance or execution of contracts entered into by the State in the amount of \$5,000 or more;

(3) have authority for the issuance or promulgation of rules and regulations within areas under the authority of the State;

(4) have authority for the approval of professional licenses;

(5) have responsibility with respect to the financial inspection of regulated nongovernmental entities;

(6) adjudicate, arbitrate, or decide any judicial or administrative proceeding, or review the adjudication, arbitration or decision of any judicial or administrative proceeding within the authority of the State;

(7) have supervisory responsibility for 20 or more employees of the State; or

(8) negotiate, assign, authorize, or grant naming rights or sponsorship rights regarding any property or asset of the State, whether real, personal, tangible, or intangible.

(g) Persons who are elected to office in a unit of local government, and candidates for nomination or election to that office, including regional superintendents of school districts.

(h) Persons appointed to the governing board of a unit of local government, or of a special district, and persons appointed to a zoning board, or zoning board of appeals, or to a regional, county, or municipal plan commission, or to a board of review of any county, and persons appointed to the Board of the Metropolitan Pier and Exposition Authority and any Trustee appointed under Section 22 of the Metropolitan Pier and Exposition Authority Act, and persons appointed to a board or commission of a unit of local government who have authority to authorize the expenditure of public funds. This subsection does not apply to members of boards or commissions who function in an advisory capacity.

(i) Persons who are employed by a unit of local government and are compensated for services as employees and not as independent contractors and who:

(1) are, or function as, the head of a department, division, bureau, authority or other administrative unit within the unit of local government, or who exercise similar authority within the unit of local government;

(2) have direct supervisory authority over, or direct responsibility for the formulation, negotiation, issuance or execution of contracts entered into by the unit of local government in the amount of \$1,000 or greater;

(3) have authority to approve licenses and permits by the unit of local government; this item does not include employees who function in a ministerial capacity;

(4) adjudicate, arbitrate, or decide any judicial or administrative proceeding, or review the adjudication, arbitration or decision of any judicial or administrative proceeding within the authority of the unit of local government;

(5) have authority to issue or promulgate rules and regulations within areas under the authority of the unit of local government; or

(6) have supervisory responsibility for 20 or more employees of the unit of local government.

(j) Persons on the Board of Trustees of the Illinois Mathematics and Science Academy.

(k) Persons employed by a school district in positions that require that person to hold an administrative or a chief school business official endorsement.

(l) Special government agents. A "special government agent" is a person who is directed, retained, designated, appointed, or employed, with or without compensation, by or on behalf of a statewide executive branch constitutional officer to make an ex parte communication under Section 5-50 of the State Officials and Employees Ethics Act or Section 5-165 of the Illinois Administrative Procedure Act.

This Section shall not be construed to prevent any unit of local government from enacting financial disclosure requirements that mandate more information than required by this Act.

(Source: P.A. 93-617, eff. 12-9-03; 93-816, eff. 7-27-04.)

Section 10. The Election Code is amended by changing Sections 2A-1.2, 7-1, 7-9, 22-1, 22-7, 23-1.1a, 23-1.2a, and 23-1.13a and adding Section 2A-53.5 as follows:

(10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

Sec. 2A-1.2. Consolidated Schedule of Elections - Offices Designated.

(a) At the general election in the appropriate even-numbered years, the following offices shall be filled or shall be on the ballot as otherwise required by this Code:

(1) Elector of President and Vice President of the United States;

(2) United States Senator and United States Representative;

(3) State Executive Branch elected officers;

(4) State Senator and State Representative;

(5) County elected officers, including State's Attorney, County Board member, County Commissioners, and elected President of the County Board or County Chief Executive;

(6) Circuit Court Clerk;

(7) Regional Superintendent of Schools, except in counties or educational service regions in which that office has been abolished;

(8) Judges of the Supreme, Appellate and Circuit Courts, on the question of retention, to fill vacancies and newly created judicial offices;

(9) Trustee of the University of Illinois (Blank);

(10) Trustee of the Metropolitan Sanitary District of Chicago, and elected Trustee of other Sanitary Districts;

(11) Special District elected officers, not otherwise designated in this Section, where the statute creating or authorizing the creation of the district requires an annual election and permits or requires election of candidates of political parties.

(b) At the general primary election:

(1) in each even-numbered year candidates of political parties shall be nominated for those offices to be filled at the general election in that year, except where pursuant to law nomination of candidates of political parties is made by caucus.

(2) in the appropriate even-numbered years the political party offices of State central committeeman, township committeeman, ward committeeman, and precinct committeeman shall be

filled and delegates and alternate delegates to the National nominating conventions shall be elected as may be required pursuant to this Code. In the even-numbered years in which a Presidential election is to be held, candidates in the Presidential preference primary shall also be on the ballot.

(3) in each even-numbered year, where the municipality has provided for annual elections to elect municipal officers pursuant to Section 6(f) or Section 7 of Article VII of the Constitution, pursuant to the Illinois Municipal Code or pursuant to the municipal charter, the offices of such municipal officers shall be filled at an election held on the date of the general primary election, provided that the municipal election shall be a nonpartisan election where required by the Illinois Municipal Code. For partisan municipal elections in even-numbered years, a primary to nominate candidates for municipal office to be elected at the general primary election shall be held on the Tuesday 6 weeks preceding that election.

(4) in each school district which has adopted the provisions of Article 33 of the School Code, successors to the members of the board of education whose terms expire in the year in which the general primary is held shall be elected.

(c) At the consolidated election in the appropriate odd-numbered years, the following offices shall be filled:

(1) Municipal officers, provided that in municipalities in which candidates for alderman or other municipal office are not permitted by law to be candidates of political parties, the runoff election where required by law, or the nonpartisan election where required by law, shall be held on the date of the consolidated election; and provided further, in the case of municipal officers provided for by an ordinance providing the form of government of the municipality pursuant to Section 7 of Article VII of the Constitution, such offices shall be filled by election or by runoff election as may be provided by such ordinance;

(2) Village and incorporated town library directors;

(3) City boards of stadium commissioners;

(4) Commissioners of park districts;

(5) Trustees of public library districts;

(6) Special District elected officers, not otherwise designated in this section, where the statute creating or authorizing the creation of the district permits or requires election of candidates of political parties;

(7) Township officers, including township park commissioners, township library directors, and boards of managers of community buildings, and Multi-Township Assessors;

(8) Highway commissioners and road district clerks;

(9) Members of school boards in school districts which adopt Article 33 of the School Code;

(10) The directors and chairman of the Chain O Lakes - Fox River Waterway Management Agency;

(11) Forest preserve district commissioners elected under Section 3.5 of the Downstate Forest Preserve District Act;

(12) Elected members of school boards, school trustees, directors of boards of school directors, trustees of county boards of school trustees (except in counties or educational service regions having a population of 2,000,000 or more inhabitants) and members of boards of school inspectors, except school boards in school districts that adopt Article 33 of the School Code;

(13) Members of Community College district boards;

(14) Trustees of Fire Protection Districts;

(15) Commissioners of the Springfield Metropolitan Exposition and Auditorium Authority;

(16) Elected Trustees of Tuberculosis Sanitarium Districts;

(17) Elected Officers of special districts not otherwise designated in this Section for which the law governing those districts does not permit candidates of political parties.

(d) At the consolidated primary election in each odd-numbered year, candidates of political parties shall be nominated for those offices to be filled at the consolidated election in that year, except where pursuant to law nomination of candidates of political parties is made by caucus, and except those offices listed in paragraphs (12) through (17) of subsection (c).

At the consolidated primary election in the appropriate odd-numbered years, the mayor, clerk, treasurer, and aldermen shall be elected in municipalities in which candidates for mayor, clerk, treasurer, or alderman are not permitted by law to be candidates of political parties, subject to runoff elections to be held at the consolidated election as may be required by law, and municipal officers shall be nominated in a nonpartisan

election in municipalities in which pursuant to law candidates for such office are not permitted to be candidates of political parties.

At the consolidated primary election in the appropriate odd-numbered years, municipal officers shall be nominated or elected, or elected subject to a runoff, as may be provided by an ordinance providing a form of government of the municipality pursuant to Section 7 of Article VII of the Constitution.

(e) (Blank).

(f) At any election established in Section 2A-1.1, public questions may be submitted to voters pursuant to this Code and any special election otherwise required or authorized by law or by court order may be conducted pursuant to this Code.

Notwithstanding the regular dates for election of officers established in this Article, whenever a referendum is held for the establishment of a political subdivision whose officers are to be elected, the initial officers shall be elected at the election at which such referendum is held if otherwise so provided by law. In such cases, the election of the initial officers shall be subject to the referendum.

Notwithstanding the regular dates for election of officials established in this Article, any community college district which becomes effective by operation of law pursuant to Section 6-6.1 of the Public Community College Act, as now or hereafter amended, shall elect the initial district board members at the next regularly scheduled election following the effective date of the new district.

(g) At any election established in Section 2A-1.1, if in any precinct there are no offices or public questions required to be on the ballot under this Code then no election shall be held in the precinct on that date.

(h) There may be conducted a referendum in accordance with the provisions of Division 6-4 of the Counties Code.

(Source: P.A. 89-5, eff. 1-1-96; 89-95, eff. 1-1-96; 89-626, eff. 8-9-96; 90-358, eff. 1-1-98.)

(10 ILCS 5/2A-53.5 new)

Sec. 2A-53.5. University of Illinois; trustee; time of election. Trustees of the University of Illinois, other than the Governor and the student trustees, shall be elected at the general election in 2008. Beginning with the general election in 2010, a trustee of the University of Illinois shall be elected at each general election to succeed each incumbent trustee whose term expires in January of the year next following that general election.

(10 ILCS 5/7-1) (from Ch. 46, par. 7-1)

Sec. 7-1. Application of Article.

(a) Except as otherwise provided in this Article, the nomination of all candidates for all elective State, congressional, judicial, and county officers, State's Attorneys (whether elected from a single county or from more than one county), city, village, and incorporated town and municipal officers, trustees of sanitary districts, township officers in townships of over 5,000 population coextensive with or included wholly within cities or villages not under the commission form of government, precinct, township, ward, and State central committeemen, and delegates and alternate delegates to national nominating conventions by all political parties, as defined in Section 7-2 of this Article 7, shall be made in the manner provided in this Article 7 and not otherwise. The nomination of candidates for electors of President and Vice President of the United States and for trustees of the University of Illinois shall be made only in the manner provided for in Section 7-9 of this Article.

(b) This Article 7 shall not apply to (i) the nomination of candidates for school elections and township elections, except in those townships specifically mentioned in subsection (a) and except in those cases in which a township central committee determines under Section 6A-2 of the Township Law of 1874 or Section 45-55 of the Township Code that its candidates for township offices shall be nominated by primary in accordance with this Article, (ii) the nomination of park commissioners in park districts organized under the Park District Code, (iii) the nomination of officers of cities and villages organized under special charters, or (iv) the nomination of municipal officers for cities, villages, and incorporated towns with a population of 5,000 or less, except where a city, village, or incorporated town with a population of 5,000 or less has by ordinance determined that political parties shall nominate candidates for municipal office in the city, village, or incorporated town by primary in accordance with this Article. In that event, the municipal clerk shall certify the ordinance to the proper election officials no later than November 15 in the year preceding the consolidated primary election.

(c) The words "township officers" or "township offices" shall be construed, when used in this Article, to include supervisors.

(d) As provided in Sections 3.1-25-20 through 3.1-25-60 of the Illinois Municipal Code, a village may adopt a system of nonpartisan primary and general elections for the election of village officers.

(Source: P.A. 88-670, eff. 12-2-94; 89-5, eff. 1-1-96.)

(10 ILCS 5/7-9) (from Ch. 46, par. 7-9)

Sec. 7-9. County central committee; county and State conventions.

(a) On the 29th day next succeeding the primary at which committeemen are elected, the county central committee of each political party shall meet within the county and proceed to organize by electing from its own number a chairman and either from its own number, or otherwise, such other officers as such committee may deem necessary or expedient. Such meeting of the county central committee shall be known as the county convention.

The chairman of each county committee shall within 10 days after the organization, forward to the State Board of Elections, the names and post office addresses of the officers, precinct committeemen and representative committeemen elected by his political party.

The county convention of each political party shall choose delegates to the State convention of its party; but in any county having within its limits any city having a population of 200,000, or over the delegates from such city shall be chosen by wards, the ward committeemen from the respective wards choosing the number of delegates to which such ward is entitled on the basis prescribed in paragraph (e) of this Section such delegates to be members of the delegation to the State convention from such county. In all counties containing a population of 2,000,000 or more outside of cities having a population of 200,000 or more, the delegates from each of the townships or parts of townships as the case may be shall be chosen by townships or parts of townships as the case may be, the township committeemen from the respective townships or parts of townships as the case may be choosing the number of delegates to which such townships or parts of townships as the case may be are entitled, on the basis prescribed in paragraph (e) of this Section such delegates to be members of the delegation to the State convention from such county.

Each member of the State Central Committee of a political party which elects its members by Alternative B under paragraph (a) of Section 7-8 shall be a delegate to the State Convention, ex officio.

Each member of the State Central Committee of a political party which elects its members by Alternative B under paragraph (a) of Section 7-8 may appoint 2 delegates to the State Convention who must be residents of the member's Congressional District.

(b) State conventions shall be held within 180 days after the general primary in the year 2000 and every 4 years thereafter. In the year 1998, and every 4 years thereafter, the chairman of a State central committee may issue a call for a State convention within 180 days after the general primary.

The State convention of each political party has power to make nominations of candidates of its political party for the electors of President and Vice President of the United States and for trustees of the University of Illinois, and to adopt any party platform, and, to the extent determined by the State central committee as provided in Section 7-14, to choose and select delegates and alternate delegates at large to national nominating conventions. The State Central Committee may adopt rules to provide for and govern the procedures of the State convention.

(c) The chairman and secretary of each State convention shall, within 2 days thereafter, transmit to the State Board of Elections of this State a certificate setting forth the names and addresses of all persons nominated by such State convention for electors of President and Vice President of the United States and for trustees of the University of Illinois; and of any persons selected by the State convention for delegates and alternate delegates at large to national nominating conventions; and the names of such candidates so chosen by such State convention for electors of President and Vice President of the United States and for trustees of the University of Illinois; shall be caused by the State Board of Elections to be printed upon the official ballot at the general election, in the manner required by law, and shall be certified to the various county clerks of the proper counties in the manner as provided in Section 7-60 of this Article 7 for the certifying of the names of persons nominated by any party for State offices. If and as long as this Act prescribes that the names of such electors be not printed on the ballot, then the names of such electors shall be certified in such manner as may be prescribed by the parts of this Act applicable thereto.

(d) Each convention may perform all other functions inherent to such political organization and not inconsistent with this Article.

(e) At least 33 days before the date of a State convention, the chairman of the State central committee of each political party shall file in the principal office of the State Board of Elections a call for the State convention. Such call shall state, among other things, the time and place (designating the building or hall) for holding the State convention. Such call shall be signed by the chairman and attested by the secretary of the committee. In such convention each county shall be entitled to one delegate for each 500 ballots voted by the primary electors of the party in such county at the primary to be held next after the issuance of such call; and if in such county, less than 500 ballots are so voted or if the number of ballots so voted is not

exactly a multiple of 500, there shall be one delegate for such group which is less than 500, or for such group representing the number of votes over the multiple of 500, which delegate shall have 1/500 of one vote for each primary vote so represented by him. The call for such convention shall set forth this paragraph (e) of Section 7-9 in full and shall direct that the number of delegates to be chosen be calculated in compliance herewith and that such number of delegates be chosen.

(f) All precinct, township and ward committeemen when elected as provided in this Section shall serve as though elected at large irrespective of any changes that may be made in precinct, township or ward boundaries and the voting strength of each committeeman shall remain as provided in this Section for the entire time for which he is elected.

(g) The officers elected at any convention provided for in this Section shall serve until their successors are elected as provided in this Act.

(h) A special meeting of any central committee may be called by the chairman, or by not less than 25% of the members of such committee, by giving 5 days notice to members of such committee in writing designating the time and place at which such special meeting is to be held and the business which it is proposed to present at such special meeting.

(i) Except as otherwise provided in this Act, whenever a vacancy exists in the office of precinct committeeman because no one was elected to that office or because the precinct committeeman ceases to reside in the precinct or for any other reason, the chairman of the county central committee of the appropriate political party may fill the vacancy in such office by appointment of a qualified resident of the county and the appointed precinct committeeman shall serve as though elected; however, no such appointment may be made between the general primary election and the 30th day after the general primary election.

(j) If the number of Congressional Districts in the State of Illinois is reduced as a result of reapportionment of Congressional Districts following a federal decennial census, the State Central Committeemen and Committeewomen of a political party which elects its State Central Committee by either Alternative A or by Alternative B under paragraph (a) of Section 7-8 who were previously elected shall continue to serve as if no reapportionment had occurred until the expiration of their terms.

(Source: P.A. 93-847, eff. 7-30-04.)

(10 ILCS 5/22-1) (from Ch. 46, par. 22-1)

Sec. 22-1. Abstracts of votes. Within 21 days after the close of the election at which candidates for offices hereinafter named in this Section are voted upon, the election authorities of the respective counties shall open the returns and make abstracts of the votes on a separate sheet for each of the following:

- A. For Governor and Lieutenant Governor;
- B. For State officers;
- C. For presidential electors;
- D. For United States Senators and Representatives to Congress;
- E. For judges of the Supreme Court;
- F. For judges of the Appellate Court;
- G. For judges of the circuit court;
- H. For Senators and Representatives to the General Assembly;
- I. For State's Attorneys elected from 2 or more counties;
- J. For amendments to the Constitution, and for other propositions submitted to the electors of the entire State;
- K. For county officers and for propositions submitted to the electors of the county only;
- L. For Regional Superintendent of Schools;
- M. For trustees of Sanitary Districts; ~~and~~
- N. For Trustee of a Regional Board of School Trustees; and -
- O. For trustees of the University of Illinois.

Each sheet shall report the returns by precinct or ward.

Multiple originals of each of the sheets shall be prepared and one of each shall be turned over to the chairman of the county central committee of each of the then existing established political parties, as defined in Section 10-2, or his duly authorized representative immediately after the completion of the entries on the sheets and before the totals have been compiled.

The foregoing abstracts shall be preserved by the election authority in its office.

Whenever any county clerk is unable to canvass the vote, the deputy county clerk or a designee of the county clerk shall serve in his or her place.

The powers and duties of the election authority canvassing the votes are limited to those specified in this

Section.

No person who is shown by the election authority's canvassing board's proclamation to have been elected at the consolidated election or general election as a write-in candidate shall take office unless that person has first filed with the certifying office or board a statement of candidacy pursuant to Section 7-10 or Section 10-5, a statement pursuant to Section 7-10.1, and a receipt for filing a statement of economic interests in relation to the unit of government to which he or she has been elected. For officers elected at the consolidated election, the certifying officer shall notify the election authority of the receipt of those documents, and the county clerk shall issue the certification of election under the provisions of Section 22-18.

(Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05; 94-647, eff. 1-1-06; revised 10-4-05.)

(10 ILCS 5/22-7) (from Ch. 46, par. 22-7)

Sec. 22-7. Canvass of votes; declaration and proclamation of result. The State Board of Elections, shall proceed within 31 days after the election, and sooner if all the returns are received, to canvass the votes given for United States Senators and Representatives to Congress, State executive officers, judges of the Supreme Court, judges of the Appellate Court, judges of the Circuit Court, Senators, Representatives to the General Assembly, State's Attorneys and Regional Superintendents of Schools elected from 2 or more counties, and trustees of the University of Illinois, respectively, and the persons having the highest number of votes for the respective offices shall be declared duly elected, but if it appears that more than the number of persons to be elected have the highest and an equal number of votes for the same office, the electoral board shall decide by lot which of such persons shall be elected; and to each person duly elected, the Governor shall give a certificate of election or commission, as the case may require, and shall cause proclamation to be made of the result of the canvass, and they shall at the same time and in the same manner, canvass the vote cast upon amendments to the Constitution, and upon other propositions submitted to the electors of the entire State; and the Governor shall cause to be made such proclamation of the result of the canvass as the statutes elsewhere provide. The State Board of Elections shall transmit to the State Comptroller a list of the persons elected to the various offices. The State Board of Elections shall also transmit to the Supreme Court the names of persons elected to judgeships in adversary elections and the names of judges who fail to win retention in office.

No person who is shown by the canvassing board's proclamation to have been elected at the consolidated election or general election as a write-in candidate shall take office unless that person has first filed with the certifying office or board a statement of candidacy pursuant to Section 7-10 or Section 10-5, a statement pursuant to Section 7-10.1, and a receipt for filing a statement of economic interests in relation to the unit of government to which he or she has been elected. For officers elected at the consolidated election, the certifying officer shall notify the election authority of the receipt of those documents, and the county clerk shall issue the certification of election under the provisions of Section 22-18.

(Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

(10 ILCS 5/23-1.1a) (from Ch. 46, par. 23-1.1a)

Sec. 23-1.1a. Election contest - Statewide - Jurisdiction. The Supreme Court shall have jurisdiction over contests of the results of any election, including a primary, for an elected officer provided for in Article V of the Constitution and for trustee of the University of Illinois, and shall retain jurisdiction throughout the course of such election contests.

(Source: P.A. 89-5, eff. 1-1-96.)

(10 ILCS 5/23-1.2a) (from Ch. 46, par. 23-1.2a)

Sec. 23-1.2a. Election contest - Statewide offices - Who may contest - Time and place for filing - Fee. The results of an election, including a primary, for an elected executive officer provided for in Article V of the Constitution or for trustee of the University of Illinois may be challenged (1) by any candidate whose name was on the ballot for that office, (2) by any person who filed a declaration of intent to be a write-in candidate for that office, or (3) by any person who voted in that election, provided that such person's challenge is supported by a verified petition signed by persons who voted in the election in a number no less than the largest number of signatures required to nominate a person to be a candidate of any political party which nominated a candidate for the office being contested.

Any person, including a candidate, qualified pursuant to this Section and desiring to contest the results of an election for such an office shall, within 15 days of the date of the official proclamation of results of such election, file a Petition of State Election Contest with the clerk of the Supreme Court together with a filing fee in the amount of \$10,000.

(Source: P.A. 89-5, eff. 1-1-96.)

(10 ILCS 5/23-1.13a) (from Ch. 46, par. 23-1.13a)

Sec. 23-1.13a. If any of the powers or duties to be exercised or performed by the Supreme Court under Sections 23-1.1a through 23-1.12a may not constitutionally be exercised or performed by the Supreme Court by reason of jurisdictional limitations, then Sections 23-1.1a through 23-1.12a shall nonetheless continue to govern contests of elections for elected officers provided for in Article V of the Constitution and for trustees of the University of Illinois, and in such event the Supreme Court shall, pursuant to its general administrative and supervisory powers, assign to a circuit court those adjudicatory powers and duties with respect to such a contest as may not be exercised or performed by the Supreme Court, subject to appropriate judicial review.

(Source: P.A. 89-5, eff. 1-1-96.)

Section 15. The University of Illinois Act is amended by changing Section 11 as follows:
(110 ILCS 305/11) (from Ch. 144, par. 32)

Sec. 11. No elected or selected member of the Board of Trustees shall receive any compensation for attending on the meetings of the Board, but they shall be reimbursed for their actual and necessary expenses while engaged in the performance of their duties. Expenses necessarily incurred by any non-voting student member may, at the discretion of the President of the Board, be provided for by advance payment to such member, who shall account therefor to the Board immediately after each meeting. At all the stated and other meetings of the Board of Trustees, called by the regent or corresponding secretary, or any 4 5 members of the Board, a majority of the members shall constitute a quorum, provided all the members have been duly notified.

At each regular and special meeting that is open to the public, members of the public and employees of the University shall be afforded time, subject to reasonable constraints, to make comments to or ask questions of the Board.

(Source: P.A. 91-715, eff. 1-1-01.)

Section 20. The University of Illinois Trustees Act is amended by changing Section 1 as follows:
(110 ILCS 310/1) (from Ch. 144, par. 41)

Sec. 1. Membership.

(a) Until all of the new members initially to be elected under this amendatory Act of the 95th General Assembly have taken office, the ~~The~~ Board of Trustees of the University of Illinois shall consist of the Governor and at least 12 trustees, with 9 ~~Nine~~ trustees shall be appointed by the Governor, by and with the advice and consent of the Senate. The term of each appointed member of the Board of Trustees shall terminate when all of the new members initially to be elected under this amendatory Act of the 95th General Assembly have taken office. Beginning on the date when all of the new members initially to be elected under this amendatory Act of the 95th General Assembly have taken office, the Board of Trustees shall consist of the Governor and at least 10 members. Seven of these members shall be elected in the manner provided by law, with 3 members elected from the First Judicial District and one member elected from each of the 4 other judicial districts. These 7 trustees shall initially be elected at the general election in 2008. Beginning with the general election in 2010, a trustee shall be elected at each general election to succeed each incumbent trustee whose term expires in January of the year next following that general election. A petition for nomination of a candidate for member of the Board of Trustees shall be signed by at least 0.5% of the total number of registered voters in the judicial district in which the person is a candidate for nomination. The other trustees shall be students, of whom one student shall be selected from each University campus.

(b) Each student trustee shall serve a term of one year, beginning on July 1 or on the date of his or her selection, whichever is later, and expiring on the next succeeding June 30.

(c) Each trustee shall have all of the privileges of membership, except that only one student trustee shall have the right to cast a legally binding vote. The student trustees shall select one of their number to ~~The Governor shall designate which one of the student trustees shall~~ possess, for his or her entire term, the right to cast a legally binding vote. However, if a student trustee has served more than one term and during one of those terms, he or she was selected to possess a legally binding vote, then he or she is ineligible to be selected again to possess a legally binding vote. If the student trustees fail to come to an agreement on which student trustee shall possess a legally binding vote, none of the student trustees may possess a legally binding vote for the remainder of their term. Each student trustee who does not possess the right to cast a legally binding vote shall have the right to cast an advisory vote and the right to make and second motions and to attend executive sessions.

(d) Each trustee shall be governed by the same conflict of interest standards. Pursuant to those standards, it shall not be a conflict of interest for a student trustee to vote on matters pertaining to students generally, such as tuition and fees. However, it shall be a conflict of interest for a student trustee to vote on faculty

member tenure or promotion.

(e) Student trustees shall be chosen by campus-wide student election, and the student trustee designated by the Governor to possess a legally binding vote shall be one of the students selected by this method. A student trustee who does not possess a legally binding vote on a measure at a meeting of the Board or any of its committees shall not be considered a trustee for the purpose of determining whether a quorum is present at the time that measure is voted upon. To be eligible for selection as a student trustee and to be eligible to remain as a voting or nonvoting student trustee, a student trustee must be a resident of this State, must have and maintain a grade point average that is equivalent to at least 2.5 on a 4.0 scale, and must be a full time student enrolled at all times during his or her term of office except for that part of the term which follows the completion of the last full regular semester of an academic year and precedes the first full regular semester of the succeeding academic year at the University (sometimes commonly referred to as the summer session or summer school). If a voting or nonvoting student trustee fails to continue to meet or maintain the residency, minimum grade point average, or enrollment requirement established by this Section, his or her membership on the Board shall be deemed to have terminated by operation of law.

If a voting student trustee resigns or otherwise ceases to serve on the Board, the Governor shall, within 30 days, designate one of the remaining student trustees shall determine which one of them shall to possess the right to cast a legally binding vote for the remainder of his or her term. However, if a student trustee has served more than one term and during one of those terms, he or she was selected to possess a legally binding vote, then he or she is ineligible to be selected again to possess a legally binding vote. If the remaining student trustees fail to come to an agreement on which student trustee shall possess a legally binding vote, none of the remaining student trustees may possess a legally binding vote for the remainder of their term. If a nonvoting student trustee resigns or otherwise ceases to serve on the Board, the chief executive of the student government from that campus shall, within 30 days, select a new nonvoting student trustee to serve for the remainder of the term.

(f) Until those members elected at the general election in 2008 have taken office, no more than 5 of the 9 appointed trustees shall be affiliated with the same political party. Each trustee appointed by the Governor must be a resident of this State. A failure to meet or maintain this residency requirement constitutes a resignation from and creates a vacancy in the Board. The term of office of each of these appointed trustees trustee shall be 6 years from the third Monday in January of each odd numbered year. The regular terms of office of these the appointed trustees shall be staggered so that 3 terms expire in each odd-numbered year. Vacancies for these appointed trustees shall be filled for the unexpired term in the same manner as original appointments. If these vacancies a vacancy in membership occur occurs at a time when the Senate is not in session, the Governor shall make temporary appointments until the next meeting of the Senate, when he shall appoint persons to fill such memberships for the remainder of their respective terms. If the Senate is not in session when appointments for a full term are made, appointments shall be made as in the case of vacancies.

The term of office of each elected trustee shall be 6 years from the third Monday in January next succeeding his or her election and until his or her successor is elected and qualified. However, the 3 members from the First Judicial District initially elected pursuant to this amendatory Act of the 95th General Assembly shall draw lots to determine one of their number to serve a 2-year term, one of their number to serve a 4-year term, and one of their number to serve a 6-year term. The other 4 members initially elected pursuant to this amendatory Act of the 95th General Assembly shall draw lots to determine 2 of their number to serve a 2-year term, one of their number to serve a 4-year term, and one of their number to serve a 6-year term. In case of a vacancy in an elected trustee's seat, the vacancy shall be filled by appointment by the Governor (i) for the unexpired term if 28 or fewer months remain in the term or (ii) if more than 28 months remain in the term, until a trustee is elected at the next general election to serve for the unexpired term and is qualified.

(g) Each elected or appointed trustee must be a resident of this State. To be an elected member, a person must also be a resident of the judicial district from which he or she was elected, and a person selected to fill a vacancy left by an elected member must be a resident of the judicial district from which the elected member was elected. A failure to meet or maintain these residency requirements constitutes a resignation from and creates a vacancy in the board.

(h) No action of the board shall be invalidated by reason of any vacancies on the board, or by reason of any failure to select student trustees.

(Source: P.A. 91-778, eff. 1-1-01; 91-798, eff. 7-9-00; 92-16, eff. 6-28-01.)

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.

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 3666.

HOUSE BILL 410. 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 410 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-1006.7 as follows:

(55 ILCS 5/5-1006.7 new)

Sec. 5-1006.7. School facility occupation taxes.

(a) For the purposes of this Section:

"Department" means the Department of Revenue.

"Occupation tax" means a tax imposed upon:

(1) all retailers engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of this State's government, at retail in the county on the gross receipts from the sales made in the course of business; and

(2) all servicemen engaged, in the county, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the county as an incident to a sale of service.

"Retailer" means and includes any person engaged in the business of making sales at retail, as defined in Section 1 of the Retailers' Occupation Tax Act.

"Serviceman" has the definition set forth in Section 2 of the Service Occupation Tax Act.

"School-facility purposes" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interests in real property required, or expected to be required, in connection with the capital facilities. "School-facility purposes" also includes fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes set forth under Section 17-2.11 of the School Code.

(b) A county board may impose an occupation tax within the county, the proceeds of which may be used solely for school-facility purposes.

This tax under this Section may be imposed only in one-quarter percent increments and may not exceed 1%.

(c) The tax under this Section may not be imposed until the question of imposing the tax has been submitted to the electors of the county at a regular election and approved by a majority of the electors voting on the question. The county board must certify the question to the proper election authority, which must submit the question at an election in accordance with the Election Code.

The election authority must submit the question in substantially the following form:

Shall (name of county) be authorized to impose an occupation tax (commonly referred to as a "sales tax") in accordance with Section 5-1006.7 of the Counties Code at the rate of (insert rate) to be used exclusively for school-facility purposes within the county?

The election authority must record the votes as "Yes" or "No".

If a majority of the electors voting on the question vote in the affirmative, then the county may, thereafter, impose the tax.

(d) The tax under this Section may not be imposed on the sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) or prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics.

Nothing in this Section may be construed to authorize a county board to impose a tax upon the privilege

of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

(e) The Department has full power to administer and enforce this Section, to collect all taxes and penalties due under this Section, to dispose of taxes and penalties so collected in the manner provided in this Section, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this Section. The Department shall deposit all taxes and penalties collected under this Section into a special fund created for that purpose.

In the administration of and compliance with this Section with respect to a retailer who is subject to this Section, the Department and the retailer (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) are subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) shall employ the same modes of procedure as are set forth in Sections 1, 1a, 1a-1, 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 2 through 2-70 (in respect to all provisions contained in those Sections other than the State rate of tax), 2a, 2b, 2c, 3 (except provisions relating to transaction returns and quarter monthly payments), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act as if those provisions were set forth in this Section. The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act permits the retailer to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this Section.

In the administration of and compliance with this Section with respect to a serviceman who is subject to this Section, the Department and the serviceman (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) are subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) shall employ the same modes of procedure as are set forth in Sections 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State means the county), 2a, 2b, 2c, 3 through 3-50 (in respect to all provisions contained in those Sections other than the State rate of tax), 4 (except that the reference to the State means to the county), 5, 7, 8 (except that the jurisdiction to which the tax is a debt to the extent indicated in that Section 8 is the county), 9 (except as to the disposition of taxes and penalties collected), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State means the county), Section 15, 16, 17, 18, 19, and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth in this Section.

A person who is subject to the tax imposed under the authority granted in this Section may reimburse himself or herself for the tax liability by separately stating the tax as an additional charge, which may be stated in combination, in a single amount, with State tax that sellers are required to collect under the Use Tax Act, pursuant to any bracketed schedules set forth by the Department.

(f) The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the School Facility Occupation Tax Fund, which shall be an unappropriated trust fund held outside of the State treasury.

On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the regional superintendents of schools in counties from which retailers or servicemen have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to each regional superintendent of schools, and disbursed by him or her in accordance with 3-14.31 of the School Code, is equal to the amount (not including credit memoranda) collected from the county under this Section during the second preceding calendar month by the Department: plus

(1) an amount that the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body; less

(2) 2% of the amount under item (1), which must be deposited into the Tax Compliance and Administration Fund and be used by the Department, subject to appropriation, to cover the costs of the Department in administering and enforcing the provisions of this Section on behalf of the county; less

(3) an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county; and less

(4) any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the county.

When certifying the amount of a monthly disbursement to a regional superintendent of schools under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements. The offset amount is the amount erroneously disbursed within the previous 6 months from the time a miscalculation is discovered.

Within 10 days after receipt by the Comptroller of the disbursement certification to the regional superintendents of schools provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with directions contained in the certification.

If the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, then the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the School Facility Occupation Tax Fund.

(g) For the purpose of determining the local governmental unit whose tax is applicable, a retail sale by a producer of coal or another mineral mined in Illinois is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or another mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the United States Constitution as a sale in interstate or foreign commerce.

(h) If a county board imposes a tax under this Section, then the board may, by ordinance, discontinue or reduce the rate of the tax. If, however, a school board issues bonds under Section 19c-5 of the School Code, then the county board may not reduce the tax rate or discontinue the tax if that rate reduction or discontinuance would inhibit the school board's ability to pay the principal and interest on those bonds as they become due. If the county board reduces the tax rate or discontinues the tax, then a referendum must be held in accordance with subsection (a) of this Section in order to increase the rate of the tax or to reimpose the discontinued tax.

(i) The results of any election that authorizes a proposition to impose a tax under this Section or to change the rate of the tax, or any ordinance that lowers the rate or discontinues the tax, must be certified by the county board and filed with the Department either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax as of the first day of January next following the filing.

(j) This Section does not apply to Cook County.

Section 10. The School Code is amended changing Sections 17-2.11 and 19-1 and by adding Sections 3-14.31, 10-20.40, and Article 19c as follows:

(105 ILCS 5/3-14.31 new)

Sec. 3-14.31. School facility occupation tax proceeds.

(a) Within 30 days after receiving any proceeds of a school facility occupation tax under Section 5-1006.7 of the Counties Code, each regional superintendent must disburse those proceeds to each school district that is located in the county in which the tax was collected.

(b) The proceeds must be disbursed on a per-pupil basis. Each school district that is located in the county in which the tax was collected must annually certify to the regional superintendent the number of students who attend a school that is located in the county in which the tax was collected. The regional superintendent may conduct an audit of the certification submitted by a school board.

(105 ILCS 5/10-20.40 new)

Sec. 10-20.40. School facility occupation tax fund. All proceeds received by a school district from a distribution under 3-14.31 must be maintained in a special fund known as the school facility occupation tax fund. The district may use moneys in that fund only for school-facility purposes, as that term is defined under Section 5-1006.7 of the Counties Code.

(105 ILCS 5/17-2.11) (from Ch. 122, par. 17-2.11)

Sec. 17-2.11. School board power to levy a tax or to borrow money and issue bonds for fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes. Whenever, as a result of any lawful order of any agency, other than a school board, having authority to enforce any school building code applicable to any facility that houses students, or any law or regulation for the protection and safety of the environment, pursuant to the Environmental Protection Act, any school district having a population of less than 500,000 inhabitants is required to alter or reconstruct any school building or permanent, fixed equipment; or whenever any such district determines that it is necessary for energy conservation purposes that any school building or permanent, fixed equipment should be altered or reconstructed and that such alterations or reconstruction will be made with funds not necessary for the completion of approved and recommended projects contained in any safety survey report or amendments thereto authorized by Section 2-3.12 of this Act; or whenever any such district determines that it is necessary for disabled accessibility purposes and to comply with the school building code that any school

building or equipment should be altered or reconstructed and that such alterations or reconstruction will be made with funds not necessary for the completion of approved and recommended projects contained in any safety survey report or amendments thereto authorized under Section 2-3.12 of this Act; or whenever any such district determines that it is necessary for school security purposes and the related protection and safety of pupils and school personnel that any school building or property should be altered or reconstructed or that security systems and equipment (including but not limited to intercom, early detection and warning, access control and television monitoring systems) should be purchased and installed, and that such alterations, reconstruction or purchase and installation of equipment will be made with funds not necessary for the completion of approved and recommended projects contained in any safety survey report or amendment thereto authorized by Section 2-3.12 of this Act and will deter and prevent unauthorized entry or activities upon school property by unknown or dangerous persons, assure early detection and advance warning of any such actual or attempted unauthorized entry or activities and help assure the continued safety of pupils and school staff if any such unauthorized entry or activity is attempted or occurs; or if a school district does not need funds for other fire prevention and safety projects, including the completion of approved and recommended projects contained in any safety survey report or amendments thereto authorized by Section 2-3.12 of this Act, and it is determined after a public hearing (which is preceded by at least one published notice (i) occurring at least 7 days prior to the hearing in a newspaper of general circulation within the school district and (ii) setting forth the time, date, place, and general subject matter of the hearing) that there is a substantial, immediate, and otherwise unavoidable threat to the health, safety, or welfare of pupils due to disrepair of school sidewalks, playgrounds, parking lots, or school bus turnarounds and repairs must be made: then in any such event, such district may, by proper resolution, levy a tax for the purpose of making such alteration or reconstruction, based on a survey report by an architect or engineer licensed in the State of Illinois, upon all the taxable property of the district at the value as assessed by the Department of Revenue at a rate not to exceed .05% per year for a period sufficient to finance such alterations, repairs, or reconstruction, upon the following conditions:

(a) When there are not sufficient funds available in ~~either~~ the operations and maintenance fund of the district, the school facility occupation tax fund of the district, or the fire prevention and safety fund of the district as determined by the district on the basis of regulations adopted by the State Board of Education to make such alterations, repairs, or reconstruction, or to purchase and install such permanent fixed equipment so ordered or determined as necessary. Appropriate school district records shall be made available to the State Superintendent of Education upon request to confirm such insufficiency.

(b) When a certified estimate of an architect or engineer licensed in the State of Illinois stating the estimated amount necessary to make the alterations or repairs, or to purchase and install such equipment so ordered has been secured by the district, and the estimate has been approved by the regional superintendent of schools, having jurisdiction of the district, and the State Superintendent of Education. Approval shall not be granted for any work that has already started without the prior express authorization of the State Superintendent of Education. If such estimate is not approved or denied approval by the regional superintendent of schools within 3 months after the date on which it is submitted to him or her, the school board of the district may submit such estimate directly to the State Superintendent of Education for approval or denial.

For purposes of this Section a school district may replace a school building or build additions to replace portions of a building when it is determined that the effectuation of the recommendations for the existing building will cost more than the replacement costs. Such determination shall be based on a comparison of estimated costs made by an architect or engineer licensed in the State of Illinois. The new building or addition shall be equivalent in area (square feet) and comparable in purpose and grades served and may be on the same site or another site. Such replacement may only be done upon order of the regional superintendent of schools and the approval of the State Superintendent of Education.

The filing of a certified copy of the resolution levying the tax when accompanied by the certificates of the regional superintendent of schools and State Superintendent of Education shall be the authority of the county clerk to extend such tax.

The county clerk of the county in which any school district levying a tax under the authority of this Section is located, in reducing raised levies, shall not consider any such tax as a part of the general levy for school purposes and shall not include the same in the limitation of any other tax rate which may be extended.

Such tax shall be levied and collected in like manner as all other taxes of school districts, subject to the provisions contained in this Section.

The tax rate limit specified in this Section may be increased to .10% upon the approval of a proposition

to effect such increase by a majority of the electors voting on that proposition at a regular scheduled election. Such proposition may be initiated by resolution of the school board and shall be certified by the secretary to the proper election authorities for submission in accordance with the general election law.

When taxes are levied by any school district for fire prevention, safety, energy conservation, and school security purposes as specified in this Section, and the purposes for which the taxes have been levied are accomplished and paid in full, and there remain funds on hand in the Fire Prevention and Safety Fund from the proceeds of the taxes levied, including interest earnings thereon, the school board by resolution shall use such excess and other board restricted funds excluding bond proceeds and earnings from such proceeds (1) for other authorized fire prevention, safety, energy conservation, and school security purposes or (2) for transfer to the Operations and Maintenance Fund for the purpose of abating an equal amount of operations and maintenance purposes taxes. If any transfer is made to the Operation and Maintenance Fund, the secretary of the school board shall within 30 days notify the county clerk of the amount of that transfer and direct the clerk to abate the taxes to be extended for the purposes of operations and maintenance authorized under Section 17-2 of this Act by an amount equal to such transfer.

If the proceeds from the tax levy authorized by this Section are insufficient to complete the work approved under this Section, the school board is authorized to sell bonds without referendum under the provisions of this Section in an amount that, when added to the proceeds of the tax levy authorized by this Section, will allow completion of the approved work.

Such bonds shall bear interest at a rate not to exceed the maximum rate authorized by law at the time of the making of the contract, shall mature within 20 years from date, and shall be signed by the president of the school board and the treasurer of the school district.

In order to authorize and issue such bonds, the school board shall adopt a resolution fixing the amount of bonds, the date thereof, the maturities thereof, rates of interest thereof, place of payment and denomination, which shall be in denominations of not less than \$100 and not more than \$5,000, and provide for the levy and collection of a direct annual tax upon all the taxable property in the school district sufficient to pay the principal and interest on such bonds to maturity. Upon the filing in the office of the county clerk of the county in which the school district is located of a certified copy of the resolution, it is the duty of the county clerk to extend the tax therefor in addition to and in excess of all other taxes heretofore or hereafter authorized to be levied by such school district.

After the time such bonds are issued as provided for by this Section, if additional alterations or reconstructions are required to be made because of surveys conducted by an architect or engineer licensed in the State of Illinois, the district may levy a tax at a rate not to exceed .05% per year upon all the taxable property of the district or issue additional bonds, whichever action shall be the most feasible.

This Section is cumulative and constitutes complete authority for the issuance of bonds as provided in this Section notwithstanding any other statute or law to the contrary.

With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of Public Act 86-004 (June 6, 1989), it is, and always has been, the intention of the General Assembly (i) that the Omnibus Bond Acts are, and always have been, supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

When the purposes for which the bonds are issued have been accomplished and paid for in full and there remain funds on hand from the proceeds of the bond sale and interest earnings therefrom, the board shall, by resolution, use such excess funds in accordance with the provisions of Section 10-22.14 of this Act.

Whenever any tax is levied or bonds issued for fire prevention, safety, energy conservation, and school security purposes, such proceeds shall be deposited and accounted for separately within the Fire Prevention and Safety Fund.

(Source: P.A. 88-251; 88-508; 88-628, eff. 9-9-94; 88-670, eff. 12-2-94; 89-235, eff. 8-4-95; 89-397, eff. 8-20-95.)

(105 ILCS 5/19-1) (from Ch. 122, par. 19-1)

Sec. 19-1. Debt limitations of school districts.

(a) School districts shall not be subject to the provisions limiting their indebtedness prescribed in "An Act to limit the indebtedness of counties having a population of less than 500,000 and townships, school districts and other municipal corporations having a population of less than 300,000", approved February 15,

1928, as amended.

No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No partial elementary unit district, as defined in Article 11E of this Code, shall become indebted in any manner or for any purpose in an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, plus an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes. Moreover, no partial elementary unit district, as defined in Article 11E of this Code, shall become indebted on account of bonds issued by the district for high school purposes in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, nor shall the district become indebted on account of bonds issued by the district for elementary purposes in the aggregate exceeding 6.9% of the value of the taxable property for that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes.

Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).

(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

(1) Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased over the previous school year by not less than 35% or by not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

(2) When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and approve the need for such additional school sites or building facilities and the estimated cost thereof; and

(3) When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection

(b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the value of the taxable property therein to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district pursuant to the requirements of Section 11A-10 (now repealed) may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional indebtedness in an amount not to exceed \$4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a for the purpose of replacing a school building which, because of mine subsidence damage, has been closed as provided in paragraph (2) of this subsection (d) or through the issuance of bonds under and in accordance with Section 19-3 for the purpose of increasing the size of, or providing for additional functions in, such replacement school buildings, or both such purposes.

(2) The bonds issued by the school district as provided in paragraph (1) above are issued for the purposes of construction by the school district of a new school building pursuant to Section 17-2.11, to replace an existing school building that, because of mine subsidence damage, is closed as of the end of the 1992-93 school year pursuant to action of the regional superintendent of schools of the educational service region in which the district is located under Section 3-14.22 or are issued for the purpose of increasing the size of, or providing for additional functions in, the new school building being constructed to replace a school building closed as the result of mine subsidence damage, or both such purposes.

(e) (Blank).

(f) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds in not to exceed the aggregate amount of \$5,500,000 and issued by a school district meeting the following criteria shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness:

(1) At the time of the sale of such bonds, the board of education of the district shall have determined by resolution that the enrollment of students in the district is projected to increase by not less than 7% during each of the next succeeding 2 school years.

(2) The board of education shall also determine by resolution that the improvements to be financed with the proceeds of the bonds are needed because of the projected enrollment increases.

(3) The board of education shall also determine by resolution that the projected increases in enrollment are the result of improvements made or expected to be made to passenger rail facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or of any other law, a school district that has availed itself of the provisions of this subsection (f) prior to July 22, 2004 (the effective date of Public

Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to resolution of the school board in an amount or amounts, including existing indebtedness, in excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

(i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.

(ii) At the time the resolution authorizing the issuance of the bonds is adopted, the cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.

(iii) The sale of the bonds occurs before July 1, 1997.

(iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less than 1,500 and an equalized assessed valuation of less than \$29,000,000.

(h) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27.6% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than \$24,000,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which buildings were originally constructed not less than 40 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after March 19, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(i) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than \$44,600,000;

(ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which existing buildings were originally constructed not less than 80 years ago;

(iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after December 31, 1996; and

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 of less than \$140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;

(ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high school was originally constructed not less than 35 years prior to the sale of the bonds;

(iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;

(iv) At least 60% of those voting in an election held after December 31, 1996 approve a

proposition for the issuance of the bonds; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed \$4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such additional indebtedness, causes the aggregate indebtedness of the school district to exceed or increases the amount by which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that school district under subsection (a):

(1) the school district is located in 2 counties, and a referendum to authorize the additional indebtedness was approved by a majority of the voters of the school district voting on the proposition to authorize that indebtedness;

(2) the additional indebtedness is for the purpose of financing a multi-purpose room addition to the existing high school;

(3) the additional indebtedness, together with the existing indebtedness of the school district, shall not exceed 17.4% of the value of the taxable property in the school district, to be ascertained by the last assessment for State and county taxes; and

(4) the bonds evidencing the additional indebtedness are issued, if at all, within 120 days of the effective date of this amendatory Act of 1998.

(l) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 2000, a school district maintaining grades kindergarten through 8 may issue bonds up to an amount, including existing indebtedness, not exceeding 15% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the district has an equalized assessed valuation for calendar year 1996 of less than \$10,000,000;

(ii) the bonds are issued for capital improvement, renovation, rehabilitation, or replacement of one or more school buildings of the district, which buildings were originally constructed not less than 70 years ago;

(iii) the voters of the district approve a proposition for the issuance of the bonds at a referendum held on or after March 17, 1998; and

(iv) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(m) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, an elementary school district maintaining grades K through 8 may issue bonds up to an amount, excluding existing indebtedness, not exceeding 18% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 1995 or less than \$7,700,000;

(ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;

(iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not handicapped accessible at all levels and parts of which were constructed more than 75 years ago;

(iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and

(v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:

(i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to

Section 5-20 of the School Construction Law.

(ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.

(iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under Section 5-15 of the School Construction Law as the dollar amount of the school construction project's cost that the district will be required to finance with non-grant funds in order to receive a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

(v) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

(vi) The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

(o) Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the school district has an equalized assessed valuation for calendar year 2001 of at least \$737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and

(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p) Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least \$295,741,187 and a best 3 months' average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

(ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-10) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community consolidated school district maintaining grades K through 8 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential and farm property comprises more than 80% of the equalized assessed valuation of the district.

(ii) The bond proceeds are to be used to acquire and improve school sites and build and equip a school building.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the school sites and building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 20% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-15) In addition to all other authority to issue bonds, the Oswego Community Unit School District Number 308 may issue bonds with an aggregate principal amount not to exceed \$450,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general election held on November 7, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school building, new junior high school buildings, new elementary school buildings, early childhood building, maintenance building, transportation facility, and additions to existing school buildings, the altering, repairing, equipping, and provision of technology improvements to existing school buildings, and the acquisition and improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before November 7, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed \$450,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the general election held on November 7, 2006.

The debt incurred on any bonds issued under this subsection (p-15) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-20) In addition to all other authority to issue bonds, the Lincoln-Way Community High School District Number 210 may issue bonds with an aggregate principal amount not to exceed \$225,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general primary election held on March 21, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school buildings, the altering, repairing, and equipping of existing school buildings, and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before March 21, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed \$225,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the primary election held on March 21, 2006.

The debt incurred on any bonds issued under this subsection (p-20) shall not be considered indebtedness for purposes of any statutory debt limitation.

(q) A school district must notify the State Board of Education prior to issuing any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in this Section or any other provision of law.

(r) The debt incurred on any bonds issued under Article 19c shall not be considered indebtedness for purposes of any statutory debt limitation.

(Source: P.A. 93-13, eff. 6-9-03; 93-799, eff. 7-22-04; 93-1045, eff. 10-15-04; 94-234, eff. 7-1-06; 94-721, eff. 1-6-06; 94-952, eff. 6-27-06; 94-1019, eff. 7-10-06; 94-1078, eff. 1-9-07.)"

(105 ILCS 5/Art. 19c heading new)

ARTICLE 19c. SCHOOL FACILITY REVENUE BONDS

(105 ILCS 5/19c-5 new)

Sec. 19c-5. School facility revenue bonds.

(a) A school board may, from time to time, issue and dispose of its interest bearing revenue bonds for school-facility purposes and may also, from time to time, issue and dispose of its interest bearing revenue bonds to refund any bonds at maturity or pursuant to redemption provisions or at any time before maturity with the consent of the holders thereof. All such bonds are payable solely from the revenues or income to be derived from the tax imposed under Section 5-1006.7 of the Counties Code and from funds, if any, received and to be received by the school board from any other source. The bonds may be sold at such price as the school board may determine to finance and to refund or refinance any and all bonds issued and sold by the board under this Article. No bonds issued under this Article, however, may bear interest in excess of the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract, computed to the maturity of the bonds. The bonds must be issued in denominations of not less than \$100 and not more than \$5,000 and must mature within 20 years from the date that they are issued.

(b) It is and always has been the intention of the General Assembly (i) that the Omnibus Bond Acts are and always have been supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

(c) For the purpose of this Article, "school-facility purposes" has the same meaning as defined in Section 5-1006.7 of the Counties Code.

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 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 Nekritz, HOUSE BILL 1872 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; 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 Monique Davis HOUSE BILL 1359 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: 106, Yeas; 1, 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 Hoffman, HOUSE BILL 1911 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; 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 Molaro, HOUSE BILL 1124 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; 44, Nays; 1, 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 2304. Having been reproduced, was taken up and read by title a second time.

Floor Amendment No. 1 remained in the Committee on Rules.

Representative Lyons offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 2304 by replacing everything after the enacting clause with the following:

"Section 5. The Director of Central Management Services is authorized to convey by Quit Claim Deed for \$1 to the City of Chicago or the Chicago Park District the following described real property: surplus property located within the area bordered by Harlem Avenue, West Irving Park Road, North Narragansett Avenue, West Montrose Avenue, and Forest Preserve Drive, Chicago, Illinois; provided however that "surplus property" as described in this Section shall not include buildings and grounds currently under the jurisdiction of the Department of Human Services unless specifically consented to by the Secretary of Human Services; and further provided, however, that should the property fail to be used by the Grantee for public purposes, title shall revert to the State of Illinois.

Section 10. "An Act in relation to certain land", approved June 13, 2000, Public Act 91-824, is amended by changing Section 20-10 as follows:

(P.A. 91-824, Sec. 20-10)

Sec. 20-10. The Director of Central Management Services is authorized to:

(a) convey by quit claim deed for \$1 buildings A & B of the former Henry Horner School property located on Oak Park Ave, Chicago, Illinois to Maryville Academy, provided however that should the property fail to be used by Maryville Academy for charitable or educational purposes, the title shall revert to the State of Illinois;

(b) convey by quit claim deed for \$1 upon identification and survey of a site mutually agreeable to the parties to New Horizon Center for the Developmentally Disabled, provided that should the property fail to be used by New Horizon Center for the Developmentally Disabled for charitable or educational purposes, title shall revert to the State of Illinois;

(c) convey by Quit Claim Deed for \$1 to the City of Chicago or the Chicago Park District the following described

real property:

A PARCEL OF LAND, APPROXIMATELY 16,000 SQUARE FEET ON AND ALONG THE NORTH SIDE OF WEST

IRVING PARK ROAD, HAVING APPROXIMATELY 135 FEET OF FRONTAGE ON SAID WEST IRVING PARK ROAD AND A DEPTH OF APPROXIMATELY 125 FEET, HAVING ITS EASTERLY BOUNDARY PARALLEL TO AND APPROXIMATELY 1,111 FEET WEST OF THE WEST PROPERTY LINE OF NORTH NARRAGANSETT AVENUE, AND ITS WESTERLY BOUNDARY BEING PARALLEL TO AND 135 FEET WEST OF THE EASTERLY BOUNDARY LINE, ALL IN THE COUNTY OF COOK AND STATE OF ILLINOIS.

Provided however, should the property fail to be used by the Grantee for public purposes, title shall revert to the State of Illinois;

(d) take steps to preserve, landscape, memorialize and protect unmarked historic cemetery grounds located by archeological survey on the grounds of Chicago Read Mental Health Center. This subsection shall also allow the relocation of the remains pursuant to regulations and procedures established by the Historic Preservation Agency when deemed necessary by the Director of Central Management Services. For the purpose of the relocation of such remains, the Secretary of Human Services is designated next of kin when it is not possible to definitively establish the identity of any such remains;

~~(e) (blank) in order to facilitate the conveyances referenced in subsections (a) and (b) after consultation with the Secretary of Transportation, the Secretary of Human Services, and the Director of Commerce and Community Affairs and upon obtaining necessary appraisals, surveys, and environmental reports, and in accordance with and in coordination with any pre existing redevelopment agreement, convey title by quit claim deed to Chicago Read Joint Venture, Limited Partnership to surplus property located within the area bordered by Harlem Avenue, West Irving Park Road, North Narragansett Avenue, West Montrose Avenue, and Forest Preserve Drive, Chicago, Illinois, but excluding the area comprised of the property of the former Henry Horner School and the property referred to as the "Phase Three Property" under the Chicago Read Dunning Redevelopment Agreement, at fair market value and on such terms and conditions necessary to bring about the orderly redevelopment of such surplus property, provided however that "surplus property" as described in this Section shall not include buildings and grounds currently under the jurisdiction of the Department of Human Services unless specifically consented to by the Secretary of Human Services; and~~

(f) accept replacement State facilities constructed in order to relocate State operations located in facilities to be replaced or otherwise transferred to coordinate with necessary redevelopment.

(Source: P.A. 91-824, eff. 1-1-01.)

Section 15. The Director of Central Management Services shall obtain a certified copy of this Act within 60 days after its effective date, and shall record the certified document in the Recorder's Office in the county in which the land is located.

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 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 1915 and 1930.

HOUSE BILL 2133. Having been reproduced, was taken up and read by title a second time.

Floor Amendment No. 1 remained in the Committee on Rules.

Representative Hoffman offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 2133 by replacing everything after the enacting clause with the following:

"Section 5. The Bi-State Transit Safety Act is amended by changing Sections 10 and 15 as follows:
(45 ILCS 111/10)

Sec. 10. Powers. In further effectuation of the Bi-State Development Compact Act creating the Bi-State Development Agency, the State of Illinois hereby authorizes the St. Clair County Transit District to exercise the following powers:

(1) To regulate the safety and security of passengers, employees, and property of rail fixed guideway systems ~~and the personal security of the passengers and employees~~ of the Bi-State Development Agency located and operated within the boundaries of the State of Illinois, to the extent required by in a manner consistent with "Rail Fixed Guideway Systems; State Safety Oversight", 49 CFR Part 659, as now or hereafter amended.

(2) To develop, adopt, and implement a system safety program standard meeting the compliance requirements prescribed in ~~Sections 659.31 and 659.33~~ of "Rail Fixed Guideway Systems; State Safety Oversight", 49 CFR Part 659, as now or hereafter amended.

(3) To require the Bi-State Development Agency to comply with the system safety program standard and report accidents and unacceptable hazardous conditions to the St. Clair County Transit District within a period of time specified by the District as required by Section 659.39 of "Rail Fixed Guideway Systems; State Safety Oversight", 49 CFR Part 659, as now or hereafter amended.

(4) To perform all other necessary and incidental functions related to the effectuation of this Act as mandated by establish procedures to investigate accidents and unacceptable hazardous conditions as required by Section 659.41 of "Rail Fixed Guideway Systems; State Safety Oversight", 49 CFR Part 659, as now or hereafter amended.

(5) ~~To direct the Bi State Development Agency to minimize, control, correct, or eliminate any investigated hazardous condition within a period of time specified by the St. Clair County Transit District as required by Section 659.43 of "Rail Fixed Guideway Systems; State Safety Oversight".~~

(6) ~~To perform all other necessary and incidental functions related to its effectuation of this Act and as mandated by "Rail Fixed Guideway Systems; State Safety Oversight".~~

(Source: P.A. 92-281, eff. 8-7-01; re-enacted by P.A. 92-788, eff. 8-6-02.)

(45 ILCS 111/15)

Sec. 15. Confidentiality of ~~investigation~~ reports. The system security ~~portion of the system safety program~~ plan, investigation reports, surveys, schedules, lists, or data compiled, collected, or prepared by the Bi-State Development Agency or the St. Clair County Transit District under this Act, shall not be subject to discovery or admitted into evidence in federal or State court or considered for other purposes in any civil action for damages arising from any matter mentioned or addressed in such plan, reports, surveys, schedules, lists, or data.

(Source: P.A. 92-281, eff. 8-7-01; re-enacted by P.A. 92-788, eff. 8-6-02.)

(45 ILCS 111/5 rep.)

Section 10. The Bi-State Transit Safety Act is amended by repealing Section 5."

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 ON THIRD READING

The following bill 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 Feigenholtz, HOUSE BILL 1529 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: 107, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 31)

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 873.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 310, 311, 312, 313, 314 and 316 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the Agreed Resolutions were adopted.

At the hour of 2:00 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 50, the House stood adjourned until Tuesday, April 24, 2007, at 12:00 o'clock p.m.

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

April 20, 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 | P Dunn | E Leitch | P Reitz |
| P Beaubien | P Durkin | P Lindner | P Riley |
| P Beiser | P Eddy | P Lyons | P Rita |
| P Bellock | P Feigenholtz | P Mathias | P Rose |
| P Berrios | P Flider | P Mautino | P Ryg |
| P Biggins | P Flowers | P May | P Sacia |
| E Black | P Ford | P McAuliffe | P Saviano |
| P Boland | P Fortner | P McCarthy | E Schmitz |
| P Bost | P Franks | P McGuire | P Schock |
| E Bradley, John | P Fritchey | P Mendoza | P Scully |
| P Bradley, Richard | P 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 | P Mitchell, Jerry | E Stephens |
| P Burke | P Granberg | P Moffitt | P Sullivan |
| P Chapa LaVia | P Hamos | P Molaro | P Tracy |
| P Coladipietro | P Hannig | P 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 274
 TOBACCO-POSSESSION-MINORS
 THIRD READING
 PASSED

April 20, 2007

111 YEAS

1 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y 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 |
| 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 572
PRIVACY CHILD SEX VICTIMS
THIRD READING
PASSED

April 20, 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 | Y Dunn | E 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y 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 1832
 HISTORIC PRESERV-ACQUIRE PROP
 THIRD READING
 PASSED

April 20, 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 | Y Dunn | E 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y 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 1242
INC TX-CHILD CARE CREDIT
THIRD READING
PASSED

April 20, 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 | Y Dunn | E 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y 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 2858
 CRIMINAL LAW-TECH
 THIRD READING
 PASSED

April 20, 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 | Y Dunn | E 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y 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 1759
PUB HLTH-PRENATAL HIV TESTING
THIRD READING
PASSED

April 20, 2007

111 YEAS

0 NAYS

1 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E 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 | P Sacia |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y 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 419
 ELEC CD-PUBLIC OFFICE FELONS
 THIRD READING
 PASSED

April 20, 2007

102 YEAS

4 NAYS

6 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | P Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E 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 | N Flowers | Y May | N Sacia |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | N Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| N Collins | Y Hassert | Y Myers | Y Verschoore |
| Y Colvin | Y Hernandez | Y Nekritz | Y Wait |
| Y Coulson | Y Hoffman | Y Osmond | P Washington |
| Y Crespo | Y Holbrook | Y Osterman | Y Watson |
| Y Cross | P Howard | E Patterson | Y Winters |
| Y Cultra | Y Jakobsson | Y Phelps | Y Yarbrough |
| Y Currie | P Jefferies | Y Pihos | Y Younge |
| Y D'Amico | P Jefferson | Y Poe | Y Mr. Speaker |
| P 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 3383
RENTAL VEHICLE DAMAGE WAIVERS
THIRD READING
PASSED

April 20, 2007

97 YEAS

15 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | N Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| N Beaubien | Y Durkin | Y Lindner | Y Riley |
| Y Beiser | N 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | N McCarthy | E Schmitz |
| Y Bost | N Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y Froehlich | Y Meyer | Y Smith |
| Y Brady | Y Golar | Y Miller | N Sommer |
| N Brauer | Y Gordon | Y Mitchell, Bill | Y Soto |
| Y Brosnahan | Y Graham | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| N Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | N Mulligan | Y Tryon |
| N Cole | Y Harris | N 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 |
| N Crespo | Y Holbrook | Y Osterman | Y Watson |
| Y Cross | Y Howard | E Patterson | Y Winters |
| N 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 | N Kosel | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1286
PUB HEALTH-HIV TESTING
THIRD READING
PASSED

April 20, 2007

110 YEAS

2 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | N Reis |
| Y Bassi | Y Dunn | E 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y 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 | N Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3638
EPA-POLLUTION CONTROL FACILITY
THIRD READING
PASSED

April 20, 2007

100 YEAS

11 NAYS

1 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| Y Beaubien | Y Durkin | Y Lindner | Y Riley |
| Y Beiser | Y Eddy | Y Lyons | Y Rita |
| Y Bellock | N Feigenholtz | Y Mathias | Y Rose |
| Y Berrios | Y Flider | Y Mautino | Y Ryg |
| Y Biggins | Y Flowers | Y May | Y Sacia |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | N Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | N Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | N Mulligan | Y Tryon |
| N Cole | Y Harris | P Munson | Y Turner |
| Y Collins | Y Hassert | Y Myers | Y Verschoore |
| Y Colvin | Y Hernandez | N Nekritz | Y Wait |
| N Coulson | Y Hoffman | Y Osmond | Y Washington |
| Y Crespo | Y Holbrook | N Osterman | Y Watson |
| Y Cross | Y Howard | E Patterson | Y Winters |
| Y Cultra | Y Jakobsson | Y Phelps | Y Yarbrough |
| N Currie | Y Jefferies | Y Pihos | Y Younge |
| Y D'Amico | Y Jefferson | Y Poe | Y Mr. Speaker |
| Y Davis, Monique | Y Joyce | Y Pritchard | |
| N Davis, William | N Kosel | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FIFTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 39
 CRIM CD-EAVESDROPPING EXEMPT
 THIRD READING
 PASSED

April 20, 2007

71 YEAS

34 NAYS

7 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | N Dunkin | N Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | N Reitz |
| Y Beaubien | Y Durkin | Y Lindner | N Riley |
| N Beiser | Y Eddy | P Lyons | N Rita |
| Y Bellock | P Feigenholtz | Y Mathias | Y Rose |
| Y Berrios | Y Flider | N Mautino | N Ryg |
| Y Biggins | N Flowers | N May | Y Sacia |
| E Black | N Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | N McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | N Fritchey | Y Mendoza | N Scully |
| Y Bradley, Richard | Y Froehlich | Y Meyer | N Smith |
| Y Brady | Y Golar | N Miller | Y Sommer |
| Y Brauer | Y Gordon | Y Mitchell, Bill | Y Soto |
| N Brosnahan | N Graham | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | N Hamos | N Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | N Harris | Y Munson | N Turner |
| N Collins | Y Hassert | Y Myers | N Verschoore |
| P Colvin | Y Hernandez | N Nekritz | Y Wait |
| Y Coulson | N Hoffman | Y Osmond | N Washington |
| Y Crespo | P Holbrook | N Osterman | Y Watson |
| Y Cross | N Howard | E Patterson | Y Winters |
| Y Cultra | Y Jakobsson | N Phelps | P Yarbrough |
| N Currie | N Jefferies | Y Pihos | N Younge |
| P D'Amico | Y Jefferson | Y Poe | Y Mr. Speaker |
| N Davis, Monique | Y Joyce | Y Pritchard | |
| P Davis, William | Y Kosel | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 614
ALT HLTH CARE DELIV-LTC HOSPTL
THIRD READING
PASSED

April 20, 2007

109 YEAS

0 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A 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 |
| A 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 1639
 JUV CT-EXPUNGEMENT
 THIRD READING
 PASSED

April 20, 2007

89 YEAS

19 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | N Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | N Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A Beaubien | Y Durkin | N Lindner | Y Riley |
| N Beiser | N Eddy | Y Lyons | Y Rita |
| Y Bellock | Y Feigenholtz | Y Mathias | Y Rose |
| Y Berrios | N Flider | Y Mautino | Y Ryg |
| N Biggins | Y Flowers | Y May | Y Sacia |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| N Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y Froehlich | Y Meyer | Y Smith |
| N Brady | Y Golar | Y Miller | N Sommer |
| Y Brauer | Y Gordon | N Mitchell, Bill | Y Soto |
| Y Brosnahan | Y Graham | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | N Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | N Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A Hassert | N Myers | Y Verschoore |
| Y Colvin | Y Hernandez | Y Nekritz | Y Wait |
| Y Coulson | Y Hoffman | Y Osmond | Y Washington |
| Y Crespo | N Holbrook | Y Osterman | N Watson |
| A Cross | Y Howard | E Patterson | Y Winters |
| N Cultra | Y Jakobsson | Y Phelps | Y Yarbrough |
| Y Currie | Y Jefferies | A 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 1835
VEHICLE CD-INSURANCE
THIRD READING
PASSED

April 20, 2007

78 YEAS

25 NAYS

5 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | N Dunkin | Y Lang | Y Reis |
| N Bassi | Y Dunn | E Leitch | Y Reitz |
| A Beaubien | N Durkin | N Lindner | Y Riley |
| Y Beiser | Y Eddy | Y Lyons | Y Rita |
| N Bellock | Y Feigenholtz | Y Mathias | Y Rose |
| Y Berrios | Y Flider | N Mautino | Y Ryg |
| Y Biggins | Y Flowers | Y May | N Sacia |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | N Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| A Bradley, Richard | Y Froehlich | Y Meyer | Y Smith |
| Y Brady | P Golar | N Miller | N Sommer |
| Y Brauer | Y Gordon | Y Mitchell, Bill | Y Soto |
| Y Brosnahan | P Graham | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | N Tracy |
| Y Coladipietro | Y Hannig | N Mulligan | Y Tryon |
| N Cole | Y Harris | N Munson | N Turner |
| N Collins | A Hassert | Y Myers | Y Verschoore |
| P Colvin | Y Hernandez | Y Nekritz | Y Wait |
| N Coulson | Y Hoffman | N Osmond | N Washington |
| Y Crespo | Y Holbrook | Y Osterman | Y Watson |
| A Cross | N Howard | E Patterson | Y Winters |
| N Cultra | Y Jakobsson | Y Phelps | P Yarbrough |
| N Currie | Y Jefferies | Y Pihos | Y Younge |
| Y D'Amico | N Jefferson | Y Poe | Y Mr. Speaker |
| N Davis, Monique | Y Joyce | Y Pritchard | |
| P Davis, William | N Kosel | Y Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 948
IL CARES RX-COVERED RX DRUGS
THIRD READING
PASSED

April 20, 2007

107 YEAS

2 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| N Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A 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 |
| A 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 | N Ramey | |

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1753
VOTER REGISTRATION COMMISSION
THIRD READING
PASSED

April 20, 2007

68 YEAS

40 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | N Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | N Reis |
| N Bassi | N Dunn | E Leitch | Y Reitz |
| A Beaubien | Y Durkin | N Lindner | Y Riley |
| Y Beiser | N Eddy | N Lyons | Y Rita |
| N Bellock | Y Feigenholtz | Y Mathias | N Rose |
| Y Berrios | Y Flider | Y Mautino | Y Ryg |
| N Biggins | Y Flowers | Y May | N Sacia |
| E Black | Y Ford | Y McAuliffe | N Saviano |
| Y Boland | N Fortner | Y McCarthy | E Schmitz |
| N Bost | Y Franks | Y McGuire | N Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y Froehlich | N Meyer | Y Smith |
| N Brady | Y Golar | Y Miller | N Sommer |
| N Brauer | Y Gordon | N Mitchell, Bill | Y Soto |
| Y Brosnahan | Y Graham | N Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | N Moffitt | N Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | N Tracy |
| Y Coladipietro | Y Hannig | N Mulligan | N Tryon |
| N Cole | Y Harris | N Munson | Y Turner |
| Y Collins | A Hassert | N Myers | Y Verschoore |
| Y Colvin | Y Hernandez | Y Nekritz | N Wait |
| N Coulson | Y Hoffman | N Osmond | Y Washington |
| Y Crespo | Y Holbrook | Y Osterman | N Watson |
| A Cross | Y Howard | E Patterson | N Winters |
| N Cultra | Y Jakobsson | Y Phelps | Y Yarbrough |
| Y Currie | Y Jefferies | N Pihos | A 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 1752
ELECTION JUDGES STATE PAY
THIRD READING
PASSED

April 20, 2007

109 YEAS

0 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A 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 |
| A 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 1327
IDPH-HOSPITAL ER-CRIME VICTIMS
THIRD READING
PASSED

April 20, 2007

109 YEAS

0 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A 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 |
| A 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 822
 ANIMAL CONTROL-DANGEROUS DOGS
 THIRD READING
 PASSED

April 20, 2007

102 YEAS

5 NAYS

2 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A Beaubien | Y Durkin | P 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 | Y Sacia |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| N Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | P Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | N Turner |
| Y Collins | A Hassert | Y Myers | Y Verschoore |
| Y Colvin | Y Hernandez | Y Nekritz | Y Wait |
| Y Coulson | Y Hoffman | Y Osmond | N Washington |
| Y Crespo | Y Holbrook | Y Osterman | Y Watson |
| A Cross | Y Howard | E Patterson | Y Winters |
| N 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 1235
VET AFFAIRS-MATERIAL REMOVAL
THIRD READING
PASSED

April 20, 2007

109 YEAS

0 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A 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 |
| A 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 290
INC TX-NATIONAL GUARD-DEDUCT
THIRD READING
PASSED

April 20, 2007

108 YEAS

0 NAYS

1 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A 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 | P Watson |
| A 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 291
JUV CT-DCFS-GUARDIANSHIP
THIRD READING
PASSED

April 20, 2007

109 YEAS

0 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A 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 |
| A 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 1717
 CRIM CD-ASSAULT&BATTERY-RETARD
 THIRD READING
 PASSED

April 20, 2007

109 YEAS

0 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A 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 |
| A 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 1580
DHS-SUBST ABUSE-HOMELESS-PLAN
THIRD READING
PASSED

April 20, 2007

109 YEAS

0 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A 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 |
| A 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 556
INC TX-EARNED INCOME CREDIT
THIRD READING
PASSED

April 20, 2007

109 YEAS

0 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A 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 |
| A 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 1872
SCH CD-CANVASS OF ELECTIONS
THIRD READING
PASSED

April 20, 2007

109 YEAS

0 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A 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 |
| A 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 1359
 WAGE PAY & COLLECTION-LIMITS
 THIRD READING
 PASSED

April 20, 2007

106 YEAS

1 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | A Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A Hassert | Y Myers | Y Verschoore |
| Y Colvin | Y Hernandez | Y Nekritz | Y Wait |
| A Coulson | Y Hoffman | Y Osmond | Y Washington |
| Y Crespo | Y Holbrook | Y Osterman | Y Watson |
| A 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 1911
EMPLOYMENT-SAFETY
THIRD READING
PASSED

April 20, 2007

109 YEAS

0 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | Y Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A 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 |
| A 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 1124
 CRIM CD-GAMBLING-VIDEO GAME
 THIRD READING
 PASSED

April 20, 2007

62 YEAS

44 NAYS

1 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | N Dugan | N Krause | N Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | N Reis |
| N Bassi | Y Dunn | E Leitch | Y Reitz |
| A Beaubien | Y Durkin | N Lindner | Y Riley |
| N Beiser | Y Eddy | Y Lyons | Y Rita |
| N Bellock | Y Feigenholtz | N Mathias | N Rose |
| Y Berrios | N Flider | Y Mautino | Y Ryg |
| N Biggins | Y Flowers | Y May | N Sacia |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | N McCarthy | E Schmitz |
| N Bost | N Franks | P McGuire | Y Schock |
| E Bradley, John | N Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y Froehlich | N Meyer | N Smith |
| Y Brady | Y Golar | N Miller | N Sommer |
| N Brauer | N Gordon | N Mitchell, Bill | Y Soto |
| N Brosnahan | Y Graham | N Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| N Chapa LaVia | Y Hamos | Y Molaro | N Tracy |
| Y Coladipietro | N Hannig | A Mulligan | N Tryon |
| N Cole | Y Harris | N Munson | Y Turner |
| Y Collins | A Hassert | Y Myers | Y Verschoore |
| Y Colvin | N Hernandez | Y Nekritz | Y Wait |
| A Coulson | Y Hoffman | Y Osmond | Y Washington |
| N Crespo | Y Holbrook | Y Osterman | N Watson |
| A Cross | Y Howard | E Patterson | Y Winters |
| N Cultra | N Jakobsson | N Phelps | N Yarbrough |
| Y Currie | N Jefferies | N Pihos | Y Younge |
| Y D'Amico | N Jefferson | Y Poe | Y Mr. Speaker |
| Y Davis, Monique | N 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 1529
LOGGOV-CREDIT CARD ACCEPTANCE
THIRD READING
PASSED

April 20, 2007

107 YEAS

0 NAYS

0 PRESENT

| | | | |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo | Y Dugan | Y Krause | Y Reboletti |
| Y Arroyo | Y Dunkin | Y Lang | Y Reis |
| Y Bassi | Y Dunn | E Leitch | Y Reitz |
| A 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 |
| E Black | Y Ford | Y McAuliffe | Y Saviano |
| Y Boland | Y Fortner | Y McCarthy | E Schmitz |
| Y Bost | Y Franks | Y McGuire | Y Schock |
| E Bradley, John | Y Fritchey | Y Mendoza | Y Scully |
| Y Bradley, Richard | Y 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 | Y Mitchell, Jerry | E Stephens |
| Y Burke | Y Granberg | Y Moffitt | Y Sullivan |
| Y Chapa LaVia | Y Hamos | Y Molaro | Y Tracy |
| Y Coladipietro | Y Hannig | A Mulligan | Y Tryon |
| Y Cole | Y Harris | Y Munson | Y Turner |
| Y Collins | A Hassert | Y Myers | Y Verschoore |
| Y Colvin | Y Hernandez | Y Nekritz | Y Wait |
| A Coulson | Y Hoffman | Y Osmond | Y Washington |
| Y Crespo | Y Holbrook | Y Osterman | Y Watson |
| A 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